PARLIAMENTARY DEBATES

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HOUSE OF COMMONS

OFFICIAL REPORT

FIFTH SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1996–97

COMPRISING PERIOD
13 January—24 January 1997

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13 January 1997

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE FIFTH SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 288**

FIFTH VOLUME OF SESSION 1996–97

House of Commons

Monday 13 January 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

Sea Empress

1. **Mr. Ainger:** To ask the Secretary of State for Transport when he expects to publish the marine accident investigation branch report on the Sea Empress. [8785]

The Secretary of State for Transport (Sir George Young): The chief inspector has advised me that he hopes to complete his report and submit it to me as soon as possible. He has to consider comments made to him by those he has consulted under the marine accident investigation regulations and amend his draft report if he considers it appropriate to do so in the light of those comments. The report will be published after it has been submitted to me.

Mr. Ainger: Can the Secretary of State confirm that the inquiry will cover Lord Donaldson's recommendations, which were made some 20 months before the Sea Empress ran aground, and that the recommendations about the placing of a powerful tug in the western approaches were not implemented either by him or by his predecessor, the present chairman of the Conservative party? Can the Secretary of State also confirm that no Minister has been interviewed by the MAIB on those important issues? Does the right hon. Gentleman agree, bearing it in mind that we need a full and open investigation of those matters, that if Ministers are not held to account or questioned on those matters, the only conclusion can be that the part of the report covering ministerial responsibility will be a whitewash?

Sir George Young: On the first part of the hon. Gentleman's question, the inspector will of course cover everything that is relevant to the conduct of his inquiry into why the accident happened.

On the second point, it is the case that no Minister has been interviewed by the inspector.

On the third point, I hope that the hon. Gentleman will reconsider what he said. The inspector is carrying out an inquiry under procedures set out by the House of Commons. It is already clear that he will not refrain from criticising those whom he believes should be criticised, but it is a betrayal of natural justice for the hon. Gentleman to say in advance that, if the report does not produce the verdict that he prefers, the verdict is wrong.

Mr. Waterson: Does my right hon. Friend agree that it is encouraging that the marine pollution control unit report concluded that the clean-up operation following the incident went well? Does he also agree that it is an elementary breach of natural justice that what was essentially a draft report has been leaked to the media?

Sir George Young: On the first point, the MPCU report has just been published and it shows that, with the co-operation of many voluntary and statutory organisations, the damage done by that serious incident was minimised and that the impact on the tourism industry in Pembroke was not nearly as bad as had initially been feared.

On my hon. Friend's second point, I take seriously the selective and inaccurate leaking of a chief inspector's draft report. That should be condemned, as should the leaking of any confidential document that may adversely affect the reputations of innocent parties.

Mr. Donald Anderson: Does the Secretary of State agree that, amid all the environmental damage and the anguish to the hotel industry and fishermen in the area, one fact stands out: the exemplary way in which my hon. Friend the Member for Pembroke (Mr. Ainger) has represented his constituents?

Sir George Young: That may be for others to judge later this year. The hon. Member for Pembroke (Mr. Ainger) has been diligent about questioning Ministers, as have a number of other hon. Members on both sides of the House.

Cyclists

2. **Mr. Soley:** To ask the Secretary of State for Transport what new proposals he has to improve safety on the road for cyclists. [8784]

The Minister for Transport in London (Mr. John Bowis): A third fewer cyclists were killed or seriously injured on the roads in 1995 than in the 1981 to 1985 annual average. We will build on this improvement through the national cycling strategy by encouraging local authorities to provide for safe cycling in their transport policies and programmes.

Mr. Soley: Is the Minister aware that, when I occasionally cycle from Shepherd's Bush to Westminster, I feel like a by-election waiting to happen? As I have no wish to be the person responsible for restoring the Government's majority, will the Minister bear in mind the fact that the majority of people who cycle feel unsafe and that is why the figures are so low? Will he publish a map of cycle routes—particularly in London—that are regarded as safe or can be protected? Will he take steps to restore the minor works budgets to local authorities? It is no good the Government saying that they are encouraging local authorities, when they are taking the grant away.

Mr. Bowis: Let me not speculate on any absences from this House, temporary or permanent.

The hon. Gentleman knows that, for the first time, we have in place a national strategy for cycling and that we have put serious money into cycling, with some £42 million being spent on Sustrans for the national network. There is also the £4 million programme for the London cycling network this year, which we have extended for the coming year by another £4 million. The hon. Gentleman will also know that most boroughs produce maps of cycle routes. Some 50 local transport packages with a cycling element are planned for this year, with 65 packages planned for next year, and we are providing resources and advice for cycling networks. If our target is to increase cycling, it is important that it is done safely.

Mr. Simon Coombs: Given that the level of cycling deaths is the lowest since records were first compiled in 1927, is it not entirely right and desirable that the Government should continue to encourage cycling on our roads? In that context, would it not be a good idea to revisit the question of cyclists being a danger to themselves by going through red traffic signals, as they are doing more and more frequently?

Mr. Bowis: My hon. Friend highlights an important point. Safe cycling is enhanced by responsible cyclists. People who cycle through red lights—or cycle without lights or on the pavement—are not enhancing the good name of cycling and are doing nothing for their own safety or that of other people. It is important that we continue our training programmes for children, and it is good that some 40 per cent. of children now receive cycling training before the age of 12. We must continue our campaigns to improve the quality of cycling, and we are about to consult on the mandatory fitting of bells and lights to cycles at the point of sale.

Mrs. Dunwoody: Would it not be a good way of ensuring that more mothers were confident about allowing their children to ride to school if we put money into research into safety, particularly of children? Perhaps we ought to look at the provision of cycle helmets on a mandatory basis. Before any decisions are taken, should we not assess the practical steps that the Government can take to keep children safe on the roads?

Mr. Bowis: The hon. Lady is right. We are engaged in research and campaigns to encourage safer cycling by children, and our cycle safe campaign was very much geared towards the wearing of helmets. We can encourage safe cycling from an early age if schools continue to work with local authorities and road safety officers, and mothers can then have confidence that their children can cycle safely. The Department will continue to support local authorities that make sensible plans in that direction.

South Thamesside Development Route

3. **Mr. Jacques Arnold:** To ask the Secretary of State for Transport if he will make a statement on Government support for the south Thamesside development route, phase 4. [8783]

The Minister for Railways and Roads (Mr. John Watts): My hon. Friend is quite rightly a strong supporter of the south Thamesside development route, phase 4. We have undertaken to fund the scheme through transport supplementary grant, at an estimated cost of £14.1 million.

Mr. Arnold: Will not this project be, in effect, the Northfleet town bypass? The town will have, on one side, the Thames tunnel of the channel tunnel rail link and, on the other, Ebbsfleet international station. During the construction of those large projects, heavy goods vehicles will rumble through the town, as there is currently no other route for them. Does my hon. Friend accept that the people of Northfleet are fed up to the back teeth with Kent county council, which has delayed the introduction of the project? Two years after the public exhibition, the council is now involved in an inspector's inquiry. Will my

hon. Friend give an assurance that, as and when Kent county council does its work properly, he will ensure that the inquiry is carried out as fast as possible?

Mr. Watts: We are waiting for Kent county council to contact us about suitable dates for the public inquiry. When it has done so, we shall make the arrangements for the inquiry as rapidly as possible and take the scheme through its statutory procedures without undue delay.

A38

4. **Sir Robert Hicks:** To ask the Secretary of State for Transport when he expects to announce the commencement of the design and other preparatory work for the A38 trunk road improvement scheme between Carkeel and Stoketon Cross; and if he will make a statement. [8782]

Mr. Watts: The A38 Saltash to Stoketon Cross improvement scheme has been retained in the main road programme. Design work on the scheme will be resumed when resources allow.

Sir Robert Hicks: Is my hon. Friend aware that that much-needed road improvement will help to provide access to the Broadmoor Farm business park and that, when Caradon district council considered the application, it was obliged by the Highways Agency to impose a condition that will not allow that exciting development, with a job creation potential of 2,500, to go ahead until the new road is complete? Surely, in view of its importance to the local economy, he should provide the necessary funds for the design and preparatory work now.

Mr. Watts: I am well aware of the importance of the scheme to that imaginative development. That is why, in the 1995 review of the road programme, I separated that part of the improvement from a larger scheme. My understanding is that the developers are content with the condition that has been imposed by the district council following the direction from the Highways Agency, but we have made it clear to both the council and the developers that the agency is willing to negotiate with the developers on a more limited road improvement, to enable the scheme to be occupied; the development may proceed, but the condition is that it may not be occupied until the necessary road improvements have been carried out. We remain ready to negotiate on the extent of the improvements.

Mr. Bradley: On behalf of the millions of motorists who may use the A38 trunk road improvement and similar trunk roads throughout the country, I ask the Minister to confirm that he is considering his senior management proposal to abolish the option of a six-month road fund licence and the option of the purchase of licence stamps, as a cost-cutting exercise—

Madam Speaker: Order. This is a very specific question, and the hon. Gentleman must either be specific or resume his seat—one or the other.

Mr. Bradley: The abolition of the six-month road licence will be used by motorists on the A38 improvement—

Madam Speaker: Order. That must be it. The hon. Gentleman cannot widen a question as specific as this.

Heathrow-Plymouth Flights

5. **Mr. Jamieson:** To ask the Secretary of State for Transport what discussions he has had with British Airways regarding the slots into Heathrow from Plymouth. [8781]

Sir George Young: I have recently written to the chief executive of British Airways to pass on local concerns about the future of the Brymon Airways service between Heathrow, Plymouth and Newquay.

Mr. Jamieson: Is the Secretary of State aware that, if the merger between British Airways and American Airlines goes ahead, the President of the Board of Trade could make British Airways give up a substantial number of slots in and out of Heathrow, which in turn could seriously affect flights from Plymouth and Newquay to Heathrow? Is he further aware that the Minister for Local Government, Housing and Urban Regeneration has also said that those air links are vital to investment in the south-west? When will the Government do some joined-up thinking on the question? May I suggest that the Secretary of State's Department make a start by ring-fencing the slots to protect the flights to and from Heathrow and the south-west, which would in turn protect jobs and investment in west Devon and Cornwall?

Sir George Young: As the hon. Gentleman said, my right hon. Friend the President of the Board of Trade is holding consultations on proposals concerning the alliance between British Airways and American Airlines, and I do not propose to make any comment on those consultations, which are fairly and clearly a matter for him.

I recently received a deputation led by my hon. Friend the Member for Falmouth and Camborne (Mr. Coe), who made clear the importance of the service. As I understand it, Brymon Airways considers the service to be profitable. The latest figures that I have seen show that custom is increasing. The service is well used, and there are no plans to vary it.

Mr. Harris: Does my right hon. Friend appreciate the importance of this service to the economy of Cornwall and of Plymouth and west Devon? Today, still more job losses in Cornwall have been announced at English China Clays. Will my right hon. Friend receive a delegation of both Government and Opposition Members from the south-west to discuss this important issue and the absolute need to safeguard this facility for the south-west?

Sir George Young: My hon. Friend extends an invitation that I find difficult to decline. Although I have recently received a deputation of south-west Members, in view of the strength of feeling on the matter, if my hon. Friend contacts my private office to arrange a meeting I shall be pleased to see him.

Mr. Mackinlay: Does the Secretary of State not understand that one reason why British Airways' American tie-up should be referred to the Monopolies and Mergers Commission is the threat that it poses to consumer interests? This matter affects consumer interests in the south-west. Is not my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson) correct to demand the matter's referral? Is it not bad form that the

Government are discussing BA bailing them out with millennium money at the same time as this matter is before the Government? It should be demonstrably clear that nothing will impede a fair and appropriate consideration of the need for referral, uncluttered by the nice offers made by British Airways in respect of the wider United Kingdom interest.

Sir George Young: The hon. Gentleman makes a powerful point, but he has made it at the wrong Question Time. Referral rests not with my Department but with that of my right hon. Friend the President of the Board of Trade.

Humberside International Airport

6. **Mr. Michael Brown:** To ask the Secretary of State for Transport if he will make it his policy to require the privatisation of Humberside international airport. [8780]

Sir George Young: It is our policy to encourage privatisation of local authority-owned airports, as we believe that the commercial approach of the private sector benefits their operation and efficiency. The policy is working, and I hope that the owners of Humberside airport will consider the benefits of private ownership.

Mr. Brown: I am grateful to my right hon. Friend for his reply, but he and his predecessors have been encouraging Humberside airport to go private for many years, and no notice has been taken. Is it not time that the Government introduced legislation to require Humberside airport to be put into private hands? Even East Midlands airport, which used to have Labour-controlled Derbyshire county council among its shareholders, has been put in private hands.

Humberside no longer exists; the term is not understood by anyone. Why is the name not changed and why do the Government not introduce legislation? I cannot fly from my Humberside constituency to London because the airport is still run by a Labour-controlled group of local authorities. The only way in which those authorities will respond to my right hon. Friend's encouragement is if he introduces legislation. The time for encouragement is over; the time for legislation is before us.

Sir George Young: Exciting ideas for the Conservative manifesto are always welcome, but, as my hon. Friend implied, the existing policy has been successful in persuading a number of local authorities, many of them Labour controlled, to dispose of their interests in local airports such as Liverpool, East Midlands and Cardiff. I shall reflect on my hon. Friend's proposition on compulsion.

Mr. Gunnell: I hope that the Secretary of State recognises that there would be no Humberside airport but for the strategic authority, which represented Humberside as a whole, that developed it. Will he ensure that that strategic approach is continued by the successor authorities and that no local authority-owned airport is privatised against the will of its owners?

Sir George Young: The position, as my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) made clear, is that the Government are making good progress by persuasion. Many local authorities understand the advantage of privatising their airports to allow them access to capital that would not have been available to them had they remained in the public sector. We can debate on another occasion whether Humberside airport would have come about without the existence of a strategic authority. I hope that the new authorities responsible for Humberside will see the good progress made by local authority airports that have been privatised, which, in conjunction with private sector capital, have expanded in a way that would not otherwise have been possible.

Rail Freight

7. **Mr. Spring:** To ask the Secretary of State for Transport to what extent the volume of rail freight has changed in the past five years. [8779]

Mr. Watts: In 1991, rail carried 134.8 million tonnes of freight, falling to 97.3 million tonnes in 1994, but rising again to 103.2 million tonnes in 1995. The key to rail freight's revival is privatisation. New private sector freight companies are attracting new traffic to the railway.

Mr. Spring: In thanking my hon. Friend for his answer, may I particularly welcome the announcement last autumn on rate increases and the rail freight grant? Does he share my view that that will encourage the movement of freight on to rail, which is good not only for motorists but for the environment?

Mr. Watts: I certainly hope that the increase in the mileage rate for motorway traffic will attract more of that road freight on to rail. Since 1979, more than 150 rail freight grants have been awarded, securing to rail the equivalent of about 3 million lorry journeys a year. About one in eight of all types of rail freight traffic have benefited at some time from grant.

Mr. Sutcliffe: If the Government are serious about rail freight, why has the freight facility grant not been fully spent? Of the £70 million available, why was only £32 million spent between 1985 and 1996? Is it not the truth that the Government have no intention of trying to increase rail freight?

Mr. Watts: On the contrary, the reason why I have adjusted the mileage rates, and why we have under way a review of ways in which administrative procedures for the grants could be further streamlined, is that we wish the grants to be taken up fully. Evidence shows how effective they are in encouraging new traffic to move off roads on to rail, or to be retained on rail, whereas it might otherwise have been lost to road.

Mr. Bernard Jenkin: Is it not time for everyone to acknowledge that the best prospects for rail freight are in the private sector and that the whole railway is being transformed by privatisation, which is liberating the management and injecting the capital, as state ownership could never possibly have done? Should we not remind ourselves that we were told that this was all going to be chaotic and disastrous, but the reverse is happening?

Mr. Watts: My hon. Friend is entirely right. English, Welsh and Scottish Railway and Freightliners have

impressive investment plans and both have already demonstrated their ability to attract new business for the freight railway. It is in the new private environment that rail freight has its brightest future.

Mr. Chidgey: Is the Minister aware that, in the mad scramble to sell off the passenger franchise for the west coast main line, rail paths that are essential for the efficient operation of freight are being sacrificed? Will he advise the Rail Regulator that, in the negotiations to let passenger franchise, freight capacity must not be reduced?

Mr. Watts: I do not accept the hon. Gentleman's initial supposition. The Rail Regulator needs no instructions either from me or from my right hon. Friend the Secretary of State for Transport to discharge his responsibilities to ensure that access to the railway is available both for passenger and for freight traffic.

London Underground

8. **Mr. Gerrard:** To ask the Secretary of State for Transport what representations he has received regarding proposed investment in London Underground for the next and subsequent financial years. [8778]

Sir George Young: From time to time, I receive representations from a range of organisations and individuals about investment in London's underground rail network.

Mr. Gerrard: I am sure that the representations that the Secretary of State has received lately will have told him that, in the Budget, he and his colleagues produced an investment programme for London Underground for the next few years that will mean that, shortly, we will have the lowest investment for 20 years. Is it not true that there will be nearly £400 million-worth of cuts in essential renewal and maintenance programmes on existing lines? What does the right hon. Gentleman have to say to people in London who, because of his cuts, will get worse services, while their fares go up by as much as 20 per cent.

Sir George Young: Next year's grant to London Transport has been protected—there has been no reduction. That should allow investment of about £1.1 billion over three years from Government grant. If we then include all the resources available to London Underground from private finance and elsewhere, that should allow a total of £2.2 billion of investment in London Transport over the three years, including completion of the Jubilee line extension. Far from being low, the investment level in the core network will, on average, be 50 per cent. above the 1980s level and twice the 1970s level, so the gloomy scenario that hon. Gentleman paints is simply not true.

Mr. Wilkinson: May I urge my right hon. Friend to shift his focus from investment in London Underground—on which, as his figures show, the Government have an excellent record—to its future under private enterprise, which would give an opportunity for the higher-quality service that the travelling public so urgently need?

Sir George Young: As my hon. Friend will know, back in October my right hon. Friend the Prime Minister said that we were considering whether we could apply the success of railway privatisation to London Underground. That exercise is now under way and I am heartened by my hon. Friend's support for it.

Mr. Andrew Smith: Is not the experience of passengers and businesses alike that the Government's record on London Underground is a disgrace to London and damaging to the economy? Does it not show how Conservative Members lurch from one extreme to the other when, after slashing maintenance and investment in the tube, all they can now offer for a nightmare Tory fifth term is the extreme of privatisation?

Does the Minister accept that, because of the effects of the overspend on the Jubilee line extension, the estimate he just gave was not a true reflection of what is actually happening on the underground and that, because of the budget that he has imposed on London Underground, there will be damaging and dangerous cuts in investment and maintenance? Is it not time that we had the public-private partnership that is necessary for investment in a first-rate tube and an integrated public transport system that is worthy of the nation's capital?

Sir George Young: The difference between the Opposition and the Government on this subject could not be clearer: Opposition Members allege that we are under-investing, but they are not able to commit themselves to spending one penny more than the Government currently spend. We are investing at double the rate of the 1970s and, in addition, we are prepared to consider privatisation as a means of improving on that record. Londoners will draw their own conclusion as to which of those two approaches is the most constructive.

Northern Line

9. **Mr. John Marshall:** To ask the Secretary of State for Transport how many new trains London Transport has received for the Northern line; and how many are planned to be delivered in 1997. [8777]

Mr. Bowis: I understand that GEC Alsthom delivered the first new Northern line train to London Underground last month and plans to deliver 23 more trains during 1997. The first trains are expected to enter passenger service from the middle of this year.

Mr. Marshall: As one who has been at the controls of the first new Northern line train, I thank my hon. Friend for that answer. Will he confirm that, because those trains come under the private finance initiative, they are immune from any public spending decisions taken by my right hon. and learned Friend the Chancellor? Will he also confirm that the PFI can be used to finance further developments on the Northern line and that, whenever privatisation has taken place, it has led to strict price controls and increased investment by the private sector?

Mr. Bowis: My hon. Friend puts it succinctly and brilliantly, and I am delighted to learn that he has personally tested the trains and knows the quality of the additional service that has been brought forward by the private sector in support of London's underground. He is right to say that the £400 million that is coming from the private finance initiative in support of those trains means

that Londoners will have the new service earlier and at a price that they do not have to pay themselves. The Northern line is benefiting from new trains and from the refurbishment of 10 stations, and it will go on to benefit from other aspects of the PFI that are currently being planned and proposed by London Underground in respect of power, ticketing and communications.

Ms Glenda Jackson: How can the House attach any credibility to the Minister's reply, when the Government propose to threaten not only the introduction of new rolling stock on the Northern line but the entire underground network with the abyss of privatisation? Does not the sudden advocacy of the extreme right-wing views of the right hon. Members for Wokingham (Mr. Redwood) and for Kingston upon Thames (Mr. Lamont) show the Government's desire to placate the enemy within rather than to create a modern and properly integrated public transport system for London?

Mr. Bowis: Well, well! The hon. Lady refers not once to the massive investment in London's underground in recent years, or to the programme of future investment. She describes privatisation as a great threat and ignores the fact that, as my right hon. Friend the Secretary of State said, we are carefully considering whether the principles of privatisation could apply to London Underground and whether they could do so to the benefit of the London travelling public. If that review finds that privatisation would benefit Londoners, and if the best route to achieve that can be found, Londoners will be pleased and I suspect that, within a few months of its implementation, the Labour party will claim parentage for the privatisation of London Underground.

The Labour party's policy is not a penny more and no new lines for London Underground. As *Capital Transport*—not a magazine that I normally quote in support—has said:

"The lack of clarity surrounding the position of the other main parties should not be tolerated any longer."

Mr. Harry Greenway: Does my hon. Friend recall how poorly run the Northern line and other underground services were under the unlamented Greater London council, run by the Labour party? Will he ensure that steps are taken and proposals made to maintain improvements that have been made since the GLC abandoned that task and all others, and ensure a better future for the London traveller, who jolly well deserves it?

Mr. Bowis: Yes, like my hon. Friend I recall those days, when the underground was a very poor service and investment was at a minimum. Investment is going into the lines. We have just spoken about investment in the Northern line. About £800 million of modernisation is now being completed on the Central line. Train refurbishments have taken place on the Bakerloo, Circle, Hammersmith and City and Victoria lines and are in hand for the Metropolitan and Piccadilly lines.

Under the Government, underground services are improving. The core is being protected and the expansion of the service means new and exciting prospects for travellers in London in future.

North London Line

10. **Mr. Corbyn:** To ask the Secretary of State for Transport what plans he has to ensure the continuing improvement of rail services on the North London line over the franchise period. [8776]

Mr. Bowis: The improvements to the railway infrastructure on the North London line carried out by Railtrack during the past two years and the commencement in spring 1997 of heavy overhauls of the rolling stock used on the route will provide a solid foundation on which the North London Railways franchisee will build throughout the franchise term.

I also announced on 16 December a further transport policies and programmes grant towards the upgrading of stations on the Gospel Oak to Barking section of that line.

Mr. Corbyn: Will the Minister comment on why the franchise documents that have been dispatched to encourage people to take over the North London line include nothing about new stations, improvements of services, increased train frequency or station safety and pay no regard to the unanimous views expressed by local government and train users of the current appalling state of the line?

The Minister knows the state of the line; two of his ministerial colleagues travelled along it. On the stations, they all gave nice answers to questions about how terrible it was and how it would be improved, but there is nothing in the documents to suggest that there will be any improvement in the appalling service that passengers have to suffer on that line.

Mr. Bowis: I beg leave to differ with the hon. Gentleman. In our previous exchange on the subject, he challenged me to travel unannounced on that line. I did so and experienced the service, and I became aware of where improvements were needed. The reliability and punctuality of the service have greatly improved in the past year or two, but obviously the service needs the investment that will come from privatisation.

The hon. Gentleman knows that the franchising director requires that replacement trains be provided on the Gospel Oak to Barking section of the line by 2000. That could not be a more self-evident improvement in the line. As he knows, we have put money into station improvements three times, first at Haringey Green Lanes, then at Leytonstone High Road, and now Waltham Forest, as the lead borough, will consider where the next tranche of money should go. As he must also know, Railtrack is assessing the scope for further development of that line for freight and passengers. I think that the future looks quite promising.

Mr. Ian Bruce: Could my hon. Friend find a simpler way of answering the hon. Member for Islington, North (Mr. Corbyn) and the fears that he expresses? Similar fears were expressed by all political parties when we were franchising Network SouthWest and the line from Weymouth to Waterloo. Would not a cheap awayday ticket—

Mr. Bowis: A single.

Mr. Bruce: Not a single ticket as we want him to come back to London. Would not an awayday ticket allow the hon. Gentleman to see exactly what is happening—improved services, stations, frequency and punctuality, and reduced fares—which is what my constituents want?

Mr. Bowis: My hon. Friend is right to point to the benefits of privatisation. He highlighted the benefits that have come on lines in his area and asked me to act as post box to the hon. Member for Islington, North (Mr. Corbyn) to go on an awayday down the south-west line. With our present majority, I am happy to invite him to go on an awayday any day.

Thames Gateway

11. **Mr. Timms:** To ask the Secretary of State for Transport what are his priorities for transport investment in the Thames gateway area. [8775]

Mr. Bowis: The transport strategy for London described the Government's strategy for transport investment in the Thames gateway area. It includes construction of the channel tunnel rail link, with stations at Stratford and Ebbsfleet; improvements to the A13 and other trunk roads in London and Kent; the Jubilee line extension; and the proposed package of new river crossings.

Mr. Timms: Does the Minister share my concern about the threat to the prospect of regeneration of the Thames gateway arising from the current investment crisis at London Underground? Is it true, as the *Evening Standard* reports today, that the reopening of the East London line will be delayed for another two years? Does he deprecate, as I do, the deferral for two years of the planned refurbishment of District line stations in my constituency? The Minister saw for himself recently the condition of East Ham station and talked to staff about their aspirations for refurbishment. How will the Government address the serious crisis in east London and the Thames gateway area, which was precipitated by the catastrophic Budget settlement for London Underground?

Mr. Bowis: The hon. Gentleman cannot have been listening when my right hon. Friend the Secretary of State was responding on the Budget question, because there is no such budget cut. For the coming year, the figure will be as planned. There is no reduction for London Underground. Indeed, increasing quantities of money will come from London Underground's operating surplus and from the private sector.

On the hon. Gentleman's specific points, as he said, I have visited his borough and many other boroughs on my urban rides to look at facilities, challenges and opportunities, and I have seen the station at East Ham to which he referred. Any decisions on that are for the management of London Transport. There is a lot of speculation about the decisions that may be taken but I am aware of no decisions having been made. Indeed, the board does not meet until next month, so no decisions can have been made. The Northern line river tunnel has been strengthened and has opened on time. London Transport has announced its expectation for reopening the East London line and I have no reason to doubt its word on that.

Mr. Dunn: Given that the Dartford constituency contains a significant number of projects associated with the Thames gateway concept, will my hon. Friend assure me that his officials will monitor rigorously and robustly the transport infrastructure developments as they take place so that my constituents and people from the south-east region as a whole can gain easy access to Ebbsfleet, Bluewater, and other north Dartford developments for commerce, leisure and housing?

Mr. Bowis: I can certainly assure my hon. Friend that officials of the Highways Agency and the transport authorities look carefully at volumes and flows of passengers and at the various developments. A key development will be Ebbsfleet station, which will be looked at carefully in terms of its road and rail connections to the part of Kent to which my hon. Friend refers. As he knows, a number of road schemes are in the programme.

Mr. Spearing: Is not one of the proposals for the Thames gateway the extension of the valuable North London link line from Silvertown across the river to Woolwich arsenal and along the North Kent line to the area of the hon. Member for Dartford (Mr. Dunn)? Is the Minister aware that the Government insist that that should be funded by the PFI? The revenue from about a mile and a half of track will certainly not pay for the capital, so they are effectively blocking an imaginative and sound public proposal.

Mr. Bowis: Nothing has been blocked. The hon. Gentleman is referring to a package of crossings that were highlighted in the report. The Woolwich rail tunnel is one proposal; the Gallions Reach multimodal crossing is another; and the third Blackwall crossing is the third. Those are being considered carefully to see whether they are viable, and progress will be announced in due course.

HOUSE OF COMMONS

Catering Staff

30. **Mr. John Marshall:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what estimate the Commission has made of the wages bill for catering staff in 1996–97. [8755]

Mr. A. J. Beith (on behalf of the House of Commons Commission): On current estimates, £4.1 million. Estimates for catering and administration staff within this total are not made separately, but there is a separate budget for banqueting and souvenir staff costs, which are borne on a House of Commons Refreshment Department trading account. The approved trading account budget for 1996-97 includes staff costs of £827,000.

Mr. Marshall: I thank the right hon. Gentleman for that answer. No Member of the House grudges a

penny that is spent by the Refreshment Department on wages, but many of us feel that when the Department is investing in new facilities, it goes for the gold plated rather than the practical. Will he give us an assurance that that will be considered thoroughly before any new investment is agreed?

Mr. Beith: The details of schemes of improvement in the Refreshment Department are for the Catering Committee and the Accommodation and Works Committee. The Commission has regard to the overall cost, but it must also have regard to staff working conditions and health and safety requirements.

Mr. Faulds: Would it not have been wiser to have increased the poor wages of the catering staff in this place, instead of the ridiculous introduction of an extremely expensive and not very well functioning restaurant, when the previous arrangements were perfectly satisfactory?

Mr. Beith: The Commission was advised that the previous arrangements were not satisfactory from a health and safety point of view. They were not satisfactory in respect of the conditions in which we expect our staff to work. It is not sufficient to pay tribute to our staff: we must also give them satisfactory working conditions.

Disabled Employees

31. **Mr. Corbyn:** To ask the right hon. Member for Berwick–upon–Tweed, representing the House of Commons Commission, how many Commission staff are disabled. [8754]

Mr. Beith: Twelve staff of the Commission are registered disabled people, but there are other disabled staff employed in Departments of the House who have not registered.

Mr. Corbyn: Does the right hon. Gentleman agree that 12 staff out of the very large staff complement in this building is an extremely low proportion? What steps are being taken to increase the number of registered disabled people who can work in this building? What is being done to improve access and other facilities so that disabled people can work on all floors in the building and in a much wider variety of jobs? Recently, people with disabilities, in a delegation to the Select Committee on Social Security, were given no fewer than three different routes to get from the street to present their case before the Committee, and went through a traumatic experience trying to get there. Is it not a disgrace that the Commission has failed to provide proper access to the building?

Mr. Beith: At 0.9 per cent., the proportion of disabled staff is lower than the Commission would like. The Commission would like to employ more disabled people on the staff of the House. It has a policy of showing the availability of all posts to people with disabilities, and of trying to make sure that the facilities available assist people with disabilities to take employment. It has pursued that policy vigorously. On access to the building for staff and visitors, the Commission has sought to implement all the advice that it has been given by the Accommodation and Works Committee and that Committee's consultants on ways in which access can be improved. The Commission will continue to look favourably at suggestions for improvement of access.

Visitors' Facilities

32. **Mr. Ainger:** To ask the right hon. Member for Berwick–upon–Tweed, representing the House of Commons Commission, what additional facilities are planned for visitors to the Palace of Westminster. [8753]

Mr. Beith: In its first report of 1992-93, the Catering Committee recommended that the area currently occupied by the Westminster Hall cafeteria should be converted to a visitor centre, but that that should take place only when a suitable alternative was found for the present lunchtime users. The House agreed to the Committee's report on 12 July 1994. The Catering Committee considers that, until the cafeteria in the new parliamentary building is operational, the recommendation for a visitor centre cannot be implemented.

Mr. Ainger: I am grateful for the right hon. Gentleman's answer, but I think that he will agree that it is wholly unacceptable that, although the recommendation for a new visitor centre was accepted in 1994, the plans are no further advanced. Many hon. Members' constituencies are located some distance from London and, when school parties from those areas visit the Palace of Westminster, schoolchildren may catch buses as early as 5 or 6 o'clock in the morning, and they have no opportunity to take any refreshment until they arrive at the House. Will he bring forward plans for the visitor centre so that we can at least offer some refreshment to schoolchildren who travel many miles to visit Westminster?

Mr. Beith: The hon. Gentleman makes a good point that is widely shared in the House. If he has some ideas about how the Catering Committee or the Accommodation and Works Committee could deal with the problem, I hope that he will put them to those bodies. At present, 500 people use the Westminster Hall cafeteria at lunchtime and there is a practical problem to be resolved.

Mr. Viggers: Other countries with lesser parliamentary traditions than ours have museums associated with their Parliaments that are well supported and attended. Does the right hon. Gentleman believe that if there were a larger parliamentary museum than that housed in the Jewel House—which is not well advertised—it might reduce the number of visitors to Parliament, relieve the pressure and provide an additional attraction?

Mr. Beith: There could be new facilities to depict the history of this building, but I do not think that anything would take the place of schoolchildren and other visitors being able to see the House of Commons Chamber in which debates take place. Therefore, we must organise our affairs so that they can do so.

TRANSPORT

Heathrow Airport

12. **Mr. Steen:** To ask the Secretary of State for Transport if he will make a statement on progress by the European Community on its review of slots at Heathrow airport. [8774]

Sir George Young: We are awaiting proposals from the European Commission on revisions to the current regulations governing slot allocation at all Community airports.

Mr. Steen: My right hon. Friend will be aware that a fearful row is going on in Europe between two socialist Commissioners, Commissioner Kinnock and Commissioner van Miert. As a result, the report about the future of grandfather rights and slot trading in major European airports has been delayed by more than a year. Is that an example of the British Government being unable to do anything because Brussels bureaucracy is sovereign over matters that it decides to investigate?

Sir George Young: We can carry on with the present position, under which a certain amount of slot trading is acceptable. As I said in my original answer, we are awaiting proposals from the European Commission. It has expressed the view that trading is contrary to current regulation, but it remains a grey area. In the meantime, I am not aware of any substantial disadvantage to the United Kingdom civil aviation industry.

Mr. Cunliffe: Does the Minister appreciate that the best way to relieve pressure on slots at Heathrow would be to grant a second runway to Manchester airport immediately? Hundreds of thousands of people from areas north of Manchester must travel to Heathrow to fly to Strasbourg, Bonn and other destinations in Europe—including the British parliamentary delegations to the European Union, and those to the Council of Europe and the Western European Union, of which I am a member. Therefore, I have a vested interest in the matter. I ask the Secretary of State to take an immediate decision that would bring automatic relief to Heathrow.

Sir George Young: I commend the hon. Gentleman's ingenuity in introducing a question about Manchester airport as a supplementary to a question about slot allocation. He will be pleased to hear that a decision about the second runway at Manchester is imminent.

Heathrow-London Rail Link

13. **Mr. Dykes:** To ask the Secretary of State for Transport if he will report progress on the Heathrow to London rail link. [8773]

Sir George Young: Work on the Heathrow express project, financed by BAA plc, is progressing well. It expects to start operating in June 1998.

Mr. Dykes: Will my right hon. Friend confirm that the project is on schedule and will provide a wonderful facility from the airport direct to Paddington? Is he confident that additional services may be grafted on to the line to serve other stations in addition to a full express service?

Sir George Young: I confirm what my hon. Friend just said. It is a £350 million investment by the private sector in improving infrastructure in London, which puts a gloss on the debate that we had earlier in Question Time, in which it was implied that improvement could come only through public finance.

As to grafting on further services, I was encouraged to hear that BAA recently announced that it is considering the introduction of a sister service to the Heathrow express. That service, which could start in 1999, would operate between St. Pancras and Heathrow and would include some local stops. That would clearly be of great advantage to the travelling public in London.

London Underground

14. **Mr. Simon Hughes:** To ask the Secretary of State for Transport what was the level of investment in safety on London Underground in (a) 1995 and (b) 1996 to date; and what is the planned level for 1997. [8772]

Mr. Bowis: Decisions on investment priorities are a matter for London Underground Ltd. It is impossible to estimate how much money is spent each year on safety because very many projects include some element of safety-related work.

Mr. Hughes: That was a pretty hopeless answer, if I may say so. Did not London Underground warn the Government that its funding for the coming year would put at risk many of the necessary routine safety works that it needs to carry out? Is it not the case that only the most urgent repairs of escalators are being carried out, such that other escalators are often closed and not used? What is the point in ensuring that the brickwork in the East London line tunnels is restored if, at the end of the day, the opening of the line will have to be deferred for a further two years because London Underground cannot carry out basic work on the line and the track?

Mr. Bowis: If I may return the compliment, that was not a very satisfactory supplementary question, because the truth is that any investment in London Underground's track and trains is likely to improve safety. That is what I was saying in my initial answer, and given the real-terms increase in investment, that has to be good news.

In terms of safety, the hon. Gentleman will know that, under the Railways (Safety Case) Regulations 1994, London Underground was required to submit a safety case. It did so and its case was approved by the railway inspectorate. From this year, London Underground will produce annual safety plans. The hon. Gentleman can be reassured that—certainly from the Government's point of view and that of the management of London Underground—safety is the top priority, and the good news is that the number of fatal accidents on London's underground fell from 46 in 1990 to 26 last year.

LORD PRESIDENT OF THE COUNCIL

EU Legislation

33. **Mr. Bernard Jenkin:** To ask the Lord President of the Council if he will make a statement about the House's procedures for the scrutiny of EU legislation. [8752]

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The House's procedures for scrutiny of EC legislation provide for comprehensive and detailed examination of legislation coming before the Council of Ministers. As the Select Committee on European Legislation acknowledged in its recent report on the subject, our system compares extremely well with systems elsewhere in the European Union.

Mr. Jenkin: While I have no doubt that our system compares extremely well with those of our European counterparts, may I, as a member of a Committee that considers EU legislation, explain to my right hon. Friend how topsy-turvy it feels to take part in the legislative process? We deal with extremely significant draft legislation in a Second Reading debate, tucked away in Committee upstairs, and then when the primary legislation emerges to implement European legislation, we have proper scrutiny debates of proposed Acts of Parliament down here. There is no way to bind Ministers or to alter legislation once it has been enacted in Europe. Is that not something that we desperately need to consider at the intergovernmental conference?

Mr. Newton: My hon. Friend will be aware that the Government have made a number of proposals in the context of the IGC, not least of which is that there should be a minimum of four weeks before a proposal can be adopted by the Council of Ministers, to allow for proper scrutiny by national Parliaments. I am glad to say that that idea has attracted significant support.

Sir James Molyneaux: Will the Lord President consider extending the scope and authority of European Standing Committees A and B, in which we sometimes have quite stimulating debates?

Mr. Newton: I agree that the debates are sometimes stimulating, although I am not quite sure that my hon. Friend the Member for Colchester, North (Mr. Jenkin) appeared to share that view.

As to the general arrangements, the right hon. Gentleman will know that the Select Committee on European Legislation has produced some thoughts on scrutiny, which will be linked in due course with a report that the Procedure Committee is preparing. We shall look at any suggestions with great care.

Divisions

34. **Mr. Simon Hughes:** To ask the Lord President of the Council how many Divisions there have been in the House during 1993, 1994, 1995 and 1996, and if he will estimate the number likely in the first four months of 1997. [8751]

Mr. Newton: There were 390 Divisions in the House in the 1992-93 Session, 339 in 1993-94, 202 in 1994-95 and 33 so far this Session. I have made no estimate of the likely number of Divisions in the first four months of 1997.

Mr. Hughes: I suggest that it may be fewer than 33, which was the last figure that the right hon. Gentleman gave. Are the Government likely to obtain Royal Assent for all their legislation before the end of the Session? What are the odds on the month when the election will be called? Will it be decided by the Government at their choice or by the Opposition with our votes?

Mr. Newton: I am a politician and not a gambling man, although I occasionally buy a lottery ticket. I do not propose to be drawn on that matter by the hon. Gentleman. However, I will say that I hope and expect that we shall be able to carry out our legislative programme, given that the number of Divisions held so far partly reflects the extensive support for that programme.

Mr. Skinner: Is it not true that the number of Divisions fell dramatically in the past two years principally because the Government called upon the vast majority of their Back Benchers to push through the Jopling recommendations? That resulted in many orders, such as the Common Market orders to which the hon. Member for Colchester, North (Mr. Jenkin) referred, being sent upstairs to Committee. It should be clear to all and sundry that, after the next election, when the Tory party will be in opposition, many Conservative Members will rue the day that they sent all that legislation to Committee.

Mr. Newton: As hon. Members know, the notion that the Jopling changes were rammed through by a Tory majority is far fetched. Total agreement was reached through the usual channels. I accept that the hon. Gentleman did not agree with those changes, but he should take the matter up with his hon. Friend the shadow Leader of the House, the hon. Member for Dewsbury (Mrs. Taylor), who supported them.

Madam Speaker's Statement

3.31 pm

Madam Speaker: I would like to make a short statement, for the guidance of hon. Members and others outside the House, about the use of the House emblem.

The crowned portcullis has been used for many years as the emblem of the House of Commons. It is a royal badge and its use by the House has now been formally authorised by licence granted by her Majesty the Queen.

The use of the emblem has been authorised for display on official stationery, publications and circulars, furniture and furnishings used in the Palace of Westminster, souvenir objects and books sold on the premises and club clothing. In addition, I am authorised to give my permission for similar uses of the emblem that indicate authorisation by or connection with the House.

It is important for the dignity of the House that the emblem should not be used for purposes to which such authentication is inappropriate, or where there is a risk that its use might wrongly be regarded or represented as having the authority of the House.

All Members of the House have a duty to ensure that the emblem is not misused. For my part, I intend to use my authority to give permission for its use only sparingly. I am aware that the emblem is currently in use by the media in a number of contexts concerned with coverage of our affairs. Such use makes a serious contribution to public understanding of Parliament, and I therefore regard it as appropriate that the House emblem should be used in those contexts. New uses will, however, require my authorisation, which will not be given if the use could possibly reflect adversely on the House or be misunderstood.

Finally, at this stage of the political cycle it is appropriate for me to remind Members that neither the crowned portcullis nor the royal arms, whether or not associated with the words "House of Commons", may be used to support the return of any person to public office. In case of doubt, Members should consult the Serjeant at Arms.

Points of Order

3.33 pm

Mr. George Mudie (Leeds, East): On a point of order, Madam Speaker. Last week, my constituent Edna Harrison collapsed in the snow a few hundred yards from St. James's hospital, the largest teaching hospital in western Europe. She could not be found an intensive care bed. Four hours later, having suffered further brain damage, she was found a bed in Hull hospital, 60 miles away, where, sadly, she died. Last year, following a similar occurrence, the Secretary of State for Health made a statement to the House promising fresh resources and new procedures to deal with the acute shortage of intensive care beds. As that does not appear to be working, has the Secretary of State sought to make a statement on the crisis affecting intensive care beds? If he has not sought to do so voluntarily, how can we induce him to come to the House and explain the current alarming state of affairs?

Madam Speaker: The Secretary of State certainly has not informed me that he is seeking to make a statement on the issue. The hon. Gentleman might care to look at the Order Paper, so that the next time the Department replies to questions he might get some answers to the questions that he is attempting to raise today.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Madam Speaker. You may have been informed that the stock exchange surveillance department and the Office of Passenger Rail Franchising are investigating movements in the shares of the Go Ahead Group, which rose 40 per cent. in seven weeks during the company's franchise bid for north-east Regional Railways. One would have thought that Ministers would have volunteered a statement to the House as the matter raises immense issues of public concern—notably revenues from privatisation and speculative share dealings. Could you carry out inquiries and find out whether Ministers intend to make a statement to Parliament as I and many of my hon. Friends believe that there should be a full statement so that we can question Ministers on the issue?

Madam Speaker: Ministers always inform me, at the latest by midday, when they are seeking to make a statement at 3.30 pm. However, there are opportunities later in the day for statements to be made.

Mr. Tony Marlow (Northampton, North): On a point of order, Madam Speaker. You may be aware that a suggestion has been made—not from Conservative Benches—that there should be a windfall tax on private utilities. I understand that it has been suggested in the national press over the weekend that if legislation were passed through the House to introduce such a windfall tax, that tax could be deemed illegal by European institutions. It would be helpful to the House, Madam Speaker, if you could look into the matter. Is it right and

[Mr. Tony Marlow]

proper and appropriate that the House should pass a tax that could then be ruled out of order by courts and institutions outside this country?"

Madam Speaker: The hon. Gentleman knows full well that he is not raising a point of order but describing a hypothetical situation and I shall have nothing whatever to do with it.

Mr. Chris Mullin (Sunderland, South): Further to the point of order raised by my hon. Friend the Member for Leeds, East (Mr. Mudie). In Sunderland over the new year, a 20-month-old baby who desperately needed an intensive care bed had to be taken 120 miles to Edinburgh for the nearest available paediatric intensive care bed, there being none available in the northern region. When I checked again last week, that remained the position. Do you have any influence with the Secretary of State for Health as the House ought to hear from him on an issue that concerns many hon. Members of all political persuasions?

Madam Speaker: I am not certain what my influence is with any Minister, but if I were a Back Bencher in those circumstances I would be knocking on the Minister's door without delay.

Mr. David Hinchliffe (Wakefield): Further to that point of order, Madam Speaker. Will you confirm that the only line of accountability in the national health service is that of the Secretary of State to the House, bearing it in mind that we have the most serious crisis in the national health service for many years? My hon. Friend the Member for Leeds, East (Mr. Mudie) mentioned a case in Leeds and my hon. Friend the Member for Sunderland, South (Mr. Mullin) referred to another case in the north-east. Pinderfields hospital in my constituency is facing its worst crisis for many years. Bearing in mind the fact that the chief executives of those hospital trusts and the Minister for Health have been commenting publicly, what help can you give us, Madam Speaker, to ensure that the Secretary of State accepts his accountability to the House and comes here today to deal with our constituents' serious concerns?

Madam Speaker: As the hon. Gentleman and the House certainly know, I have no authority to demand that the Secretary of State or any other Minister with responsibility for a portfolio comes to the Dispatch Box to make a statement. Leading Ministers are on the Treasury Bench, and they have heard those points of order. It will be some time before questions to Ministers at the Department of Health can be tabled, but no doubt the hon. Gentleman will table some questions at that time.

Mr. Dennis Skinner (Bolsover): Further to those points of order, Madam Speaker. I find it very strange that the Secretary of State for Health cannot be in the Chamber to reply to the points of order that have been raised with you, Madam Speaker. There is no more pairing—all that is finished—and he has no excuse not to be here. He should be here, because the public are demanding a statement. I rather suspect that he is not here because he would be embarrassed, as Glenfield general hospital, the heart hospital in his constituency, made the decision over the weekend not to accept any more patients who are suffering from heart problems. It is a scandal that the Secretary of State cannot present himself to answer questions which our constituents demand that he answer.

Madam Speaker: That is not a point of order but a matter of opinion. I hope that the remaining matters are points of order that I can deal with.

Mr. Nigel Spearing (Newham, South): On a point of order, Madam Speaker. On the matter of the conduct of Ministers at the Department of Health, may I seek your advice, Madam Speaker, on a sequence of unhappy events? In the middle of November, forums of general practitioners in three boroughs in east London and the local medical committee sent a letter to the Secretary of State, which was not replied to in an Adjournment debate on 18 December 1996, the last sitting of the House before Christmas. During that debate, the Minister assured me that he would provide some explanation for the lack of a reply to the letter and reply in full. So far I have received no reply to the letter, although I believe that another hon. Member may have done so.

May I seek your advice, Madam Speaker? I intend to refer the matter to the Public Service Select Committee, which I believe has a remit in the matter. Is there anything else that you would advise me to do in these serious and difficult circumstances?

Madam Speaker: If the hon. Gentleman will let me have the correspondence, I will see what I can do with it. He is perfectly correct in referring the matter to that Select Committee, but I should also like to have the correspondence.

Mr. John Gunnell (Morley and Leeds, South): Further to the point of order raised by my hon. Friend the Member for Leeds, East (Mr. Mudie). The Secretary of State for Health appeared in the House twice last year—the second occasion was in March last year—to make statements on intensive care beds, but neither of the promises that he made in those statements has been realised. Because of the current crisis, which has been highlighted by the British Medical Association, do you not think that it is appropriate, Madam Speaker, that the Secretary of State should come to the House to explain what is happening in intensive care and with the many hundreds of operations that are being postponed because beds are required for emergencies?

Madam Speaker: As I said earlier, those on the Treasury Bench will have heard the concerns expressed by Opposition Members, and no doubt they will report those concerns in the appropriate quarter.

Mr. Hugh Bayley (York): Further to the point of order raised by my hon. Friend the Member for Workington (Mr. Campbell-Savours). I seek your advice, Madam Speaker, on a very specific point. Last week, it was revealed that the Go Ahead Group—one of the bidders for Regional Railways' north-east franchise—was privy to inside information from British Rail, in breach of the franchising rules, which gave it an advantage in the bidding process. As my hon. Friend mentioned, the surge in its share price may well be related to the possession of

that inside information and the commercial advantage that it gave the company. As the Government intend to announce their preferred bidder for the franchise very soon—possibly later this week—it is essential, before any such announcement, that the Minister makes a statement to the House and that the Government assure us that the franchise will not be granted until the investigation is completed by the stock exchange.

Madam Speaker: That is not really a point of order for me, but I have heard what the hon. Gentleman has said.

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. In view of what has been said today, may I bring to your attention the report on the front page of the *Evening Standard* about the death of an elderly woman at Guy's hospital arising from the fact that her heart operation was postponed three times? Considering all that has gone on since the House went into recess, is it not essential that the Secretary of State for Health comes to the House at some stage today to explain what is happening? Are not Ministers accountable to the House?

You advised one of my hon. Friends, Madam Speaker, to table a question—presumably an oral question—for the next time when the Secretary of State for Health and his colleagues are due to answer. That could be some time away. Given the urgency of the issue and the fact that people are dying because of failures in the health service and the failure of the Government to protect the NHS, the Secretary of State should make a statement today, or at least on Tuesday. Is there any way in which we can persuade the Secretary of State to come to the House and make such a statement?

Mr. David Shaw (Dover): On a point of order, Madam Speaker.

Madam Speaker: Does it refer to the same matter?

Mr. Shaw: No.

Madam Speaker: As I explained earlier, I have no authority or influence over the Secretary of State, but what has been said today will no doubt be related to him without delay and perhaps there may be a statement forthcoming later today or tomorrow on these issues, which are of obvious concern to a number of hon. Members.

Mr. Shaw: On a point of order, Madam Speaker. You will be aware that, shortly before Christmas, there was a small problem that, on the face of it, had nothing to do with the House: a unit outside the Palace of Westminster—known as the audience participation unit—endeavoured to fiddle a BBC poll. In view of the way in which points of order have been raised today, is there not substantial evidence that the audience participation unit is active within the precincts of the Palace of Westminster?

Madam Speaker: That is a very good try. I can see that we are in for a very happy and joyous new year.

Orders of the Day

Crime (Sentences) Bill

As amended (in the Standing Committee), considered.

New clause 1

EXTENDED PERIODS OF SUPERVISION FOR VIOLENT OFFENDERS SENTENCED TO FOUR YEARS OR MORE

'.—(1) Subsection (2) below applies where—

(a) there is released under this Chapter an offender who has been sentenced to imprisonment for a term of four years or more in respect of a violent offence committed after the commencement of this Chapter; and

(b) the court by which he was so sentenced gave a direction under subsection (3) below.

(2) Section 13 above shall have effect in relation to the offender as if for subsection (2) there were substituted the following subsection—

"(2) On his release, the offender shall be subject to a release supervision order—

(a) where he is released otherwise than under section 8 above, for such period as is specified in the direction under section *(extended periods of supervision for violent offenders sentenced to four years or more)* (3) below;

(b) where he is released under section 8 above, for a period equal to the aggregate of—

(i) the period mentioned in paragraph (a) above; and

(ii) a period equal to so much of the remainder of his term as he would have served but for his release under section 8 above;

and in applying paragraph (b) above account shall be taken of any early release or additional days awarded to the offender before his release."

(3) Where a court sentences an offender to imprisonment for a term of four years or more in respect of a violent offence committed after the commencement of this Chapter, it shall give a direction under this subsection unless it is of the opinion that there are exceptional circumstances which justify its not doing so.

(4) Where the court does not give a direction under subsection (3) above, it shall state in open court that it is of that opinion and what the exceptional circumstances are.

(5) A direction under subsection (3) above shall direct that the offender's release supervision period shall be such period as is specified in the direction.

(6) The period so specified shall be—

(a) a period equal to 50 per cent. of the offender's term of imprisonment (rounded up to the nearest whole day) or a period of 12 months, whichever is the longer; or

(b) if the court considers a longer period necessary for the purpose of preventing the commission by the offender of further offences and of securing his rehabilitation, such longer period, not exceeding 10 years, as it may determine.'.—*[Mr. Michael.]*

Brought up, and read the First time.

3.46 pm

Mr. Alun Michael (Cardiff, South and Penarth): I beg to move, That the clause be read a Second time.

The new clause addresses one of the great scandals of our time—the failure of the criminal justice system to deal with violent behaviour in British society. We all know that there is no magic solution. It is not just the criminal justice system that is failing. We shall deal later with issues relating to the treatment of offenders with psychiatric and mental health problems.

[Mr. Alun Michael]

The basic failures of the criminal justice system, which we have highlighted in previous debates on the Bill, were laid bare during the Christmas recess by my hon. Friend the Member for Blackburn (Mr. Straw), the shadow Home Secretary. In figures published during the holiday, he showed that fewer violent offenders are convicted or cautioned now than in 1980, despite the doubling of the number of recorded violent crimes.

The police force area figures complied by the House of Commons Library from Home Office statistics show convincingly that violent criminals are almost three times more likely to get away with their crimes than was the case when the Conservative party took office. Between 1980 and 1995, the number of recorded violent offences went up by 137 per cent., from 133,359 to 316,332—a dramatic rise—while the number of convictions and cautions dropped by almost 15 per cent., from 71,924 to 61,398. The number of people found guilty in magistrates and Crown courts has fallen by more than 39 per cent.

Since 1992 alone, recorded violent crime has risen by 11 per cent., while the number convicted or cautioned has dropped by a quarter. The 19 per cent. drop in cautions since 1992 has not been reflected in a corresponding increase in convictions. Indeed, in the magistrates courts, 39 per cent. fewer people were found guilty in 1995 than in 1992.

Those are shocking figures, which show a widening gap between the number of violent crimes and the number of violent criminals being brought to justice for those crimes.

Mr. Tony Marlow (Northampton, North): The number of criminals who are brought to justice obviously has an impact on deterrence and therefore violent crime. Does the hon. Gentleman agree that the reintroduction of corporal punishment would also deter violent crime, and if not, why not?

Mr. Michael: The hon. Gentleman obviously did not listen to a word that I said and simply came out with his soundbite in order to contribute to debate, not thought. I highlighted the fact that the number of violent offences has increased massively under the Conservatives, while the number going before the courts to be punished has fallen. If offenders are not brought before the courts, there can hardly be any deterrence. The hon. Gentleman obviously wants there to be punishment without even the bother of a conviction. The issues are more serious than his question implies and I am not going to allow the debate about violent offenders and the problem that we face in our society to be so trivialised.

Mr. Marlow: On a point of order, Madam Speaker. I have been totally misrepresented by the hon. Gentleman, who has not even sought to address himself to my question.

Madam Speaker: That is a point for argument and debate, not a point of order.

Mr. Michael: The hon. Gentleman's point was neither a point of order nor a sensible contribution to the debate.

On the basis of the very serious figures to which I have referred—I am not surprised that the hon. Member for Northampton, North (Mr. Marlow) wants to divert attention from Conservative failure on such issues—Labour has made several suggestions about how to tackle violent crime. The new clause is not a panacea, but the crude facts that I have cited—the massive rise in violent offences by 137 per cent. and the drop in the number found guilty in magistrates courts and Crown courts by more than 39 per cent.—illustrate how important it is to do everything we can to deal with the problems of violent crime. As I said, Labour would like to do many other things too, but they would take us very far wide of the scope of the Bill and the new clause.

Dame Elaine Kellett-Bowman (Lancaster): Will the hon. Gentleman give way?

Mr. Michael: I want to focus attention specifically on the new clause. I shall be glad to give way to the hon. Lady, if she can contain herself for a moment. I hope that her intervention will concern the subject matter of the new clause: the extension of supervision of offenders who have committed violent offences after their release from prison.

Dame Elaine Kellett-Bowman: I appreciate that the new clause concerns that, but the hon. Gentleman raised the question of the failure to secure convictions. Does he agree that the abolition of the so-called right to silence assists the courts in securing convictions?

Mr. Michael: I knew that the intervention would have nothing to do with the debate. The matters that the hon. Lady is trying to raise were addressed by Opposition Members in 1994 during constructive debate on the Criminal Justice and Public Order Act and when we moved the proposals that were put forward by the royal commission, which the Government established to give them advice that they then ignored.

Mr. George Howarth (Knowsley, North): It is the pantomime season.

Mr. Michael: My hon. Friend suggests that the hon. Member for Lancaster (Dame E. Kellett-Bowman) wants to participate in the pantomime season. I want to get away from such lighthearted contributions and address the serious topic of this debate.

The public have been scandalised by the evidence provided by my hon. Friend the Member for Blackburn, which is based on police and Home Office statistics and reveals a massive increase in violent crime and a reduction in the number of those taken before the courts, found guilty and punished. Reoffending after being punished and sentenced, with which the new clause deals, is a serious problem.

The new clause gives the court the power to specify a longer period of supervision for offenders who have been found guilty of violent offences, so that they can be supervised after their release from prison for

"a period equal to 50 per cent. of the offender's term of imprisonment".

Indeed, the new clause allows for a longer period where the court believes that it is

"necessary for the purpose of preventing the commission by the offender of further offences and of securing his rehabilitation".

That will pick up on the punishment given by the courts and will be as well as that punishment and not instead of it. It is important for Parliament to legislate for supervision and rehabilitation of offenders so that when they come out they are less likely to offend, rather than more likely to offend. We argue that the new clause is necessary for the protection of potential future victims.

The new clause is about protecting the public from violence. It would provide that a system of extended post-release supervision, similar to that which clause 17 will provide for sex offenders, should also apply to the most serious violent offenders—those serving sentences of four years or more. We are talking about not minor violent offences, but serious ones. Home Office research into the parole system has shown that parole supervision produces markedly lower reconviction rates than would otherwise have been expected from parolees' records and characteristics. There is also a substantial reduction in the gravity of offences as well as the rate of reoffending.

I refer to Home Office research study No. 94 from 1987, "The Validity of the Reconviction Prediction Score", which showed that the reoffending rate of those on parole was markedly lower than would otherwise have been predicted from the characteristics of parolees based on an assessment of 16 factors that research has shown are related to the likelihood of reconviction. In other words, even when the fact that parolees were better bets than non-parolees had been fully allowed for, parole supervision still substantially reduced their reoffending rates. I underline that fact because the Minister of State said in Committee:

"I do not take seriously Home Office research that works on prediction rates. Any research that works on what a person might be predicted to do compared with what they have previously done is very flawed . . . one cannot rely on prediction rates of what some sociologist thinks offenders should have done when they were released."—[*Official Report, Standing Committee A*, 28 November 1996; c. 208-9.]

It is astonishing that painstaking and rigorous Home Office research, using objective factors that previous research has found to be linked to the rate of offending, should be dismissed by a Home Office Minister as simply what some sociologist thinks. That is even more astonishing given that statistical risk prediction scores worked out by Home Office researchers—and I am quoting a Home Office Minister's remarks—are currently in use by the Parole Board and that the Home Secretary's directions to the board require it to take into account any available statistical indicators as to the likelihood of reoffending. There does not seem much point in the Minister saying that he does not believe in predictions when the Home Secretary requires the responsible Home Office body to use the available statistical indicators.

The Minister developed his view further on 10 December when he said:

"All the available research applies to offenders sentenced before the 1991 Act came into force. In those days, those refused parole received no post-release supervision. There was no proper control group, therefore, against which to measure the success of parole."

That was precisely why the research did not use the control group method and instead compared the actual rate of reoffending with the rate that known predictors of reoffending showed would otherwise have been likely from those granted parole.

The Minister appeared to realise the need to shift his ground and acknowledge that post-release supervision can reduce offending when he said:

"There is no evidence whatsoever that parole, rather than well-targeted and effective supervision, leads of itself to a reduction in offending."

If it is acknowledged that supervision can reduce reoffending, that is a powerful argument for the new clause, which would not retain the parole system but would extend periods of post-release supervision for serious violent offenders. In other words, on the basis of the Minister's remarks, he should support the new clause.

When resisting our arguments in Committee, the Minister argued that some violent offenders would be subject to automatic life sentences under clause 1. He said:

"Of the 1,900 violent offenders sentenced to custody of four years or more in 1995, we estimate that 120 would have been eligible for an automatic life sentence had the Bill been then in force."

However, 120 out of 1,900 is just 6 per cent. of the offenders concerned. What about the other 94 per cent.? The Minister argued that they would receive long prison sentences and, in consequence,

"would be subject to lengthy supervision on release."—[*Official Report, Standing Committee A*, 10 December 1996; c. 341-42.]

Let us examine the length of those supervision periods. The extent to which the Bill will affect post-release supervision periods for offenders depends on the results of the Minister's agreement in Committee to consider increasing post-release supervision from a period equivalent to 15 per cent. of the sentence to 25 per cent.—a matter to which we will return later on Report.

4 pm

If the Bill is passed, the change in post-release supervision for any prisoner will depend also on whether he would have been granted parole. The Bill proposes that those who are released on parole would receive substantially shorter periods of post-release supervision than has been the case in the past. For example, a prisoner who is sentenced to six years and is granted parole at the first review is currently released after three years and supervised for 18 months, followed by an 18-month at-risk period. Under the Bill's proposals, he would be sentenced to four years and, on release, would be supervised for seven months with no at-risk period. If the Government agree to increase the supervision period to 25 per cent. of the sentence, the same offender would be supervised for a year with no at-risk period, compared with the current 18 months of supervision plus an 18-month at-risk period. If one believes that supervision is effective—as the Minister has argued—it must be clear that the situation will be worse in this respect after the enactment of the Bill.

The Government have pointed out correctly that a long-term prisoner who does not currently get parole would receive a longer period of supervision under the proposals. However, the amount of extra supervision in these cases will be minimal. For example, an offender who is sentenced to six years' imprisonment and who does not get parole is currently released after four years and supervised for six months, followed by an at-risk period of one and a half years. Under the Bill's proposals, he would—in accordance with clause 22—be sentenced to four years' imprisonment. On release, he would be under

[Mr. Michael]

supervision for a period equivalent to 15 per cent. of that sentence—namely, seven months. That compares with the current six months of supervision, and there would be no subsequent at-risk period.

If the Government increase post-release supervision periods to 25 per cent. of the sentence length—as we suggest—the same offender would be supervised on release for a year, and that would be a considerable improvement. Even then, any increases in supervision for those who do not currently get parole would have to be set against the reductions in supervision periods for the majority of released prisoners. I am sorry to have to go into some detail but it is a detailed point, the result of which is an unsatisfactory level of supervision for those who have committed serious violent offences. That is the nub of my argument.

Clause 17, to which I have referred, provides that in the case of sexual offenders, courts shall order—unless there are "exceptional circumstances"—periods of post-release supervision equivalent to 50 per cent. of the term of imprisonment or 12 months, whichever is the longer. That is a parallel provision. If the court considers a longer period of supervision necessary—under conditions similar to those contained in new clause 1—it may order post-release supervision for any period up to a maximum of 10 years. But the clause applies only to those who are convicted of sexual offences, and not to those convicted of purely violent offences—although, obviously, the sexual offences referred to are in themselves violent incidents.

The case for extending supervision of sex offenders was clearly set out by the Government in their consultation document "Sentencing and Supervision of Sex Offenders" in June last year. In our view, the same arguments apply to offenders convicted of serious violence. The document said clearly that

"as the length of post-release supervision for the majority of sex offenders is at present directly proportional to the length of the time spent in custody, the time on licence may also prove too short for effective work to be undertaken. The longer the period of supervision on release from custody, the greater the opportunity for the probation service to continue to work with the offender to address his offending behaviour, to assess the risk he poses to the community and to take steps to minimise that risk by arranging further treatment or helping the offender to avoid a relapse."

Those are the Government's logical arguments relating to sex offenders; they apply with equal force in the case of serious violent offenders. For identical reasons, extended post-release supervision of those convicted of serious violent offences is crucial if the public are to be protected effectively from such offenders.

If the Government do not accept the case for 25 per cent. as opposed to 15 per cent.—I hope that the Minister will tell us about that—the need for such extended supervision will be even more essential, because of the extremely large reduction in post-release supervision periods for many offenders which would be the result of the Bill as it stands. Even if the Government accept that 25 per cent. should be the norm—an amendment has been tabled to that effect—the arguments for extended supervision for serious violent offenders are as valid as for sex offenders.

In Committee, the Minister said:

"It has long been recognised that sex offenders are considered to be different from other offenders, including violent offenders. It was on that premise that the Criminal Justice Act 1991 provided for a longer period of supervision for sex offenders. I do not want radically to depart from the signal that we are sending that sex offenders are a case apart. They need special treatment and the public need special defences from them . . . Sex offenders tend to continue offending for much of their lives. That is a crucial point. Sex offenders get worse the older they get. Generally, violent offenders stop offending at an earlier age."

He also said:

"We all know that sex offences are particularly damaging to victims. That is why we treat them as a special case . . . Quite apart from the other reasons that I have given, I should be worried that the new clause might appear to devalue the currency."—[*Official Report, Standing Committee A*, 10 December 1996; c. 342-43.]

I accept that sex offenders are different and need different treatment, but I do not accept that it would devalue the currency if we also tried to protect the public by increasing supervision for serious violent offenders. Sexual offences and offences of violence can both not merely damage but destroy the victim's life; a whole life can be destroyed, even if the individual survives the attack. The case for extending supervision for sex offenders is widely accepted, and the impact of violent offences can also be especially damaging to victims. I hope that the Minister will accept that general point.

A Home Office research study in 1994 showed that 47 per cent. of violent offenders were reconvicted within two years, compared with 25 per cent. of sex offenders. That suggests that there is a greater likelihood of violent offenders reoffending. Comparisons are difficult because of the different nature of the offences, but that serious point should be taken on board.

No one familiar with patterns of sexual offending would be deceived by the relatively low reconviction rate, because the sex offences that remain undetected for various reasons cannot result in a conviction, but the rate of reoffending by violent offenders underlines the case for taking steps to reduce further offending on release.

The argument of the Home Office consultation document on sex offenders, that longer periods of supervision give the probation service a greater opportunity

"to continue to work with the offender to address his offending behaviour, to assess the risk he poses to the community and to take steps to minimise that risk",

applies equally to violent offenders. To talk of devaluing the currency and departing from the signal that sex offenders are a case apart does not constitute a convincing counter-argument.

I underline strongly the fact that the court will use the power only when it feels that it is appropriate and that an extended period of supervision for a violent offender would have an impact and be desirable for the protection of the public. It is surely unlikely that the public will view sexual offending as less serious simply because Parliament has decided that they also need protection from serious violent offenders.

Violence is a scourge of modern British society. There is a lack of public confidence in the criminal justice system and in Parliament. The figures published by my hon. Friend the shadow Home Secretary show that that lack of confidence is based on fact and on problems with the present system. The new clause would not solve all the problems but it would improve supervision for serious offenders and increase the likelihood that the criminal justice system will succeed in reducing the number of prisoners who reoffend after release.

Mr. Clive Soley (Hammersmith): My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) made a good case for new clause 1. He was right to focus on prevention. As the Home Office research shows, good supervision can prevent further violent offences. I sometimes get frustrated when the Government talk about getting tough with crime when they mean that they are shouting, but doing nothing. The Government have done little to prevent crime effectively. Sadly, they have allowed us to accept more easily than we should ever have done violent crime, and the threat of it, in the community. Violent crime is different from property crime. That does not mean that property crime should be tolerated, but it means that violent crime and the threat of violence pose a different problem to people, both in the street and in their homes. We should do everything possible to prevent it.

My hon. Friend pointed out that good supervision after an initial offence can be preventive. First, it reminds offenders that the court and prison system through which they have been is still there should they reoffend. If the Government want to talk about prevention and deterrence, that point is important, because it is an effective reminder to offenders and a better form of deterrence than saying, "We will lock you up if you commit a violent crime." Many violent offenders do not commit their crimes with premeditation. They do not work out in advance what their sentences will be.

Many people who use or threaten violence do not want to be like that for the rest of their lives. Often, they would like to be able to control the violence that drives them from within, but cannot. That is the second reason why supervision after a sentence, whatever it may be, can be beneficial: offenders can gain better insight into their behaviour and it gives them someone to turn to when things start to get out of control. Much of their violence is directed against people they know, including family and friends. When the pressure is increasing, either in their families or in their lives, it is beneficial to have someone to turn to for supervision.

I want to take my point further. As I said earlier, we have come to be a little too tolerant of violence in our society. The Government can be absolved of some of the causes of the rise of violence. Drug and alcohol abuse will always be major causes of crime, not least violent crime. While we could do more than we are doing, I accept that there is a limit to what a Government can do about those problems. We cannot blame the Government for the behaviour of every drug addict, but we can recognise that there is a problem.

I have a specific point for the Minister that also touches on the next group of new clauses. It is rather odd that we should spend hundreds of thousands of pounds on a full inquiry when someone who is mentally ill commits a murder, but do no such thing when a conventional murder is committed by someone who is not mentally ill. It is odd, because we assume that we can learn something from an inquiry that will help prevent murders by mentally ill people, but that we cannot do so in cases involving people who are not mentally ill. That does not make sense. There is a strong case for a more effective audit of the causes that underlie extreme cases of violence.

The Home Office is lucky in having one of the best research departments in the western world. One would not think so, from what the Government say at times to try to conceal the research. They hush it up in an attempt to keep it away from public view, not least because much of the department's research goes against the general drift of the Government's philosophy on crime and law and order, but it is a good research department. If we are to talk effectively about prevention, it would be useful for all of us to know the background of violent offenders.

4.15 pm

We know that alcohol and drug abuse are major causes of violence, but the other cause that receives far too little attention in society is family problems, particularly treatment of children in the early stages of their life. We know that children who are violently treated by their parents are more likely to use violence as adults. That is one reason why I always find it bizarre that Conservative Members call for more corporal punishment, more thrashings at home or whatever. So far, the only evidence that we have shows that such treatment of a young person is more likely to increase that person's use of violence as an adult. It is one reason why we should always consider cautiously the introduction of corporal punishment or encouraging parents to hit their children. Perhaps the most disturbed individuals are those who are beaten inconsistently and harshly by one parent, while the other parent turns a blind eye or pretends to love that child, often producing what we like to call the psychopathic personality.

If we could do a little more research on that, we might achieve some prevention. It is one reason why, in considering the wider causes of crime, we should examine things such as nursery provision and truancy in schools, which would enable us to spot the child who is getting into difficulties early on.

Good supervision prevents some further criminal offences, particularly violent offences. It enables a probation officer or some other suitably qualified person to spot problems as they emerge, to offer help and to recall the person to prison if he is on parole, which must be done from time to time, to prevent an offence taking place, so the new clause is wholly appropriate. I urge the Government, however, to go a step further, and to consider the bizarre system whereby we have a full inquiry every time someone who is mentally ill commits murder. Instead of continuing with that process, the Government should consider allowing the Home Office research department to do an audit of serious violent offences, including murder, so that we can be a bit more sophisticated in spotting those problems in advance and in measuring the effectiveness of the supervision that the new clause entails.

I recommend the new clause to the House. It is a small step in the right direction and it might show people that we are trying to prevent violence, rather than just expressing outrage after the event, when the victim's life has been devastated.

The Minister of State, Home Office (Mr. David Maclean): The new clause seeks to increase the period of post-release supervision for all violent offenders sentenced to four years or more. It would mean that, following their release from prison, all such offenders would be supervised for a period equivalent to 50 per cent. of their sentence. The court could increase that period by up to 10 years where it considered a longer period to be necessary. In broad terms, the new clause's

[Mr. David Maclean]

effect would be to extend the provisions for the post-release supervision of sexual offenders, as set out in clause 17, to certain violent offenders.

I do not need any persuading that the law should provide greater protection for the public from the most serious violent offenders—indeed, that is the Bill's key objective—but I am not convinced that there is a case for extended periods of post-release supervision for a particular group of violent offenders, as the new clause proposes. The public are better protected by a long prison sentence, not by supervision by a probation officer in the community. That is why we have included in clause 1 provision for an automatic life sentence for people who are convicted for a second time of a serious sexual or violent offence. That is why we want to ensure that prisoners serve their full term and are not released after serving as little as 50 per cent. of their sentence.

Mr. Soley: What about the first time?

Mr. Maclean: I hear the hon. Gentleman's comment from a sedentary position. I remind him that for rape, serious violent offences and murder, the court can impose a life sentence on the first occasion if it wishes to do so. In the Bill, we insist merely on an important protection for the public: there will be an automatic life sentence for a second conviction.

Mr. Soley: The sort of offence to which the Minister should direct his attention is that of a man who stabs his wife during a matrimonial dispute and although the stabbing is, by its very nature, serious, it is not immediately life threatening. He receives a fairly long sentence—probably quite a few years—and comes out on parole. There are many such cases, and I could quote chapter and verse, if the Minister wants.

Currently, the period of parole can be very short. During that period, the man can be recalled to prison if it is thought that the marriage is again becoming troubled and he is likely to be violent, but nothing can be done from the day that the parole order ends, which is usually fairly soon after the offender's release from prison.

Mr. Maclean: The hon. Gentleman has failed to read the Bill and has not realised that, although parole in the conventional sense will be ended, we are creating a new supervision period during which conditions can be applied. If any of those conditions are breached, an offence will have been committed and the individual can be sentenced for that breach. After careful consideration of the matter, I have decided to go for a minimum period of supervision of 25 per cent. of the sentence. In the more minor cases, that will exactly equate to the present level.

Under the present system, those who have been sentenced, who have behaved well in prison and obeyed the rules and who are eligible for parole can be released early. The period that they will spend under supervision or on licence is 25 per cent. of their sentence. The really bad guys, who have misbehaved in prison and are not eligible for parole, have to be released automatically at the two-thirds point, so they currently receive supervision for a period of only 9 per cent. of their sentence.

In our original proposals, we considered a blanket 15 per cent. I shall say this again at the proper point in my speech, but it might help the debate if I say now that I am happy to opt for a supervision period of 25 per cent. of the sentence for all, which will ensure that those in the lesser category—those who have behaved themselves in prison—will get no less supervision than they currently receive and that badly behaved prisoners will be subject to a greatly increased period of supervision.

The main method whereby the Bill protects the public is not by insisting that a newly released prisoner should have a few more contacts with the probation officer, but through automatic life sentences for second-time serious violent and sexual offenders, including those who kill, seven years for those who deal in drugs and three years for persistent burglars. That is how to protect the public. The hon. Member for Cardiff, South and Penarth (Mr. Michael) and his colleagues appear to be less convinced by that approach: they want longer periods of supervision for some violent offenders on release from prison, but their proposals for amending clauses 1 and 22 would lead to shorter periods in prison for certain offenders, including some of those convicted for a second time of a serious violent or sexual offence.

I shall not stray into a forthcoming debate, but it is relevant now to point out that, although Labour Members call for extended supervision of violent offenders, examination of amendment No. 1 reveals that they want to water down our proposals for automatic life sentences for those convicted of a second serious wounding. It appears that they would rather violent criminals, such as those who knife others, spent less time in prison and more time out in the community, albeit under supervision. That would not give the public the protection that they deserve.

Of course, a period of supervision after release from prison is valuable for any offender who has spent a significant length of time in prison.

Mr. Paddy Tipping (Sherwood): Does the Minister accept that it important to do both: to impose a longer term of imprisonment and a longer term of supervision on the outside, as we advocate?

Mr. Maclean: The hon. Gentleman should read Opposition amendment No. 1, which is to be debated later. To quote the words of the Lord Chief Justice, if that amendment was successful, its effect would be that a judge would

"avoid passing a mandatory sentence in any case where he considered it simply anomalous to do so!"

It would drive a coach and horses through the main provisions of the Bill, in clauses 1, 2 and 3. The hon. Gentleman is not right, therefore, to insist that the Opposition proposals would result in longer terms of imprisonment and longer supervision. They would result in longer supervision if the proposal that we are discussing became law, but if the remaining Labour amendments were passed, there would be many fewer seriously violent offenders in prison, because the Opposition proposals would drastically widen the exceptional circumstances part of the Bill.

I accept that I said that a period of supervision after release from prison can be valuable, especially if the person has spent a long time inside. We have provided for that in the Bill. As I told the House, I am minded to accept amendment No. 2, which suggests that the supervision period should be 25 per cent. of the term of imprisonment, not 15 per cent.

However, the hon. Member for Cardiff, South and Penarth proposes longer supervision periods for violent offenders who receive the longest sentences, who already have the longest supervision periods. Some of those people will be eligible for the automatic life sentence under clause 1 and will be supervised for life. We estimate that, of the 1,900 violent offenders sentenced to custody of four years or more in 1995, 120 would have been eligible for the automatic life sentence.

Those who are not eligible will nevertheless receive a long prison sentence, during which time they should have access to treatment programmes to tackle their offending behaviour. I agree with the hon. Member for Cardiff, South and Penarth that if people are in prison for offences of violence, and if they have behavioural problems—I believe that the euphemism is "anger management problems"—those should be tackled. The best place to do so is in prison, where the person is under supervision 24 hours a day, not outside, where, as the Opposition proposals envisage, the person would be eligible for supervision of merely one visit to the probation officer every two months.

Programmes to tackle offending behaviour are important, and the Prison Service is keen to develop proposals and increase the work that is up and running. It is developing a treatment programme specifically aimed at violent offenders. It will be piloted in about six establishments during the current financial year, with the aim of accreditation before the end of 1997. A lengthy period of supervision following prisoners' release will allow for further action to build on the work begun in prison.

Unlike the present provisions on release, length of supervision will be commensurate with the length of the sentence. I understand that the present provisions mean that those who do not receive parole because they are judged to be at most risk receive less supervision than those who are paroled early.

Under the Bill's proposals, an offender who receives a four-year sentence will serve between three years and four months and four years and, on release, will be supervised for slightly more than seven months if the period equals 15 per cent. of the term of imprisonment, or 12 months if we increase the figure to 25 per cent. That is a significant supervision period. According to the minimum standards for supervision following release from custody, that would mean a minimum of 19 contacts between offender and probation officer. Of those 19 contacts, the first 10 would occur in the first three months, and that will not change under our proposals and under new clause 1.

That intensity of supervision in the first three months is in recognition of the fact that, if we are to have any success in heading off people from reoffending when they are released from prison, the key period is the first few months after release, when they have the problems of resettlement and reintegration into the community. That is when they are at the biggest risk of going astray—of returning to a life of crime. That is why all our efforts in supervising criminals when they are released concentrate on maximising our resources to get at them in the period immediately following release. It is important to do it then—not two, three, four or five years later.

Under our proposals, the person sentenced to three years and four months would have a minimum of 19 contacts with the probation officer, 10 of which would be in the first three months. If we increased that level of supervision to 50 per cent., it would not double the contacts, because the bulk of them happen early in the sentence. It would increase the contacts to 31 over the period, as opposed to 19.

I stress that supervision is most important when an offender is first released from prison. That is why the arrangements in the Bill for most offenders are the most cost-effective way of protecting the public from possible reoffending by a prisoner on release. New clause 1 would increase the period of supervision further by applying our special conditions for sex offenders. However, sex offenders are a special case, and the whole House had always recognised that fact—until our debate in Committee and today.

4.30 pm

Clause 17 proposes extended supervision powers, having regard to the special problems caused by sex offenders. In the consultation document that we published in the summer, we drew attention to the research evidence in that area. We know that men convicted for the first time of sexual offences often have a history of sexual offending that began many years earlier and which involves an escalation to more and more serious offences as they get more and more devious and clever at hiding their behaviour. The research also tells us that, once a pattern of sex offending has been established, the risk of reoffending can persist for many years and that, in most cases, the offender manipulates people and circumstances in order to set up the opportunity to offend.

Because sex offenders are in a special category of cleverness and deviousness, the provisions for extended supervision apply to all those who receive a prison sentence, not just to those who receive a relatively long prison sentence and who will, in any case, receive a substantial period of supervision on release.

It is sensible to target resources effectively, and that is what the Bill provides for: lifelong supervision for the most serious violent and sex offenders, and extended supervision for other offenders. There is a clear and specific need to provide that in the case of such offenders. For other offenders, however, supervision periods should be commensurate with the seriousness of the offence and proportionate to the prison sentence imposed.

We also know that the general trend is that the majority of young men committing violent offences tend to grow out of it in later life. As teenagers reach their 20s and 30s, the number committing violent offences decreases substantially.

Mr. John Morris (Aberavon) *indicated assent.*

Mr. Maclean: I am glad that the right hon. and learned Gentleman is nodding and agrees with me.

Thus the trend in the behaviour of violent offenders is exactly the reverse of that of sexual offenders. As young men who may be violent get older, their offending decreases; as sexual offenders get older, their sexual offending increases and becomes cleverer, more devious and more manipulative. That is why we need special arrangements for the supervision of sex offenders and why we need to keep it distinct from the supervision that we propose for other offenders.

[Mr. Maclean]

If supervision in the community is to mean anything, what matters is its quality rather than its quantity. There is no point in continuing it indefinitely, whether it is doing any good or not. I want the best possible supervision in the community when people are released from prison. That is why we must concentrate on clearly defined categories of offenders, and why we must concentrate our resources and target prisoners in the initial period following their release when they are most at risk of reoffending. The new clause fails to do that. For the reasons that I have given, I cannot accept it.

Mr. Tipping: I have listened to the Minister's interesting comments, many of which he made in Committee. They are characteristic of the argument that we have had throughout debates on the Bill. The Minister argues strongly that prison works because of its deterrent effect but, in so doing, he demeans the benefit of supervision in the community. He asked what was the value of a few more contacts with the prisoner's probation officer, then went on to ask what was the value of one visit to the probation service every two months.

One of the interesting aspects of the Bill is the Government's commitment to put significant extra resources into the Prison Service—perhaps as much as £140 million—yet they argue that the probation service needs no extra resources. The explanatory and financial memorandum to the Bill states that the Bill is cost neutral to the probation service.

The Minister argued that the Bill was about putting resources where they are needed. He has argued strongly that prison works. That argument implies that there is little need for community service and extended supervision after prison. I shall argue that both are needed.

It is vital that prison should be a positive experience. I was delighted to hear the Minister's comments about the new treatment centres to tackle violent offending. I am worried that the Prison Service will not be able to accomplish that. I am anxious about the number of people going into prison, and the pressure on prison governors and officers.

It is important, as the Minister rightly said, that when a prisoner is incarcerated for 24 hours a day, that time is put to constructive use, but the pressures on the Prison Service may militate against that. I have listened with great care to what prison governors have been saying recently. I am concerned that the value of prison for treatment, as opposed to deterrence, is not maximised.

Violent crime creates severe anxiety. People may be more troubled by the fear of crime than by the reality of crime. I know that, in Nottinghamshire, many people, especially women and elderly people, are extremely concerned. They lock themselves in their houses because they are worried to death about violent crime. Their fear is disproportionate to the risk. We must acknowledge that fear and respond, first, with severe prison sentences. I support the Minister in that respect. Secondly, we should not devalue the probation service.

The Minister and some of his colleagues have a history of running down the morale of professional groups and putting the blame for the problem on them. We must recognise the strength and value of the probation service, which would improve if it were properly resourced. It could be argued that some of the money that, under the Bill, is to be voted to the Prison Service should be diverted to the probation service.

There is a strong argument for examining the work of the Home Office research department. During discussion of the Bill, several Home Office research unit publications have been highlighted. I shall mention two: study paper No. 94, entitled "The Validity of the Reconviction Prediction Score", and a later paper, No. 136, entitled "Explaining reconviction rates: a critical analysis". The Minister has misrepresented both. I read them during my vacation and they acknowledge the value of supervision following release from prison. The Minister said that prison works. I draw his attention to Home Office study paper No. 136 and to a key point on page 7, which states:

"there was no firm indication that community penalties outperformed custody or vice versa in preventing offending."

The Minister acknowledged the need to focus resources and to involve the probation service soon after a prisoner's release. I agree: the first three months after release are vital. However, people may face life crises following release from prison and continue to experience problems far beyond three months. I believe that we should proceed carefully in this area. We must acknowledge the importance of prison and the need for positive treatment and the reinforcement of good behaviour in prison. We must also use the probation service, both in prison—it is important to acknowledge that probation officers are losing their role in prison—and outside it.

I argue for long prison sentences and for extended periods of supervision outside prison. I know the real fears of women and of the elderly throughout the country about violent crime. We have a responsibility to acknowledge those fears and to allocate resources where they are needed. I argue that those resources are needed not only in prison, but to support the probation service. People such as the Minister must build morale in the probation service, but I am afraid that some of his comments today demeaned the service—which is in no one's best interests. We must fight crime together: we must all support the campaign if we are to win.

Mr. John Hutton (Barrow and Furness): This is a useful new clause that would improve the Bill. It should, therefore, be supported by the House. I was sorry to hear the Minister caricature Opposition Members' arguments in support of it. Once again, he distorted—I am sure it was unintentional—the effect it would have.

The new clause does not state that serious violent criminals who have been sentenced to prison terms of four years or more must see a probation officer once every two months—which is what the Minister implied. That is not our intention. Furthermore, it is not fair to say that, by supporting an extension of the period of post-release supervision orders to violent criminals, Opposition Members are questioning the role of extended supervision orders for serious sexual offenders. We can have both extended periods of post-release supervision for serious violent criminals and longer periods of supervision after release for serious sexual offenders. We do not need to choose between the two forms of post-release supervision.

The Minister claimed that he would choose his words carefully, but those of us who study his comments will know that that would be out of character. Those who read

and heard his comments at the weekend about beggars from Scotland will hope that he has had time to reflect upon them. He has not done the House a service by characterising our amendments as he did earlier. This is a serious debate and the Opposition will take no lectures from the right hon. Gentleman about the need to be serious about violent crime and criminals. We want to ensure that violent criminals are out of harm's way and spend the correct period in prison where they do not present a threat to the community and innocent law-abiding citizens. That is not the issue here.

I support strongly those parts of the Bill that concern post-release supervision orders. I presented legislation, before the Government published the Bill, that advocated longer periods of post-release supervision for serious sexual offenders. I am glad that that concept is now part of the Bill. We must consider carefully our strategy for the effective containment and management of serious violent criminals, and it is difficult to determine the Minister's objection to the new clause.

4.45 pm

It is hard to argue that the public will not be better protected by more extensive periods of post-release supervision. The extended periods about which we are talking in this context would fall within the mainstream of the terms and conditions in clause 13 which specifies the details of post-release supervision orders. We are trying not to weaken the concept of post-release supervision or to minimise the impact of supervision orders, but to extend and enhance the scope and range of the orders as far as they affect serious violent criminals.

Mr. Soley: The Minister mistakenly assumes that, because most ex-offenders get into trouble within a few months of their release from prison, greatest efforts must be made in that period. We do not argue with that, but the Minister forgets that emotional patterns at home may cause some ex-offenders to become violent again. That is why we need the flexibility of long-term supervision rather than hoping that we can get it over and done with in the first three months and then go home.

Mr. Hutton: My hon. Friend makes a good point. No two criminals or crimes are the same, so we must be as flexible as we can in developing the right solutions to the problems. My hon. Friend is right to draw attention to that part of the Minister's response to my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael). I suspect that, when he described our new clause, the Minister attempted to comply with the Tory central office brief and the campaign documents that argue that Labour is somehow soft on crime, but no rational person could interpret it—as the Minister tried to—as representing a soft position on crime. It is not.

My hon. Friend the Member for Sherwood (Mr. Tipping) said that, in discussing violent crime and how to deal with violent criminals, we agree that prison must play a central role. Violent criminals must spend an appropriate period in prison with 24-hour supervision. My hon. Friend the Member for Hammersmith (Mr. Soley) also made a good point: as the vast majority of ex-offenders will be released into the community, we must ensure that there is a more effective way of supervising serious violent criminals.

No one can guarantee that there will be no reoffending; we understand that point and we approach the debate from that perspective, but we are considering extending the Government's post-release supervision orders and the procedures, mechanisms, conditions and whatever else the orders contain to include serious violent criminals. I think that the Minister's response was partly an attempt to cram the new clause into his pre-packaged Tory central office brief by characterising it as another example of Labour's being soft on crime. That is not the case. The new clause represents a useful strengthening of the Bill rather than a diminution or watering down of its essential requirements, and I am surprised and saddened that the Minister will not support it.

Mr. Michael: I welcome the Minister's indication that he will accept amendment No. 2, which would bring about a general increase in the period of supervision after release from prison from 15 per cent. of the sentence to 25 per cent. He has, as he hoped, helped the debate. Indeed, the House of Commons is shown at its best when it is possible to have as sensible a debate in Committee as this one has been, and when a Minister, who has genuinely listened to the debate, has kept his promise to go away and think about the matter and come back with a positive response. I congratulate him on showing such mature judgment. Labour Members welcome that step forward.

The Minister's differentiation between those who commit sexual offences, particularly paedophiles, and those who commit offences of violence has some meaning and importance. We do not seek to suggest that the two categories should be rolled up together. There should be very different supervision and treatment in the two cases. I agree that there are differences, particularly so far as those who commit sexual offences on children are concerned. There is a great deal of evidence that they are some of the most devious of all offenders. There is evidence that some come out of prison expecting to commit further offences. The evidence shown on "The Cook Report" last year is of considerable anecdotal importance and the statistics are difficult to interpret, but I agree with the Minister that that puts the issue in a separate category of seriousness, a separate category which the criminal justice system has to be finely tuned to tackle.

Nevertheless, violent offences are also very serious. In the new clause, we are talking about people who commit a second serious violent offence. They may have committed several. One of the important points that comes from the statistics, and the facts revealed by my hon. Friend the shadow Home Secretary over the Christmas holiday, is that so few such offences result in punishment by a court. A very small proportion result in the prison sentence to which the Minister referred. There is no difference between hon. Members on both sides of the House on the need for greater protection of the public, so I cannot understand why the Minister does not accept the new clause. I congratulate my hon. Friends the Members for Hammersmith (Mr. Soley) and for Sherwood (Mr. Tipping) on their thoughtful contributions to the debate.

The Minister said that there is a crucial point immediately after release when things can go wrong, and that that is the period of maximum risk. I do not disagree with that, but that is not the only period of risk. Let us

[Mr. Michael]

consider an offender who comes out of prison, perhaps goes into temporary accommodation, and has to find permanent accommodation and a job, which may not be easy after release, to settle into a new life. A few weeks is not sufficient time in which to do everything that we can through the probation service to guarantee success in that rehabilitation. We cannot guarantee it, of course; it depends on choices by the individual as well as the quality of supervision, but it is important that the public services in which we invest, in the hope that they will reduce reoffending, are given the best possible chance of success. That is in the interest not just of the statistics of the probation service, but of those who, if the individuals reoffend, will be the victims. That is why this issue is so important.

The Minister talked about supervision after release as though it was an alternative to the effectiveness of prison sentences. The new clause does not deal with prison sentences. Nothing in it would diminish the sentence passed by the court on the offenders whom the new clause would affect. We are arguing that supervision should be given in addition. We do not seek to shorten the prison sentence. We seek to lengthen the period of supervision after release to increase the likelihood that public investment in prison will be fruitful by avoiding reoffending.

Is not an offender who has committed violent offences just the sort of case on which we should target action? If that is successful, it is likely that we can prevent not just one victim, but a number of victims, from being created by that individual's future offences—perhaps several violent offences before he is caught and brought before the courts again. I must underline the fact that violent criminals are now three times more likely to get away with it than they were in 1980, that violent offences recorded by the police went up by 137 per cent. between 1980 and 1995, and that convictions are down by 39 per cent.

Given those statistics, and knowing that some of those offences will have been committed by people who have previously been found guilty and punished by the court, including the punishment of prison, it is surely in the public interest in terms of the cost of punishing reoffenders, as well as protecting people who may become the victims of violent offences, that we target everything that we can on reducing the likelihood of reoffending. In the circumstances of today, we should take this new clause very seriously indeed.

It is a matter of regret that the Minister considers it enough that an offender who is released and commits another offence should receive a further and heavier sentence. My hon. Friend the shadow Home Secretary revealed last year the difficulties and inconsistencies between different courts and the fact that it is not possible to guarantee that those who commit subsequent offences of violence will get a heavier sentence. Indeed, there are many cases in which reoffending led to a lighter rather than a heavier sentence. There is no difference between us in wanting consistency and progression in the sentence passed by the court, but it would be far better, once we have identified that somebody is a violent offender, to try to prevent their committing further offences once they have served their punishment.

There are anecdotes of people who took a long time to stop offending, about people who suddenly realised, through a new relationship but also through things such as supervision, that what they were doing was childish and was damaging the lives of their victims. We heard recently, in the all-party group on penal affairs, a couple of offenders speaking about their experience. They said how they had been changed dramatically by the counselling and help that they had received. We need to increase the likelihood that somebody will decide not to continue to commit violent offences, and that they will begin to realise that they must take responsibility for their behaviour. That is the purpose of supervision.

Supervision is not a panacea—I do not pretend that it is a magic wand—but it can be effective. We want to increase its effectiveness. The Minister suggested that it becomes less likely that supervision will be required and less likely that young men will reoffend violently as they get older. Statistically, that is true. Statistically, there is a dropping off in the number who offend, but that does not happen in every case. There are some violent, nasty and vicious old men, as well as violent, nasty and vicious young men. There are people who will continue in a negative pattern of behaviour unless something happens to change them. Perhaps that change will come about in prison, particularly if the regime is positive and constructive, as well as involving the loss of liberty, but it is also likely to come through constructive intervention under supervision, either in the community, in the general sense, or after release. We believe that the Bill will be left too weak unless the new clause is accepted.

The Minister's finding is statistical rather than one that addresses reality: a violent offence is committed by one individual on another individual or individuals. We must look carefully at the motivation and thinking of those individuals and how we can positively and effectively intervene with them.

The Minister also referred to 19 individual contacts. It is not adequate to require a probationer, after he is released from prison, merely to turn up at the probation office on a number of occasions: clocking in and getting a tick on a sheet is not sufficient. In Committee, the Minister referred to the national standards for supervision—we had a discussion about them. The point of such standards is to ensure that intervention is positive and effective, and that it is targeted at individual circumstances and behaviour. We should have high standards of intervention and supervision, and such standards should constantly be improved.

I am the first to accept that in any profession there is good and bad practice; it is not good practice for people merely to turn up and get a tick. Good practice involves people's behaviour being challenged, or perhaps their being referred to voluntary organisations that encourage people to live positive and useful lives. We should build on good practice and criticise the failings when the system is less than perfect. The Minister seems to believe in nominal supervision. In view of his expertise, we must assume that his view is based on research.

5 pm

It is important to increase the oversight of violent offenders when they are released. We must ensure that there is proper and adequate supervision to minimise the chances of their committing further acts of violence. For that reason, we will vote for the new clause.

Question put, That the clause be read a Second time:—

The House divided: Ayes 220, Noes 279.

Division No. 34] **[5.1 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashdown, Paddy
Austin–Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, A J
Benn, Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alex *(Montgomery)*
Chidgey, David
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Mrs Maria
Garrett, John
George, Bruce
Gerrard, Neil
Golding, Mrs Llin
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd–on–A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Kaufman, Gerald
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stret'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McFall, John
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Ms Dawn
Purchase, Ken
Radice, Giles
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Sedgemore, Brian
Sheldon, Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dennis
Vaz, Keith
Walker, Sir Harold
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wright, Dr Tony

Tellers for the Ayes:
Mr. Joe Benton and
Mrs. Jane Kennedy.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Curry, David
Davies, Quentin *(Stamf'd)*

Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Lait, Mrs Jacqui
Lamont, Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mawhinney, Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Richards, Rod
Riffkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Streeter, Gary
Sumberg, David
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bex'y'h'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Bowen Wells and
Mr. Patrick McLoughlin.

Question accordingly negatived.

New clause 2

REQUIREMENT UPON THE SECRETARY OF STATE TO ESTABLISH COURT PSYCHIATRIC ASSESSMENT SCHEMES

'(1) The Secretary of State shall by regulations make provision for the establishment in magistrates' courts of schemes which provide for the psychiatric examination on court premises after conviction and prior to sentence of persons who are or appear to be mentally disordered.

(2) The regulations may be made so as to apply only to specified geographical areas.

(3) In this section "psychiatric examination" means the examination of the mental condition of persons by a medical practitioner approved for the purposes of section 12(2) of the Mental Health Act 1983.'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss the following: New clause 8—*Court psychiatric assessment schemes—*

'(1) The Secretary of State shall by regulations make provision for the establishment in magistrates' courts of schemes which provide for the psychiatric examination on court premises after conviction and before sentence of persons who are or appear to be mentally disordered.

(2) Regulations made under this section may be made so as to apply only in specified areas.'.

New clause 12—*Court to be aware of provision in custody for mentally disordered offenders—*

'It shall be the duty of the Secretary of State to make available to any court passing a custodial sentence upon any offender whom the court believes to be mentally disordered an assessment of the provision available in any prison or other custodial institution to which the offender is liable to be committed of facilities for providing treatment appropriate to his condition.'.

Amendment No. 37, in clause 43, page 31, leave out lines 30 to 34.

Mr. Michael: The new clauses and the amendment—*[Interruption.]*

Madam Deputy Speaker: Order. Before the hon. Gentleman continues, I ask that there be much greater quietness in the Chamber and that hon. Members who intend to leave do so quickly and quietly.

Mr. Michael: The new clauses and amendment deal with an important issue, which is the way in which we deal with mentally ill offenders. Hon. Members will be familiar with recent horrific headlines, such as the question posed by the *Daily Express*:

"Why Was Machete Man Free?"

The Times of 13 December 1996 proclaims:

"Zito's killer wins right to sue over 'inadequate' care".

The House must answer such proper questions. In the case of Christopher Clunis, who killed Jonathan Zito, there are questions about the efficacy of community care and about the system's failure to act on problems known long before the tragic offence that led to Clunis's court appearance. The introductory paragraph of the *Daily Express* story on Horrett Campbell states:

"A court knew machete maniac Horrett Campbell had mental problems months before he attacked children at a teddy bears' picnic."

Such facts demonstrate why we have introduced the new clauses.

We believe that courts must have powers and systems in place to ensure that mental illness is identified and dealt with, before sentence, by the courts and, after sentence, by prison staff or by means of the disposal chosen by the courts. Far too often, prisoners have mental conditions that are known to the responsible authorities, but far too little happens and there is inadequate treatment for the problems, with the result that offenders reoffend. The heart of this debate is the need to ensure that the courts and criminal justice system are effective in nipping matters in the bud and preventing reoffending.

One cannot prevent every breakdown in the system after the commission of an offence and a diagnosis of mental illness, but I should be surprised if anyone were to say that the system is perfect and there is no need for change. There is a need in the criminal justice system for change, for great improvement and for greater effectiveness.

New clause 2 would provide for

"psychiatric examination on court premises after conviction and prior to sentence of persons who are or appear to be mentally disordered."

It would provide courts, without delay, with the ability to satisfy themselves as to the existence of mental illness in cases in which there appears to be a problem, and with the provisions for a proper sentence.

New clause 8 would provide the Secretary of State with powers to make regulations

"for the establishment in magistrates' courts of schemes which provide for the psychiatric examination"

of offenders after conviction, and would allow for those regulations

"to apply only in specified areas."

The two new clauses are, therefore, alternatives. New clause 8 would offer the possibility of addressing the issue over time through the introduction of specific pilot projects and experiments. If the Minister is unable to accept new clause 2, he may find that new clause 8—which would go part but not all the way to dealing with the matter—has some advantages.

Mr. Soley: Does my hon. Friend believe that, when a person who appears to be mentally ill is first brought before a court, the court might suggest that he or she should be held for observation under section 38 of the Mental Health Act 1983—which may enable the court, then or soon afterwards, to make an appropriate disposal under that Act?

Mr. Michael: I understand that point, but I think that the interface between the mental health and criminal justice systems is uneven. However, that issue goes way beyond what we want to achieve in new clause 8. We want the court, in taking its decision, to be in the best possible position to understand both the offence and the offender. New clause 12—the third new clause in the group—is extremely important in dealing with that issue. Various disposals—those not only under mental health but under criminal justice provisions—are available to the court, and, after considering reports, it may want to take one of those options. Under our proposals, the court would have the information that would allow it to do so.

In new clause 12, we want to place a duty on the Secretary of State

"to make available to any court passing a custodial sentence upon any offender whom the court believes to be mentally disordered an assessment of the provision available in any prison or other custodial institution to which the offender is liable to be committed of facilities for providing treatment appropriate to his condition."

Therefore, authorities would have a duty to ensure that the court is aware that facilities for the treatment of mental illness are available should it impose a prison sentence on an offender who requires such treatment. Moreover, the provision would increase pressure on the Home Secretary and the Prison Service to ensure that adequate services are available to treat people with mental illness in the prison system.

Under the proposals, courts would have a choice of disposal, and they might choose the option suggested by my hon. Friend the Member for Hammersmith (Mr. Soley). However, as we know, many mentally ill offenders are simply sent to prison, and new clause 12 would ensure that appropriate treatment is available to them. The purpose of treatment is not only to deal with offenders' mental conditions but to reduce the likelihood of their reoffending. Many of those who enter the prison system and do not receive treatment for their conditions return to the streets more likely to reoffend.

My hon. Friend the Member for Knowsley, North (Mr. Howarth) and some of my colleagues on the health team have taken a strong interest in the serious issue of

[Mr. Michael]

the overlap between the criminal justice and health systems. We cannot be happy that the two systems, individually or together, do not provide the effective services that the public and those who require mental health treatment have a right to expect. I hope that those comments answer the question of my hon. Friend the Member for Hammersmith and set in context the first two new clauses. I also hope that they demonstrate how we are attempting to improve the situation more widely within the Prison Service.

Amendment No. 37, which was tabled by the right hon. Member for Berwick–upon–Tweed (Mr. Beith) and the hon. and learned Member for Montgomery (Mr. Carlile), is grouped with the three new clauses, although I shall not deal with it now as I am sure that the hon. and learned Member for Montgomery will speak to it in his own manner. I am sure, however, that we shall be at one in attempting to make the criminal justice system more effective in tackling the problem of mental illness among offenders.

New clause 2 requires the Secretary of State to make regulations to establish court psychiatric assessment schemes in magistrates courts, to enable both accused defendants and convicted offenders to be examined psychiatrically on court premises. It is framed so that the Secretary of State could implement it on an area-by-area basis.

In the year ending 31 March 1995, 2,481 psychiatric reports were prepared on defendants remanded in custody. Prison is one of the worst possible places for someone with a mental disorder. We all know of the gloomy conditions and restrictive regimes in the older Victorian prisons, which are likely to exacerbate the mental health problems of prisoners prone to depression and those suffering from a disorder with a depressive element. Such conditions can increase the risk of suicidal self-mutilation among those prisoners and do nothing to reduce the likelihood of them being released from prison in a condition worse than that in which they started their sentence.

Medical experts have made considerable comment on the issue. A recent research study published by the *British Medical Journal* in December 1996 of 750 male remand prisoners in 13 adult prisons and three young offenders institutions found psychiatric disorders, which were broadly defined to include substance misuse—that is not the subject of the debate, but will be debated when we come to a new clause to be moved by my hon. Friend the Member for Knowsley, North—in 63 per cent. of inmates. Even with such a broad definition, that is an enormous proportion of the prison population with psychiatric disorders. Apart from substance abuse, diagnosed in 38 per cent. of cases, the main diagnoses were neurotic illness at 26 per cent., personality disorder at 11 per cent. and psychosis at 5 per cent.

5.30 pm

The researchers judged that 9 per cent. needed transfer to an NHS hospital. They wrote:

"It is government policy that prisoners on remand who have a serious mental disorder should be transferred to a psychiatric hospital but this is often not done. Even when a prisoner is transferred there are delays, during which the patient remains in prison and is at increased risk of self-harm and suicide . . . In addition to causing unnecessary suffering to mentally ill prisoners, this situation creates a risk to the public."

I stress those last words, because we are highlighting not just the risk to the individual, but the risk to the public.

The report continues:

"Three recent inquiries into killings by mentally ill people described previous remands in custody during which mental disorder was recognised but not adequately managed. Some of the most difficult psychiatric patients in the country are assessed and treated entirely within prisons, which are not designed for this purpose and cannot match the standards of hospitals."

I do not want to enter into the debate about where people should be placed. It is a difficult debate and professional views have been expressed on it. Some parts of the Bill are helpful, offering a more sympathetic assessment and more flexibility. However, the report makes it clear that conditions in our prisons result in people not receiving the treatment that they need.

An earlier study of mentally disordered remand prisoners' carried out for the Home Office by Adrian Grounds, Susanne Dell and Katie James of the Cambridge Institute of Criminology and Graham Robertson of the Institute of Psychiatry, examined details of 952 remand prisoners in Holloway, Brixton and Risley prisons over a five to six-month period who came to the attention of prison doctors for psychiatric reasons. Only a small proportion of them had been charged with serious crimes of violence. Most had been charged with relatively minor offences, predominantly theft, public nuisance offences or criminal damage. When hospital orders were subsequently made, the subjects were routinely sent back to prison to await admission for up to 28 days.

We should pay attention to the researchers' conclusions, which

"showed remands in custody to be not only an inhumane, but an ineffective way of securing help and care for disturbed people."

Even those who are not concerned about the inhumanity of the failure to treat conditions speedily should be concerned about the ineffectiveness of the current process.

The report goes on:

"For those who obtained hospital places it meant weeks or months of imprisonment, at the end of which they were admitted to beds for which they had been qualified at the outset. And for the mentally ill people who were not offered beds, the process was equally unsatisfactory. In most cases they were petty offenders without social roots, for whom magistrates had evidently ordered custodial remands in the hope that some kind of solution to their problems would be found. After weeks in prison they were generally discharged back to the situations they had come from without the courts being about to arrange for accommodation, treatment or support."

Many magistrates and judges agree to a disposal in the hope not only that the person's liberty will be lost by the sentence, but that the condition that has led to, or been a contributory factor in, their offending will be addressed. It is therefore important to improve greatly the standards of both assessment and treatment. Both are addressed by our new clauses.

The study goes on:

"We concluded from our study that as a method of obtaining psychiatric help for mentally disordered offenders, the custodial remand has nothing to commend it: it is inhumane, expensive and ineffective. It exposes mentally disordered people to conditions and regimes which are cruelly harsh and inappropriate. It brings into prison thousands of defendants who do not need to be there and for whom penal disposals are never contemplated."

Regardless of whether that general conclusion is accepted, it surely cannot be denied that there is a problem to be addressed and that our new clauses address both sides of that problem.

One important approach to tackling the problem, commended by Home Office circulars in 1990 and 1995—during the time in office of existing Ministers—is the establishment of court psychiatric assessment schemes. Some such schemes involve psychiatrists attending court on a sessional basis to carry out psychiatric assessments and to make oral reports to the courts. Others involve initial screening at court by community psychiatric nurses. Our new clauses would allow the flexibility for that initial assessment by psychiatric nurses, avoiding excessive costs falling on the system.

A study of a psychiatric liaison service at Clerkenwell magistrates court, published in 1991, reported on the impact of a scheme in which two psychiatrists attended court to examine people in custody on whom psychiatric reports had been requested and gave oral reports to the court on the same day. We all agree that speed is of the essence when deciding disposal in court and, when possible, long delays and adjournments to obtain information should be avoided. We want to help to speed up the court process.

When hospital orders were made, direct admission to the hospital from the court was arranged if possible. The authors compared the outcomes of 80 referrals to the psychiatric liaison scheme over a nine-month period with those of 50 offenders given hospital orders by London magistrates courts after being remanded to Brixton prison for reports. The psychiatrist attending Clerkenwell court recommended hospital admission in 39 of the 80 cases. For those reaching hospital through the scheme, the mean number of days from arrest to admission—the time between the arrest and something starting to happen—was 8.7. In contrast, for those remanded to Brixton, the mean time from arrest to hospital admission was 50.8 days. That is a remarkable difference.

A study of the psychiatric assessment service based at Bow Street and Marlborough Street magistrates courts was published in 1993. During the 18 months of that study, there were 201 referrals to the service. Following initial assessment, 51 people were admitted directly to hospital and 14 were admitted following a further period in custody. For the 65 hospital admissions, the average time from court assessment to admission was 10 days. A further 101 people were released after assessment. Some 58 cases were discontinued by the Crown Prosecution Service and 99 were dealt with by conditional discharge, fines or probation orders. A follow-up study of the 65 people admitted to hospital found that 77 per cent. had derived some or marked benefit from psychiatric treatment.

All that research highlights why there is such a widespread problem that needs to be addressed. It will not be addressed adequately unless our new clauses are accepted.

The interdepartmental Reed committee report of 1992 recommended that

"there should be nationwide provision of properly resourced court assessment and diversion schemes"

and that

"purchasers and providers of health and social services must regard the availability of assessment and diversion schemes as part of a standard service."

That would draw together the expertise of the health service and the Prison Service, as we would surely want.

From 1993, the Home Office has made available funding to meet the sessional costs or fees of psychiatrists or community psychiatric nurses who attend magistrates courts. The 1996 Home Office annual report said that the total funding provided to date amounted to just over £1 million and that 53 schemes were funded.

A growing number of schemes are funded from other sources. In Committee, the Under-Secretary, the hon. Member for Bolton, West (Mr. Sackville), said that, in total, 130 schemes were in operation. He added:

"Further good news is the fact that the £1 million currently allocated by the Home Office for the purpose will be substantially increased—I cannot give the exact figure because it is not yet finalised, but it will be substantial. Other schemes will therefore also receive financial support."

There is a powerful argument for the establishment of psychiatric assessment schemes throughout the country. I take it from the Minister's remarks that he would agree with the Opposition on that general principle.

Although no recent cost evaluation has been published, the 1991 study of the Clerkenwell scheme estimated that it was saving the Prison Service approximately £17,800 a month, which amounted to several times the cost of the two psychiatrists' attendance fees. It can therefore be realistically argued that the development of such schemes does not involve any overall increase in public expenditure. Labour was disappointed in Committee that the Under-Secretary did not accept the argument on the ground that

"it is not necessary to amend the Bill to achieve what those on both sides of the Committee want".—[*Official Report, Standing Committee A*, 10 December 1996; c. 346.]

A statutory requirement to establish such schemes would, however, reinforce the trend towards their extension, promote more consistency of provision throughout the country and safeguard such schemes in future against the risk that they might be sacrificed in expenditure cuts.

In complementing such a requirement, new clause 12 would place on the Secretary of State the onus to make available

"an assessment of the provision available in any prison or other custodial institution".

That is intended to ensure not only that the need for treatment for mental illness is identified, but that there is necessary provision in the criminal justice system for those who are transferred to a custodial institution.

The most recent study on the matter, that conducted by the *British Medical Journal*, showed the extent to which there was a prevalence of psychiatric disorders. It also showed that there is a need to tackle problems during a sentence, not only for humanitarian reasons—although those are essential in themselves—but because failure to do so greatly increases the risk of reoffending. In the Home Office's national prisons survey in 1991, 41 per cent. of prisoners cited drink or drugs as contributing factors when asked for their reasons for reoffending. It is clear from research that there is a link between drink and drug-related problems and psychiatric problems. Very often, one is laid on top of the other.

[Mr. Michael]

If we bear in mind the fact that, as I cited earlier, the BMJ stated:

"Some of the most difficult psychiatric patients in the country are assessed and treated entirely within prisons",

we must surely do something to address the quality and nature of the treatment that they receive. By placing the onus on the Home Secretary to certify to the court the availability of provision, the new clause will ensure that there is much closer and effective oversight by the Home Secretary and the Home Office.

The combination of the new clauses ensures first that assessment is made on a proper understanding of the mental illness of any offender who comes before the court after the person has been found guilty but before the court decides the sentence, and that, secondly, for those who on the decision of the court go to prison or any other institution, the appropriate system of treatment for their mental illness is put in place.

The balance of the new clauses makes a very positive contribution, especially given the paucity and poorness of facilities in many of our prisons, which has been highlighted on a number of occasions. I commend the new clauses to the House not only because they are right but because they address the horrific headlines that identified people who went on to commit the most violent of crimes, including murder, after a court had been in possession of the facts about their mental illnesses and should therefore have been in a position to intervene.

The acceptance of the new clauses will increase the likelihood of a court, in the knowledge of a condition that requires treatment, being able to decide on the sentence and disposal on the basis of accurate information. It will also enable courts to have confidence that, during the period in which people are deprived of their liberty in prison, they will receive the psychiatric treatment that may help them to leave prison less rather than more likely to reoffend, and less likely to reoffend to the serious extent highlighted in headlines.

5.45 pm

Mr. Alex Carlile (Montgomery): The three new clauses and the amendment deal with three important issues. The first is the question of gatekeeping in magistrates courts to try to ensure that those who are mentally ill are recognised as such. The second deals with the nature of the provision that is available in prisons—an important issue relating to the sentencing choice made by the court. The third, which is addressed by amendment No. 37, which stands in my name and those of my hon. Friends, relates to the question whether a person suffering from mental illness, other than those who are diagnosed as psychopaths, should fall within certain of the new provisions.

I turn to the gatekeeping role—contained particularly usefully in new clause 8, which provides for pilot projects and for them to apply in selected areas. We know from statistics, which have already been cited by the hon. Member for Cardiff, South and Penarth (Mr. Michael), many articles, Home Office research and comments of prison staff that a great many prisoners, including very many who are serving short sentences for relatively minor offences, are suffering from various forms of mental illness. It is certainly correct that many who appear before magistrates courts do so when they are suffering from mental illnesses that do not put their or anybody else's life in danger. They are however suffering from mental illnesses that put the safety and security of themselves and those members of the public against whom they commit offences at risk.

It is extremely expensive and destructive to treat people with minor depressive illnesses and other conditions such as untreated but potentially treatable schizophrenia by locking them up in prison. Such treatment does little to resolve their mental illness. Despite what is sometimes said, it is quite clear that the treatment for minor psychiatric illnesses in prisons for short-term prisoners is lacking and, sometimes, verging on the pitiful, and that prisoners emerge from prison not having been treated for the mental illnesses from which they are suffering. It therefore seems entirely sensible that pilot projects should be set up for gatekeeper psychiatry to be made available in the busier magistrates courts.

I do not suppose that such problems arise very often in rural and small-town magistrates courts because generally people are much better known in those areas for their idiosyncrasies, there is often more time to deal with cases and probation officers know the defendants and their families rather better. If one talks to magistrates in the big cities—I had a conversation on the subject recently with a stipendiary magistrate in one of our great cities—one hears that a significant proportion of the people who appear before the courts do so when suffering from some discernible psychiatric condition. Although pre-sentence reports are prepared before any custodial sentences are passed, they do not offer a full opportunity for a medical assessment to be made. It seems sensible that, at the least, experienced psychiatric nurses should be made routinely available to carry out examinations so that those who are suffering from apparent mental illness can be screened into medical procedures rather than forced into an otherwise inevitable cycle of minor criminality and imprisonment which may ruin the rest of their lives and the lives of their nearest and dearest.

New clause 12 deals with the second issue. Courts are faced every day with choices on sentencing, despite some of the Government's best efforts. Sometimes judges and magistrates face a choice between an order that involves mental health provision and a sentence of imprisonment. Judges may feel that the level of culpability of the offender, despite a psychiatric condition, is high; and may feel that the appropriate sentence would be one of imprisonment with appropriate psychiatric provision during that sentence. Believe it or not—and some would not believe it—judges approach such problems responsibly and have a genuine interest in what happens to the people they sentence, especially if the offenders are suffering from psychiatric conditions that have affected their criminality.

Judges would be more ready, in some cases, to pass prison sentences if they knew that the prisoners' conditions would be treated appropriately in prison. In most such cases at present, the judge has no way of knowing what psychiatric treatment will be given in prison. Indeed, if a judge inquires, save in the most serious cases, about what will be done if he passes a sentence of imprisonment, he will receive no answer or the most general of answers. New clause 12 would resolve that situation responsibly.

I turn to amendment No. 37. Clause 43 will insert a new section 45A into the Mental Health Act 1983. It will empower courts to pass prison sentences with what are called "hospital and limitation" directions on mentally disordered offenders, and section 45A(2) will provide that that power should apply to psychopathic offenders. I have no complaint about that because those powers will be useful and will enable hospital and limitation directions to be passed on psychopathic offenders. The reason for the power is that there are often doubts about whether offenders suffering from psychopathic disorder will be receptive to treatment. Psychiatry is, if the psychiatrists will forgive me for saying so, often as much art as science, and frequently a question of trial and error. It is sometimes the case that psychiatrists will be able to treat psychopaths usefully by, for example, removing the trait—by medication or other treatment—that makes the offender a danger. After treatment, a psychopath might not be especially dangerous. Nevertheless, it is right that those who bear significant responsibility for their criminal offences, albeit that they are psychopathic, should serve their sentences of imprisonment. Clause 43 will ensure that that can happen.

The new section 45A(10), however, will enable the Secretary of State to extend the power by order to cover other categories of mentally disordered offenders, including not merely those suffering from a psychopathic condition but those suffering from a discernible and diagnosable mental illness. The Bill's explanatory and financial memorandum explains that the provision in clause 43

"will be implemented in two or more phases."

Presumably, subsequent phases will cover other categories of mentally disordered offenders other than psychopaths.

The Reed report of 1994 was mentioned earlier by the hon. Member for Cardiff, South and Penarth. The joint Department of Health and Home Office working group, chaired by Dr. John Reed, recommended a version of the hybrid order when it reported in 1994, but it did not recommend the version that is included in the Bill. The working group's recommendation was limited to offenders suffering from psychopathic disorders. The White Paper, in contrast, proposed to make the order available for other categories of mental disorder and mental impairment. Moreover, under the 1994 proposals by the Reed working group, the offender would be transferred back to prison only if hospital treatment were inappropriate or refused, whereas the order proposed by the Government would involve automatic return to prison even if treatment were successful.

The 1996 discussion paper issued by the Home Office and the Department of Health recognised that the development of the hybrid concept beyond the recommendations of the Reed working group could raise difficulties. In particular, the paper recognised that the uncertainties about treatability which characterise psychopathic disorder are rarely present in cases of true mental illness. In cases of diagnosable and definable mental illness, it is beneficial for rehabilitation to be managed in a flexible time frame and for there to be continuity of care if the patient is to make a successful return to the community with minimum risk to the public. There is no evidence that that could be achieved if the provisions were to be extended from psychopathy to people suffering from mental illness who then found themselves being returned to prison. The machinery simply does not exist in prison to provide the follow-through that would be needed and that is why both the Reed working group and the joint discussion paper identified that as a problem.

I do not need to repeat the protests that have arisen as a result of the proposals. Opposition in unison has come from the Royal College of Psychiatrists, the Royal College of Nursing, MIND, the Law Society, the Penal Affairs Consortium and others. I suggest to Ministers that it is not necessary to include a provision that would extend the new hospital and limitation directions beyond those who are suffering from psychopathy. There is no evidence that such powers are necessary, but there is evidence that they would be detrimental to the care of mentally ill people. Indeed, if orders are made under section 45A(10), the resulting hybrid order could increase the number of mentally disturbed offenders detained in hospital beyond the period of clinical necessity because doctors would be reluctant to remit patients to prison, either because that would be clinically unwise or because they believed that it would be medically unethical to do so. Furthermore, if hospital and limitation directions were linked with determinate sentences, some offenders might be released sooner than if they had been admitted on an indeterminate restriction order under the Mental Health Act 1983.

I urge the Minister to think again about amendment No. 37 and to leave the matter open, at least until the Bill completes its stages in another place—if that is ever to happen—so that a measure too far need not be taken.

Mr. Soley: This interesting group of amendments and new clauses gives the Government an opportunity to work with the Opposition in looking at what my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) rightly called the interface between our criminal justice system and mental health services. The Under–Secretary of State for the Home Department will have some knowledge of this area following his previous ministerial responsibility in the Department of Health.

The one caveat that I have about the new clauses is that I do not think that we should assume that a good psychiatric assessment can be made within the confines of a court or that we can act on that assessment by making a long-term committal to a psychiatric hospital. The new clauses would not be suitable for that, although I do not think that my hon. Friend the Member for Cardiff, South and Penarth is thinking of the matter in those terms.

Mr. Michael: It is more likely that such circumstances will be identified so that appropriate action can be taken, and we claim no more than that for the amendments in dealing with the sort of cases to which my hon. Friend refers.

Mr. Soley: I am grateful to my hon. Friend for that clarification, which he also gave me when I intervened earlier. There is a real possibility here of identifying some mentally ill offenders at an early stage and of taking appropriate action.

6 pm

My hon. Friend the Member for Cardiff, South and Penarth referred to the experiment at Clerkenwell court—a court I know extremely well, as I served there for some

[Mr. Soley]

10 years, first as a probation officer and then as senior probation officer. I was then committed to this institution at the 1979 general election on an indeterminate sentence. There is no hope of parole here—just the steady erosion of one's personality.

In an inner-city court such as Clerkenwell—the hon. and learned Member for Montgomery (Mr. Carlile) referred to this matter—it can be difficult to deal with these cases. Clerkenwell covers two major rail terminals—King's Cross and Euston. Many of the people dealt with by the court were on the move, had shattered life styles and were mentally ill. It does not surprise me that a large proportion of such defendants are mentally ill, and the figures suggest that close to 50 per cent. have a definable mental illness. If the figures are correct, they give us advance warning and an idea of what could be achieved by better co-ordination between the criminal justice system and the NHS on mental health.

For example, I wish to refer to section 38 of the Mental Health Act 1983, which allows for detention in an NHS hospital for a period of observation. There is no doubt that many people who end up in magistrates courts are on the edge of mental illness, and are facing an incipient breakdown or perhaps full mental illness. Having the section 38 procedure readily available to a court—because a psychiatrist is present—could be of great benefit not only to the court and the offender, but to the community.

When I was a probation officer at Clerkenwell, people who one knew to be psychiatrically ill—and who the magistrates knew to be ill from their general judgment of the defendant's demeanour and behaviour—were nevertheless released into the community immediately because one could not justify a custodial sentence or a remanding in custody except in special circumstances; he or she might be a danger to other people, for example. The defendant would be released again and could possibly break down within the community. If we could do more to focus our attention on people when they first come before magistrates courts, it would be beneficial in terms of spotting the mentally ill.

I emphasise the importance of the care in the community procedures. I am a great supporter of care in the community in principle, but without the proper resources care in the community is a disaster, as has been demonstrated by the Zito case and others. The tragedy—as many hon. Members will be aware from their postbags—is that many people are not getting the degree of care in the community that they need to prevent a collapse into a full psychotic state, perhaps because they are not taking a course of drugs. It is possible—although it is important to remember that this occurs only in a minority of cases—that they will resort to some sort of dangerous and violent offending behaviour.

The idea of having a psychiatrist present or available to a court is useful. I do not pretend that a psychiatrist should be present in every court in the land, but my hon. Friend the Member for Cardiff, South and Penarth has hit on a good point in saying that it would be an advantage in a number of areas. It would enable us to spot those people who are supposed to be getting care in the community but are not getting it, and who are, as a result, offending. At the moment, such a person appears in court—more often than not for a petty offence—and is either remanded on bail or in custody for a psychiatric report. Three or four weeks later, he or she comes back to court and is disposed of by the court—perhaps by way of a mental health order, but more likely by a custodial or non-custodial sentence of a conventional type. There may be no effective follow-up to the sentence unless psychiatric and probation reports indicate the direction that the court should take on the level of psychiatric or probationary supervision.

The Minister must address an issue that the Minister of State failed to address on the previous occasion that I spoke on this matter. The issue is relevant to the group of amendments and deals with the way in which we treat mentally ill people who murder. As I stated previously, we persist in having a full inquiry when someone who is mentally ill murders, although no such inquiry takes place when a sane person murders. I am not sure what the point of that is. These inquiries cost hundreds of thousands of pounds, and we must consider carefully whether the system should continue. I do not expect an immediate answer, but we must look at whether it is sensible to have full and expensive inquiries every time a mentally ill person murders. Perhaps we should have an assessment of the causes and the background of the murder which might apply to the sane and the insane.

It is bizarre that we spend vast amounts of money on inquiries—some of which produce useful conclusions, some of which do not. But the present system suggests that a murder committed by a mentally ill person is more fearful or terrifying than a conventional murder. Frankly, if one has been murdered, it does not matter too much whether the person who did it was mentally ill or not. That is a serious point, and we should assess more effectively the background to murder rather than the background of those who murder and who are psychiatrically ill. This is a complex area that I know the Department has thought about from time to time. I will give the Minister time to respond to the matter before I leave for an appointment that I must keep. But if I am not here when he replies, I assure him that I will look carefully at his comments in *Hansard*.

My final point deals with the issue of psychopathy, which was raised by the hon. and learned Member for Montgomery. Most psychiatrists agree that psychopathy is not a treatable condition, and that is why it is not described as such in the Mental Health Act 1983. It is true that some drugs and other forms of treatment can help, but we are on a slippery slope if we start giving drug treatments to people who are not defined as mentally ill under the Mental Health Act. Some special units have been set up to deal with people who have a psychopathic personality, as it has been labelled—frankly, that is a bit of a dustbin label. We must concede that there is no known method of treatment that guarantees any form of advantage, but there are ways of treating and constraining such people that one can have reasonable confidence are helpful.

We should give more attention to such people who come before the courts and need treatment, as the general public's image of a psychopath is of a raving lunatic who is out to kill. In fact, the vast majority of psychopaths—as they are labelled—are rather inadequate and pathetic individuals who repeat their offences over and over again. They do not seem to learn from their behaviour, and generally are not liked by anyone. They are often very isolated individuals as well.

In all seriousness, there is a problem because we write people off with a dustbin label and talk about psychiatric treatment, which in most cases is not relevant, appropriate or effective. There are treatments, such as group therapy and other treatments in a residential setting, which can help such people. If we want to stop the persistent minor offenders who are a menace to everyone and whose behaviour in public causes discomfort to most people, we might do better to focus on such treatments rather than on drug treatments, which have certainly not been proven to offer any advantage and can have dangerous outcomes.

Mr. Denis MacShane (Rotherham): The concerns about these matters have been brought home to me in at least two serious constituency cases in the past couple of years, in which crimes were committed by people who were not given adequate psychiatric counselling or assessment before release.

This is an example of a matter on which Parliament should work at its best. The new clauses are practical and sensible and have been tabled by Opposition Members of considerable experience. My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) is a Justice of the Peace, the hon. and learned Member for Montgomery (Mr. Carlile) is a Queen's counsel and my hon. Friend the Member for Hammersmith (Mr. Soley) has deep experience of the probation service.

The public will ask why the Government refuse to accept new clauses that suggest experiments, are modest in their reach and would none the less contribute to people feeling a little more secure about the process of sentencing in magistrates courts. The underlying philosophy is simple: an ounce of prevention or of knowledge is worth more than a ton of cure or retribution.

I shall refer the Minister, perhaps after the debate, to a wonderful book by a leading Rotherham criminal solicitor, Mr. Stephen Smith, who works in the local magistrates courts. The book contains true-life stories of the past 20 years of his life as a professional solicitor. Time and again, he has had to defend the most inadequate and pathetic characters, who make great copy for a book but who have not been given a helping hand. They do not need an overdose of counselling, but they merely need a helping hand in terms of assessment, to allow the criminal justice system to treat them with due respect as citizens and human beings.

The hon. and learned Member for Montgomery mentioned the useful role of the probation service. In South Yorkshire, the probation service faces both cuts and a redefinition of its role that will take away the knowledge and training available to it and its ability to intervene adequately in such cases.

I do not suppose that the Minister will accept the new clauses at this stage, given the nature of our system of government, in which no amount of common sense or intervention can make any difference once the steamroller has been set in motion, but perhaps, if time allows, more serious and mature consideration can be given to the proposals in another place.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): This has been an interesting and thoughtful debate about a subject that has to be addressed: the appropriateness of sentencing and disposals for some people who may be mentally disordered and who in the past may often have been remanded to prison inappropriately.

The value of mental health assessment at magistrates courts is fully accepted and the Home Office has been active in encouraging the development of such schemes. Guidance was issued, as the hon. Member for Cardiff, South and Penarth (Mr. Michael) said, in 1990 and 1995, and funds were made available to assist with the costs of medical staff attending court. Support has been increased from £0.5 million in 1993 to more than £1 million this year, and substantial additional funding is expected to be available from the next financial year.

In 1990, there were only a handful of such local arrangements; now there are about 130 schemes in operation, some of which cover more than one court. In addition, some courts have access to a panel of mental health care professionals away from the court; the Home Office is helping to pay for 53 of those this year, but many more are funded from local resources. I do not regard Home Office central funding as the main way in which such schemes should be financed, but such funding is available because we are extremely keen to encourage them.

6.15 pm

It is important not to be prescriptive about how such schemes should operate; they are local initiatives and it would be unhelpful to tie the hands of the local agencies involved, which are best placed to devise the right response to local needs and to make the most effective use of the available resources.

The hon. Member for Hammersmith (Mr. Soley) talked about flexibility. I am not sure whether the new clauses would achieve that. Two points of detail may illustrate the point. First, the new clauses appear to limit those who can run the schemes to doctors, as defined by the Mental Health Act 1983, when in fact teams of community psychiatric nurses and others would be, and are, involved.

Secondly, it would be a step back to restrict assessment to the pre-sentence stage, as that would limit examination to those who had been convicted and exclude those on remand. A major benefit of any assessment scheme would be the early identification of mental disorder and the availability of advice to the court at first hearings, to avoid unnecessary remands to prison.

On new clause 12, existing arrangements for sentencing mentally disordered offenders already require the court to consider the offender's condition and the treatment available for it before passing a custodial sentence. When there is evidence of a treatable mental disorder, the court can make a hospital order in most cases. If the offender is psychopathically disordered, the court will have the option under clause 43 of attaching a hospital direction to a custodial sentence. Our aim is to extend the hospital direction to other mental disorders.

If, having considered the offender's mental state, the court has not selected one of those options, the question of the availability of treatment in the custodial setting is unlikely to serve any purpose and should not be a major part of the sentencing decision.

It may be argued that information about treatment facilities would allow the court to express a view about where the offender should serve his or her sentence—that is clearly part of the thrust of new clause 12—but I do not think that it is either sensible or appropriate to predict at the time of sentencing where a sentence will be served,

[Mr. Tom Sackville]

and it is not part of the court's function to direct offenders to specific Prison Service establishments. That decision is for the Prison Service, which will keep the offender's placement under review, considering a wide range of factors, including the prisoner's response to different prison regimes and the appropriateness and availability of specific programmes and treatment during the sentence.

I recognise that there may be prisoners whose mental condition at the time of sentence may not be such as to justify imposing a hospital order or a hospital direction, but that need not prevent treatment from being provided. The Prison Service has procedures in place to identify prisoners who are suffering from recognised categories of mental disorder. The identification can be on first reception into prison after sentence or, for those who develop such disorders, during the course of a term of imprisonment.

Where a prisoner is suffering from mental disorder so severe that he or she needs treatment in a psychiatric hospital, the prison doctor will seek to arrange his or her transfer to such a facility, using procedures provided in section 47 of the Mental Health Act 1983. The number of sentenced prisoners transferred to hospitals by direction of the Home Secretary under that provision has increased significantly in recent years, from 87 in 1985, to 145 in 1990, to 251 in 1995. There are already arrangements in place to identify offenders suffering from mental disorder who would be better held and treated in hospital. If an offender appears to be mentally disordered, the court will have considered evidence about his or her need for treatment before sentencing. If the offender needs treatment in hospital, he or she should be sent to hospital either by the court on sentencing or by warrant of the Home Secretary. It is not clear what the courts would be expected to do with the information that new clause 12 proposes that they should have.

Mr. Alex Carlile: If he will forgive me for saying so, the Minister is to some extent ducking the question. The real question is not about people who are so ill that they are sent to mental hospitals for treatment, but about people suffering from relatively minor psychiatric illnesses, such as depression or incipient schizophrenia. Surely he would agree that in the real world, the Prison Service fails to give people the treatment that would, in many cases, prevent them from offending in future. Do the Government have any proposals to deal with that large-scale problem?

Mr. Sackville: The hon. and learned Gentleman may feel that the medical services available in prison are inadequate, but it is not clear what new clause 12 would do to improve them. The courts can pass hospital orders. Prisons can use section 47 transfers to refer prisoners for mental treatment outside. The mechanisms are there; he is making a statement about how they are working.

Mr. Michael: It is clear that the Minister did not understand the intervention of the hon. and learned Member for Montgomery (Mr. Carlile). As the Minister may by now have received more advice, I ask him to consider seriously the question that he was asked. He also said that the facilities in prison are inadequate. There is overwhelming research and other information from his own Department to show that the situation in prison is seriously inadequate. Does he accept the seriousness of the problem?

Mr. Sackville: I believe that there may be room for improvement in prison medical services, but there is nothing in new clause 12 that would achieve it. Doctors are available to prison medical services and there are contracts between prisons and local community mental health services. All those services are in place. The hon. and learned Member for Montgomery (Mr. Carlile) simply said that he believes that they are inadequate. We are dealing with an amendment about hospital direction, which provides further flexibility on how mental services can be offered.

Mr. Carlile: Will the Minister give way on that point?

Mr. Sackville: If I may continue, I was just going to deal with amendment No. 37, which was tabled by the hon. and learned Gentleman. It would prevent the hospital direction that is introduced by the Bill from being extended beyond people who are deemed to be psychopathic. We believe that it is reasonable that there should be an order-making power to extend the hospital direction beyond such people. There may often be cases where prisoners appear to be mentally ill and in need of treatment at the time of sentence, but cannot be deemed to be psychopathic. There may be many instances where they need treatment and, having been treated, need to be remanded back to prison. If someone was deemed sufficiently dangerous to be given a long sentence—perhaps a large importer of drugs, who merited a sentence of 10 years or more—but appeared to need mental treatment at the time of sentence, it would be wrong for the court not to have the flexibility to allow that treatment to be given, with the prisoner then being remanded back to prison. I think that the hon. and learned Gentleman will agree that to do otherwise would mean that the public were not adequately protected from the behaviour of that individual.

I do not think that there is disagreement about the value of assessing prisoners before sentence or in the early stages of the process, but the best that I can say for the new clauses is that they provide a statutory framework for a process that is already happening apace in our system: the extension of psychiatric assessment at all stages of the sentencing process. I cannot advise the House to accept the new clauses.

Mr. Michael: The Minister's response was disappointing. Some of his points were simply wrong. I suggest that he looks again at the report of the Reed committee, and especially at the advice given by solicitors, who deal with their clients in the courts but are not directly involved in the Prison Service or the health service. The evidence from the Law Society about the experimental or pilot projects involving duty court psychiatrists or other such liaison schemes that are in operation was specific. The Minister was wrong to say that our new clauses would limit the involvement of medical practitioners to doctors. We specifically drafted one of the new clauses to allow the use of psychiatric nurses. That was one of the practicalities that we noted in considering amendments that might help the Bill.

When discussing such schemes, the Law Society said that one of the advantages reported to it was psychiatric reports that could be quickly identified and acted upon. That is an important requirement. As I said earlier, it is far too easy for the need for professional help or specialist advice to lead to delays in the criminal justice system. I have always thought that justice delayed is justice denied, and we have frequently tabled amendments to address that point of principle. Psychiatric reports are one of the advantages identified by solicitors who, in my experience, are not always identified with the avoidance of delay.

The Reed report praises the involvement of all relevant agencies, which assists co-operation and the speedy arrangement of services. It points out that the availability of local facilities can be made known to the court so that it has the knowledge with which to address the point of my hon. Friend the Member for Hammersmith (Mr. Soley) about courts targeting their sentencing decisions and knowing that their intentions can be followed through properly.

The solicitors also found that procedural difficulties can be overcome to avoid unnecessary and lengthy remands in custody. Remands in custody are not only bad in principle but extremely expensive, so in the general public interest that should surely be encouraged. Earlier, I mentioned the cost savings that have been identified in the available research, but the whole-hearted support of the Law Society for the nationwide provision of such schemes should be noted because it is argued on very positive grounds.

One of the other points in the Law Society's evidence is that boundary disputes between different authorities are a source of constant frustration for solicitors trying to ensure placement and service for mentally disordered offenders. The need for collaboration between probation officers, people involved in court and people involved in sentencing is clear, but that does not mean that we should just say to people in the health service authorities, psychiatric services and the criminal justice system, "It would be nice if you would talk to each other." It is the Government's responsibility to create the framework and to ensure that the two facilities deal with people who are at the point of interface—people who are in the criminal justice system but who perhaps should be in an institution that deals with mental health, or who are in prison and require psychiatric treatment. The Minister should accept our new clauses on the ground that they would help to create the right structures for that overlap between the health service and the criminal justice system.

6.30 pm

The Law Society also underlined the need for more reliable information on the need and potential demand for community services for mentally disordered offenders. I have referred to the Zito case and others where a failure to ensure that appropriate community-based services were available for people with psychiatric problems led to offences that were far more serious than those that first brought those individuals to the attention of the court.

The Law Society comments that many mentally disordered and vulnerable people are currently being cared for by their families without any contact with the psychiatric health or social services, and that without the provision of adequate support and services, those arrangements are likely to break down. That is true. The breakdown of such arrangements can be dramatic and serious. I shall give a simple example. I am sure that many of my hon. Friends could give examples from their constituencies, and that my hon. Friend the Member for Hammersmith has professional experience that he could draw on.

A young man sought help from a mental hospital that was treating him because he felt that things were getting out of hand and that he might offend due to the development of his illness and the pressures on him. He asked for help and to be taken in. His mother said that she was seriously concerned that something would go wrong unless treatment was made available. It was known that he needed help, but he was not given it and the result was a victim, a violent offence, a criminal record and great expense to the public purse. There was little that was positive in the outcome, but a massive negative outcome, the cost of which was borne by the criminal justice system and, ultimately, by the public purse.

I understand—I do not think that the Minister acknowledged this adequately—the health service's fears about becoming an adjunct of the Prison Service. Personally, I have much sympathy for the combination order, which allows more flexible movement between one and the other. The answer is not greater separation, but greater co-operation. The basic principle, as put by my hon. Friend the Member for Stockport (Ms Coffey) when we discussed these issues earlier, is that it is important that people with a mental illness of the sort that responds to treatment should receive that treatment wherever they are held.

There should be facilities for treating people and maintaining treatment programmes in prison, and for transferring people to hospitals for short-term and long-term treatment, whichever is the more suitable. We are talking not about additional costs, but about the appropriate targeting of treatment and the matching of the individual to the treatment that he needs.

In making that point, my hon. Friend the Member for Stockport made the crucial point that, if facilities in prisons are poor, special hospitals will be chock-a-block with prison transfers, not because they provide a more appropriate environment, but simply because there is a lack of facilities in prisons. That point is surely relevant to some of the Bill. That would inhibit the special hospitals' ability to deliver treatment regimes for non-offenders. One way forward would be for the prison services to utilise special hospital skills in the prison environment through an outreach service, but the real answer is to improve the targeted service in prisons.

There is a pass-the-parcel approach and no real clarity of purpose—I suspect because prisons have difficulty coping with the bizarre and challenging behaviour of some mentally ill prisoners. Some offenders have profound personality disorders that are not treatable on a medical model. My hon. Friend the Member for Knowsley, North (Mr. Howarth) recently visited Ashworth hospital, which has separated that group out and deals with it differently. That expertise and approach is transferable from hospital to prison. It is important that special hospitals are not used as a dumping ground, but they will continue to be used in that way as long as they can be used in that way and as long as there are poor facilities in prisons.

[Mr. Michael]

On the other side of that equation, the Home Office and the Prison Service will not be under pressure to improve mental health facilities in prison. The attachment of the mental illness label to all sorts of behaviour is not helpful, particularly to people who are genuinely mentally ill. The key is proper assessment at the time of sentence and proper assessment of the right disposal, taking into consideration both the offence and the clinical judgment about the offender of people in the mental health service.

This should not be a bureaucratic issue of managing beds in the hospital system or prison cells in the prison system. That is why our new clauses both address the assessment, giving full information to the court and allowing it to be able to use properly the disposals available to it, including the disposals proposed elsewhere in the Bill, and to ensure that the facilities are available to people in prison. I have said on a number of occasions that there is a great cost to the public purse, in terms both of the criminal justice system and of the mental health system, in failing to address these issues adequately.

The Minister said that our new clauses would destroy local flexibility and—I quote him directly—that it would be "unhelpful to tie the hands" of people who can voluntarily make those arrangements at local level. This is a fine time for the Government to discover, suddenly, that it is a good thing to have local flexibility, and for a Minister to say that the Government do not want to tie the hands of people to do things for the public benefit at local level. Is the Minister saying that the requirement of a high standard set at a central level necessarily involves bureaucratic interference by Government Departments? The answer to that is yes under the Conservatives, but no if it is done properly.

These things must be done with sensitivity and balance. We should set the standards and then allow flexibility for local delivery of those standards, and for the courts to be able to take decisions on the basis of the right framework having been put in place. I underline again that flexibility on the use of psychiatric nurses—and not just doctors—is allowed, at least in the initial assessment, by the way in which we have approached this issue.

The Minister suggested that we should have concentrated on the remand element rather than on post conviction. I take his point about the identification of people who need mental treatment before the case has gone through. I commented on that in my earlier remarks, but we have concentrated particularly on the point that, if someone has been found guilty, the court, in deciding its disposal, should have a full analysis of the offender's condition, as well as knowledge of the offence. I remind the Minister that this is, after all, the Crime (Sentences) Bill: so it is sensible for us to concentrate on sentencing. It was the Government's choice that we should concentrate on sentencing; that is why our new clauses and my remarks in this short debate have concentrated on sentence, rather than on remand.

The Minister suggests that the outcome is uncertain—that it is not certain what the court is to do with the information made available to it. It is not prescribed, but that is not the same as its being uncertain. It is not prescribed in the sense of slot-machine justice, whereby a piece of information is fed in and a disposal pops out, although I know that some Ministers are enamoured of that approach. We are trying to ensure that the court has the appropriate information to enable it to make the right decision—a decision that might, in certain circumstances, be tough, but which includes appropriate psychiatric treatment for the offender, whether through a hospital order, a combination order or a prison sentence. What is required is that the court uses the information made available to it to do the job that it is there to do—to exercise common sense in its application of the law. That is perfectly clear and not uncertain at all.

I also found it most odd that the Minister did not respond in detail to the serious intervention from the hon. and learned Member for Montgomery (Mr. Carlile). During that exchange, the most the Minister would acknowledge was that there may be room for improvement in the services available in prison. I tell him that it is not conditional and that "may be" is not the right term—there is room for improvement in the psychiatric treatment available in prison.

Mr. George Howarth: There is room for a quantum leap.

Mr. Michael: As my hon. Friend says, there is room for a quantum leap of improvement in standards of psychiatric care in prisons. I would put it more strongly: there is a crying and desperate need for major improvements in prison psychiatric treatment and in the liaison between the criminal justice system, especially the Prison Service, and the national health service in respect of the treatment of mentally ill prisoners.

Mr. Alex Carlile: Does the hon. Gentleman agree that it is simply not good enough for the Government to say that contracts are being entered into with individual psychiatrists and groups of psychiatrists to provide services in prison? Is he aware that the psychiatrists who provide services in many of the busier prisons say that under their contracts, which are part-time and limited, they are able only to stem the tide and deal with the most serious cases?

Mr. Michael: I am grateful to the hon. and learned Gentleman for making that point which, with his knowledge of the criminal justice system, he does with great authority. He confirms my suspicions that we are seeing the Elastoplast approach to mental health, just as we are seeing the Elastoplast approach to the health service and the criminal justice system in general. He makes the point effectively and I agree whole-heartedly with him.

Sir Ivan Lawrence (Burton): I have listened carefully to the hon. Gentleman. He has spoken a great deal of common sense, which I applaud, but is he prepared to make a commitment on behalf of his party to make the massive expenditure that would be required to bring the treatment of mentally ill offenders up to the standard that he seeks?

Mr. Michael: I am not sure how long ago it was that the hon. and learned Gentleman wandered into the Chamber but, despite his compliment on the common sense of my remarks, I have to say that I am surprised that he claims to have been paying close attention to my

speech. I have already dealt explicitly with the matter he raises, twice in my opening speech and once in my current speech.

A great burden is placed on the public purse by, first, the failure properly to identify the need for psychiatric treatment and, secondly, the failure to give psychiatric treatment where it is needed, especially to those in prison. The hon. and learned Gentleman does not seem to understand the point, so I shall repeat it slowly for his benefit: it is costing us an enormous amount of money to be ineffective, and much of that cost could be saved by better liaison, by better targeting of activity and by ensuring that the work of the Prison Service and the health service is properly co-ordinated and that each does its job properly. The expenditure is not additional, but comes from dealing with the waste of money that results from the ineffective identification of those who need help and the ineffective way of providing that help.

The Secretary of State for the Home Department (Mr. Michael Howard) *rose—*

Mr. Michael: It is such a clear and simple point that it requires the Home Secretary to come to the defence of his junior Ministers.

Mr. Howard: The junior Ministers are doing extremely well. What needs to be clarified is the novel approach to public expenditure commitments being advanced by the hon. Member. He knows perfectly well that the explanation—if that is the right word—that he has just given could be used to justify additional public spending on any subject under the sun. Has he cleared the words that he has just used with the shadow Chief Secretary or the shadow Chancellor?

Mr. Michael: That intervention demonstrates that it is inadvisable for the Home Secretary to wander into the Chamber, pick up on one sentence and try to criticise the Opposition. If he had paid attention to the whole of my speech, he would have heard me quoting evidence from his own Department about the money to be saved by proper identification and targeting. It is a pity that he does not appear to have read the research that he publishes.

Mr. Soley: Is not this the same Home Secretary who told the country that he will build a couple of dozen new prisons, without any regard to expense? It all falls on the taxpayer. That is another case of failure.

6.45 pm

Mr. Michael: This is also the Home Secretary who has managed to cut £700 million from the funding available to the victims of violent crime. I do not think that we need any lessons from the abacus of the Home Secretary—our point is that he is wasting money. The money available within the Home Office, the criminal justice system and the health service is being wasted. That waste is not necessary and could be avoided by the sort of measures proposed in the new clauses.

I hope that the Home Secretary will take the trouble to read the whole of this debate in *Hansard* and not just a little bit of it; he will see how silly he looked making that intervention and asking a question that had already been adequately answered much earlier in the debate.

Mr. Howard: Will the hon. Gentleman give way?

Mr. Michael: Of course. I am delighted that the Home Secretary is coming back—more, more.

Mr. Howard: Will the hon. Gentleman now answer the very simple and specific question that I put to him? The formula that he used could be used to justify any increase in public spending on anything under the sun—has he cleared the words he used with the shadow Chancellor or the shadow Chief Secretary?

Mr. Michael: I am sure that what I said could, with the twisted logic of the Conservative party, be used to justify anything—but not under the tight financial control and management that the Chancellor of an incoming Labour Government after the general election will apply, not only to spending commitments, but to the effective use of the resources that are currently available. That is the point. The Home Secretary stands condemned in this debate of not being willing to listen to advice from his own Department and his own research on how he and the Secretary of State for Health could use the resources that are currently available to them to reduce the burden of psychiatric care, to reduce offending and reoffending, to reduce the commitment to prison building and to reduce the massive expense resulting from the Home Secretary's mismanagement of the criminal justice system.

It is not good enough for the Government to try to avoid the issue by saying, "We'll tell the health and prison services to get together and that will bring about the end required by the Opposition." That is what the junior Minister said would happen and, according to the Home Secretary and his junior Minister, it does not involve extra resources. Telling the services to get on with it does not cost a penny more, but Ministers now argue that requiring them to get on with it in the way that we propose—by providing a framework that will make it easier for them to do so and that will allow money to be saved—will somehow cost more. It is just as well that the Home Secretary became a lawyer and not an accountant—he would have been drummed out of that profession long ago on the strength of the false accounting that he has tried to bring to bear this evening. The right hon. and learned Gentleman stands condemned out of his own mouth for a spurious and silly intervention.

It is not enough for the Home Secretary and the Minister to say that people involved in psychiatric services and in the Prison Service should co-ordinate their activities more effectively. It is not enough to say that provision should be made available voluntarily in the courts. It is not happening apace, as the Minister said. If it is happening apace, it is at a pace of a snail. That is not good enough.

We have tabled constructive new clauses that would tackle a significant problem and which I seriously expected the Minister to welcome, in view of the comments that he made in Committee, which I quoted back at him earlier. I regret the fact that he did not

[Mr. Michael]

welcome our new clauses. Nevertheless, there may be enough Opposition Members—and, perhaps, Conservative Members, given that the hon. and learned Member for Burton (Sir I. Lawrence) said that there was much common sense and logic in what I said—to pass the new clause.

Question put, That the clause be read a Second time:—

The House divided: Ayes 246, Noes 297.

Division No. 35] **[6.49 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Austin–Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, A J
Benn, Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alex *(Montgomery)*
Chidgey, David
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Golding, Mrs Llin
Gordon, Ms Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd–on–A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Strat'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAvoy, Thomas
McCartney, Ian *(Makerf'd)*
Macdonald, Calum
McFall, John
McLeish, Henry
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Mandelson, Peter
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Ms Dawn
Purchase, Ken
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Sedgemore, Brian
Sheldon, Robert
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wright, Dr Tony

Tellers for the Ayes:
Ms Angela Eagle and
Mr. Joe Benton.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Amess, David
Arbuthnot, James
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian

Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mawhinney, Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riffkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Bowen Wells and
Mr. Roger Knapman.

Question accordingly negatived.

New clause 3

REQUIREMENT UPON THE COURT OF APPEAL TO ISSUE SENTENCING GUIDELINES

'(1) Without prejudice to any other power in that regard, it shall be the duty of the Court of Appeal to consider and review sentencing practice and policy and from time to time to issue guidelines in respect thereof.

(2) Without prejudice to any rule of law, a court in passing sentence shall have regard to any relevant guideline issued under subsection (1) above.'.—*[Mr. Straw.]*

Brought up, and read the First time.

Mr. Jack Straw (Blackburn): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss the following: New clause 4—*Sentencing guidelines*—

'.—(1) In disposing of any criminal appeal, the Court of Appeal may, without prejudice to any other power in that regard, pronounce an opinion on the sentence or other disposal which is appropriate in any similar case.

(2) Without prejudice to any rule of law, a court in passing sentence shall have regard to any relevant guidance issued under such subsection (1) above.'.

New clause 5—*Unduly lenient sentences (No. 1)*—

'Section 35 of the Criminal Justice Act 1988 shall be amended by substituting for subsection (3) the following subsection—

"(3) This Part of this Act applies to any case in which sentence is passed by the Crown Court."'.

Mr. Straw: The new clauses seek to impose a duty on the Court of Appeal to lay down sentencing guidelines in respect of all the main offences in the criminal calendar, and to extend the power of the prosecution, through the Attorney-General, to appeal against a much wider range of sentences than is currently the case.

In a paper published a few years ago, entitled "Custody Reconsidered", for the Centre for Policy Studies, Professor Andrew Ashworth wrote:

"People are right to expect consistency in sentencing, since consistency, together with predictability, lies at the heart of the rule of law."

However, he went on to state:

"The present sentencing system fails to achieve a proper balance between flexibility and consistency."

Professor Ashworth's conclusion seems inescapable: the lack of consistency and the absence of proper machinery to enforce and monitor sentencing practice is one important reason why public confidence in the criminal justice system as a whole is so low.

In the paper entitled, "Honesty, Consistency and Progression in Sentencing", which I published last March, I gave detailed figures that highlight the current inconsistency in sentencing between different courts. I provided two tables, one which examined the range of the use of custody by different tiers of the Crown court, and another which did similar work in respect of magistrates courts.

In Crown courts, there is significant variation in the proportion of defendants coming before Crown courts of the same level who are sentenced to immediate custody. For level 3 courts, the range varies from 38 per cent. at Woolwich Crown court, to 67 per cent. at Hereford Crown court, where the hon. and learned Member for Montgomery (Mr. Carlile) is a recorder. His practice obviously belies his Liberal rhetoric. That has been my consistent experience of my friends at the Bar—the moment they sit on the Bench, the soft ones end up giving the longest sentences. The reverse is also true. That may explain the liberality of the hon. and learned Member for Burton (Sir I. Lawrence) on the Bench, although not in the House.

A similar range is apparent in respect of level 2 courts, where the proportion of defendants who are convicted and go into immediate custody varies from 40 per cent. in Gloucester to 65 per cent. in Luton. The same applies to level 1 courts, where the range is from 42 per cent. in Bristol to 64 per cent. in Caernarfon, and a higher proportion at the Old Bailey, but I do not regard that as an equivalent court for the purpose of these comparisons.

There is an even wider range in magistrates courts. On average, 13 per cent. of defendants who appear before magistrates courts receive a sentence of immediate custody, but the range is huge. I refer to indictable offences triable summarily; I am not speaking of motoring offences. At one end of the range, at Staffordshire, Moorlands magistrates court, one in six defendants are given a sentence of immediate custody. At the other end, at Maidenhead magistrates court, one in 66 defendants receive a sentence of immediate custody. Try as I might, I can find no explanation for those differences.

7.15 pm

Mr. Michael Stephen (Shoreham): I am sure that, like most of us, the hon. Gentleman believes in local justice and believes that magistrates are local people dispensing justice in their locality. How far does he believe that there should be discretion for local Benches to treat more seriously particular offences that might be prevalent in their area, and therefore to depart from national guidelines?

Mr. Straw: The hon. Gentleman makes an important point. The same point was made, improbably, by the Secretary of State in an interview in "Constabulary Magazine", in favour of unfettered discretion by local Benches in magistrates courts. None of us could accept complete uniformity in sentencing. It would be odd if every court's sentencing practice was around the average. My concern is that the range is far too wide, and that the differences in practice appear to be informed not by any explicit local policy, but rather by custom and practice.

I shall give a specific example. Blackburn and Oldham are two similar industrial towns in the old county of Lancashire. They have similar social structures and similar rates of crime. A defendant at the magistrates court in Oldham has a one in 10 chance of receiving a sentence of immediate custody. A defendant at the magistrates court in Blackburn has a one in 20 chance of receiving such a sentence.

I do not know which sentencing policy has a greater impact on crime levels in those two towns. With regard to my own constituency, however, I know that because of major problems in the amount of feedback and guidance that magistrates courts are given, the policy of the court in Blackburn—and, I suspect, also in Oldham—is not really a policy, but the way in which the court has behaved traditionally, without any rational scrutiny of that behaviour.

Of course, I accept—this is one of the reasons why we want changes in the way in which the Crown Prosecution Service operates—that if there is a particular problem in an area, the Bench and prosecutors are right to take it seriously and, for example, to issue exemplary sentences as a deterrent against further wrongdoing.

The figures that I have given are for comparisons between courts. Another set of figures reveals inconsistency of a different kind. The public currently expect the court's attitude to offending to equate to their own experience at home, at school or in the workplace.

In each of those environments, the sanction for misbehaviour takes account not only of the immediate offence, but of the past record of the miscreant. That is part of people's natural instinct about what is just and sensible. That is explicitly written into employment law where, save for grave offences, employees are entitled to a series of warnings before they can be dismissed.

Apart from the short-lived aberration of the Criminal Justice Act 1991, such an idea of progression in sentencing, taking account of previous offending behaviour, has long been enshrined as a principle of sentencing in the British courts. In any court on any day, one will hear defence counsel arguing in mitigation for a last chance for a defendant to avoid a custodial sentence. Equally often, in imposing a non-custodial sentence, the Bench will issue a dire warning that further offending will lead to a prison sentence.

However, the idea of proper progression, which I believe is accepted across the House, is not consistently translated into sentencing practice. My paper, like the White Paper, gave examples of what on average may happen to defendants on a first, second or third conviction. The picture painted by those figures can be described only as bizarre and as one that is unlikely to enhance public confidence in the sentencing system.

Let me give some examples that I quoted in my paper. I asked the Minister of State, Home Office, the right hon. Member for Penrith and The Border (Mr. Maclean), for figures of the proportion of defendants aged 21 or more who had received convictions for domestic burglary and, separately, for drug dealing, and who received sentences of immediate custody, and what the length of the average sentence was. It is true that for domestic burglary and drug dealing, an increasing proportion of defendants received a custodial sentence at the second and third offence, but it is odd that for domestic burglary, the sentence stayed level at 15 months, whereas for drug dealing in class A drugs, the sentence went down from 32 months at the first conviction to 30 months at the third conviction. Those figures do not enhance confidence in our sentencing system.

Mr. Howard: Does the hon. Gentleman agree that both the examples that he has cited will be dealt with by the minimum mandatory sentencing provisions in the Bill? Will he specifically deny that he has given any private assurances to senior members of the judiciary that, if elected, Labour would not implement the Bill's mandatory sentencing proposals?

Mr. Straw: I shall deal with the right hon. and learned Gentleman's first point in a moment. The issue of a drug dealer or domestic burglar who is convicted for a third time is dealt with elsewhere in the Bill. However, such provisions—whatever their merits—are not an alternative to effective guidelines from the Court of Appeal. The proposals affect sentences at a third conviction in only two specific areas of offence within the criminal calendar.

As to the Home Secretary's second question, I have not given any such undertakings—either in private or in public. He will have to wait for my speech on Third Reading—we want to see the Bill's final form—to hear our definitive decisions about its proposals. I am glad that the Home Secretary has accepted, by implication, that the Labour party will form a Government after the election. As we know from reports in yesterday's newspapers, he has already accepted that fact and is spending more time preening himself for election as Leader of the Opposition than doing his job as Secretary of State.

As hon. Members know, I was not a member of the Standing Committee that examined the Bill, but I have read the *Hansard* record of debates. I was almost as impressed by the contribution of the hon. and learned Member for Burton in Committee as by the brilliant interventions of my colleagues. The hon. and learned Gentleman supported our amendments and poured vitriol on the ill-thought-through provisions in the Bill so often that I think he must be halfway to defecting to new Labour. He brought to his observations his experience not only as a distinguished parliamentarian but as a recorder of the Crown court. We know that the court in which he sits has a reputation for much softer sentences than the court of the hon. and learned Member for Montgomery. On at least three occasions, the hon. and learned Gentleman commented that the Bill's provisions

"would have been unnecessary if the court had laid down guidelines about minimum sentences".—[*Official Report, Standing Committee A*, 14 November 1996; c. 49.]

He added:

"it would have been far better if, many years ago, judges had got to grips with their powers and set out guidelines to introduce the type of sentence that we are having to lay down in statute".—[*Official Report, Standing Committee A*, 19 November 1996; c. 104.]

I refer to the question that the Home Secretary asked a moment ago. We shall discuss separately the Bill's so-called minimum sentence provisions, but they will cover only a limited number of cases and criminal offenders—those affected by clause 1, convicted for a second time of a listed offence that already carries life as a maximum sentence; and those affected by clauses 2 and 3, convicted for a third time of offences of domestic burglary or trafficking in class A drugs. The vast range of offences and offenders will be unaffected. Therefore, the need for better machinery to secure consistency and progression will remain.

The achievement of that aim has actively exercised the House for at least a decade. In its 1986 White Paper on criminal justice, the Government proposed giving statutory form to the Judicial Studies Board's function of publishing the Court of Appeal's sentencing guidelines in a more coherent and accessible form. However, they dropped that idea in favour of a limited right of appeal against unduly lenient sentences by the Attorney-General.

When the ill-fated 1991 Act was before the House, one of our main criticisms of the Bill was that it failed to deal with "unacceptable discrepancies in sentencing"—as my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) said at the time. We advanced proposals for a sentencing council to achieve greater consistency in sentencing. It is a measure of how far the Government have moved in six short years that, at the time, our proposal was condemned out of hand by Ministers and voted down by Government Members—including the present Home Secretary—on the risible grounds that it would produce the "dead hand of conformity" and

"end up like the experience in the United States."—[*Official Report*, 20 November 1990; Vol. 181, c. 232.]

[Mr. Straw]

The Conservative party's campaign guide went much further and said that our proposals would have denied the courts

"the discretion they need if they are to deal adequately with the wide variety of criminal acts that come before them".

It added that our position—which was in favour of more consistency—illustrated Labour's

"traditional mistrust of the judiciary and provides Labour with an institution to shackle them to a rigid penal system."

I am glad that the Home Secretary can see the joke. I hope that when he responds to the debate, he will apologise for the position that he took in 1991. The truth is that, if our proposals for proper machinery on sentencing guidance had been accepted—they were widely supported at the time—we would not now need some of the provisions in the Bill.

Despite Ministers' complacency about sentencing practice at the time, the Court of Appeal could—and we believe should—have been more proactive in its development of sentencing guidance. Sentencers have available much excellent work from the Judicial Studies Board, Thomas's "Current Sentencing Practice", and a few guideline judgments from the Court of Appeal—notably on rape. However, Professor Ashworth was correct to criticise the Court of Appeal in 1992 for the

"manifest abdication of its role in giving guidance for the lower courts."

He said that that

"suggests that the ideal partnership between legislature and judiciary, implicit in the White Paper of 1990, is likely to be realised slowly, if at all".

He added for good measure that most of the Court of Appeal's decisions on domestic burglary were

"a veritable wasteland in terms of guidance".

Little has happened in the intervening period. Mr. Ralph Henham, senior lecturer in law at Nottingham Trent university, in a 1995 paper on sentencing policy for the *Howard Journal of Criminal Justice*, commented on

"the apparent failure of the Court of Appeal to consistently advert to other sentencing decisions in the course of developing sentencing principles, thus hindering the process by creating problems of interpretation. In addition, there is a tendency for the Court of Appeal to concentrate on the immediate case without questioning the general principles behind cases of that type or their inter-relationship with other types of cases thus creating a lack of coherence and direction in the development of sentencing principles."

That is strong criticism and I am sorry that the Court of Appeal has not taken it on board properly.

As I said, the alternative proposed by the Government in their 1986 White Paper was for the Attorney-General to have a limited right of appeal to the Court of Appeal. That provision became law in the Criminal Justice Act 1988. In most other jurisdictions—including common law jurisdictions—the prosecution has long had a much more active role in sentencing. The notion has always raised profound anxiety in many quarters. I suspect that we have been held back in many ways by our history. Indeed, many ingrained assumptions of English common lawyers about rules of evidence and sentencing date back to the last century, when many property offences were capital crimes, and when the defendant was not allowed to give evidence in his own defence. There was no general defence appeal against conviction or overly severe sentences until 1907.

Anxiety about the possibility of injustice and of political influence in appeals led my right hon. Friend the Member for Sparkbrook to oppose the right of the Attorney-General to make an appeal under the 1988 Act. Significantly, in the same debate he expressed qualified support for a much more comprehensive scheme, whereby the prosecution could suggest sentences to the court. In the event, the anxieties of many about the development were not borne out and we supported measures to strengthen the arrangements in the Criminal Justice and Public Order Act 1994.

Today, the Attorney-General is able to appeal as "unduly lenient" any offence triable on indictment only, but just a limited number triable either way. However, a large number of offences tried in the Crown court, and any offence tried in the magistrates courts, are excluded. New clause 5 seeks to extend the power of the Attorney-General to appeal against any conviction that arises in the Crown court.

I should add—this does not form part of the formal propositions of the debate, so we should not take an immediate decision about it—that although there are strong, practical difficulties in extending that principle to magistrates courts, I believe that, in principle, the prospect should be considered. Under current law, there is no possibility of the Attorney-General appealing against an unduly lenient sentence for domestic burglary—a subject that has correctly exercised the Home Secretary—or for quite a number of offences of violence.

7.30 pm

The Government were wrong in 1986 to see a more active role on guidance by the Court of Appeal and a right of appeal by the Attorney-General as alternatives. In our view, one should buttress the other. In its guidance role, the Court of Appeal should, as many have proposed, work through the criminal calendar and provide clear guidance on each of the main offences. It should publish such guidance in draft, encourage informed professional and public debate on it and then promulgate it.

Some judges and practitioners have said that that would be difficult; that domestic burglary, for example, covers a wide range of actions and of culpability. So it does, but that does not mean that the range is incapable of analysis and categorisation. After all, rape also covers a wide range of culpability, and on that the Court of Appeal has issued proper guidance.

In addition to the promulgation of guidance, much improved arrangements need to be put in hand to enhance the memory of the criminal justice system. I have often heard magistrates complain that they are effectively sentencing people in the dark, with little or no systematic feedback on the effect of their sentencing decisions.

My final point is about Scotland. The Scottish legal system is different and it is entirely right that its development should be determined by what is right for Scotland, but too often we ignore better practice there, for example on delays in getting cases to court. The White Paper on crime and punishment in Scotland, Cm 3302, has two proposals in chapter 8 that are fully consistent with our new clauses for England and Wales. In 1995,

the appeal court in Scotland, as the White Paper pointed out, was given a power to lay down sentencing guidelines, which I understand has now been activated.

In paragraph 8.23, the Government proposed to extend to the prosecution the right of appeal in all summary cases. I am aware that the definition of "summary" is different from that in England, but it is very much wider than in cases that simply end up in the Crown court. That intention has now been put into effect by a negative statutory instrument, which was approved without any Division in the House.

Those are persuasive examples of why such provision should be made in England and Wales. We need a criminal justice system that has more memory, that has greater and more effective progression, and one that above all ensures greater consistency. When practitioners express concern that the public do not understand how the courts operate, they should bear it in mind that what the public inevitably latch on to is not the average practice in sentencing, but the aberrant practices in sentencing, which too often excite—quite rightly—great public concern, and about which very little can be done.

The Attorney-General has an important role to play, which we wish to see extended, but we believe that there is an overwhelming case for the Court of Appeal to extend its role within the framework that Parliament has laid down for sentencing and to establish effective sentencing guidelines and then ensure that they are properly monitored and put into practice.

Mr. Alex Carlile: The issue is whether the Court of Appeal, criminal division, should have a statutory obligation to promulgate sentencing guidelines for the whole calendar of cases coming before the Crown courts.

The hon. Member for Blackburn (Mr. Straw) was, perhaps, less than generous to the Court of Appeal in his criticism of the guidelines that it has given hitherto. It is instructive to spend, as some of us have occasionally, a day, or nearly a day, sitting in one of the courts of the Court of Appeal, criminal division, and hear the throughput of cases. First, they work under considerable pressure. It is quite impossible for them to consider each case as a guideline case.

Secondly, the courts work extremely fast. In most appeals against sentence, they are fully apprised of the facts of the case before the appeal is heard and are usually able to put propositions to counsel appearing for an appellant at the beginning of the hearing and come to a rapid conclusion. Thirdly, in most of the cases that they hear, the submissions that are put before them are subjective rather than objective. Many sentence appeals turn on subjective issues arising from the circumstances of the offender perhaps more than from the circumstances of the offence.

The Court of Appeal, under its current procedure, is not really equipped by the nature of its hearings to deal with the issue of guidelines on every offence in every category that comes before the Crown court. It is a demand-led place. It has recognised that its role is to issue guidelines. I suggest to the House that it has done so conscientiously on a very wide range of issues. Drug offences are extremely difficult for judges and, indeed, for defence counsel, to deal with because they cover such a huge range. For example, the supplying of a class B drug can range from offences that are easy to sentence—the biggest—to those that are far less easy to sentence, those near the smallest—supply to a group of friends, supply among a group of students in a university, supply in a club.

Those are offences that courts find very difficult to sentence, and it is helpful to courts throughout the country that the Court of Appeal has issued widespread and detailed guidelines on them. Guidelines have been issued on sexual offences, on offences involving the use of arms and on a wide range of other offences coming before the courts.

I agree with the hon. Member for Blackburn that the Court of Appeal could issue guidelines on the full calendar coming before the criminal courts. In my view it would be desirable that it did so. My view is that the Court of Appeal, provided that it is given the resources, and that is a real issue, would welcome the opportunity to set out in written form, after due debate, each year or periodically, the range that one could expect given certain facts.

Before we could reasonably expect the Court of Appeal to do that, however, having regard to its very considerable work load, it would be necessary to ensure that the assistance that is now given to the Court of Appeal in the form of professional, clerical additions was expanded. Young lawyers are now being appointed to assist the Court of Appeal in preparing cases. The Government would also have to consider creating an increased number of Lords Justices to enable this work to be done. If the Court of Appeal was to promulgate a volume of guidelines periodically, we could not reasonably expect it to do so in its spare time, for it does not have any spare time at present.

Lord Taylor, the last Lord Chief Justice, Lord Lane, his predecessor, and, of course, Lord Bingham, the present Lord Chief Justice, have shown total willingness to issue guidelines in appropriate cases, and if this new duty were imposed on them by Parliament, they would take it on themselves and carry it out with great efficiency, but they would have to be given the resources to do so.

The more orderly promulgation of such guidelines by the Court of Appeal would make a daily contribution to consistency in sentencing in courts around the country. However, I hope that we all agree that sentencing should never be uniform—that reflects the point that was made earlier about regional variations in sentencing. The stealing of sheep in Montgomeryshire is an extremely serious offence, and one would expect it to be severely punished.

Mr. Straw: It obviously is.

Mr. Carlile: It is, as the hon. Gentleman said. I have the honour to be the honorary recorder of Hereford, which has a tough record on sentencing. It is an orderly city because offences are dealt with efficiently—I am referring not to my conduct, but to that of the judges who sit there more regularly. The sentences that are passed in Hereford reflect the needs of that city. Whether in Hereford,

[Mr. Carlile]

Blackburn, Oldham or Montgomeryshire, it is important to allow variation in sentencing to reflect local circumstances.

Mr. Straw: Is there a connection between the tough sentences passed by the Crown court in Hereford and the orderly conduct of its citizens?

Mr. Carlile: I would not make so bold as to answer that question with a yes. However, I would hazard a guess that if people in a small city such as Hereford—it is much easier in a small city—or in a city such as Chester, which I know extremely well because I practised law there for many years, know that the judges before whom they could appear are likely to be pretty tough on, for example, house burglary, the chances are that they will either do less house burglary or will go and do it in Blackburn. I hope that they will not take the latter approach, but it is a possibility and it argues for greater consistency in sentencing while retaining variation between areas.

The Attorney-General has the power to refer sentences to the Court of Appeal when he is advised or perceives that they are unduly lenient. Many of us were opposed to the introduction of that power. I am not too proud to say that I was wrong to oppose it when it was introduced, because it has worked well. I am pleased to see the Attorney-General in his seat. He has exercised that power more frequently in recent years than in the past. It has made a contribution to the production of guideline cases. I believe that I am right in saying that more guidelines have emerged from Attorney-General's references than from any other category of cases that one could define.

I hope that we shall continue to use Attorney-General's references constructively. There is no logic for allowing an Attorney-General's reference in one category of case coming before the Crown court but not in another. I would hesitate for a long time before extending that power to magistrates courts, as I fear that it would clog up the courts and would merely provide jobs for lawyers, which is usually perceived—in the House at least—as a bad thing.

There is a good deal of sense in allowing the Attorney-General to exercise his discretion on advice and in appropriate circumstances in all cases before the Crown courts. I am sure that that jurisdiction would not be exercised over-generously by any Attorney-General. The Attorney-General is as subject to criticism by the Court of Appeal as anyone else, and wasteful applications to that court are dealt with robustly. It is a constructive suggestion, and I hope that the Home Secretary will support it.

Mr. Stephen: I shall not be able to support new clauses 3, 4 and 5 in the Division Lobby. I have a particular interest in new clause 5. I had thought long before 1988 that we had an extraordinary position in this country whereby, if a criminal considered his sentence too harsh he could appeal, but if it was generally considered to be too lenient, the public could do nothing about it. That caused a great deal of public disquiet and brought the law itself into disrespect among our constituents.

In 1987, I wrote a paper, which was published by the Bow Group, in which I proposed that the Attorney-General should have power to appeal against over-lenient sentences. At that time, my right hon. Friend the Member for Witney (Mr. Hurd) was Home Secretary, and I had a great deal of correspondence with the then Minister of State, my right hon. and learned Friend the Member for Putney (Mr. Mellor). I received a number of letters from the Home Office—I do not know whether my right hon. and learned Friend read them, but he certainly signed them—which contained some absurd reasons why my suggestion should not be implemented.

7.45 pm

One of the reasons given was that it would be wrong to allow an appeal against an over-lenient sentence because the Court of Appeal would not have heard the evidence in the court below. I responded that that was precisely what the courts did every day when asked to decide appeals by defendants who thought their sentences too heavy.

The next Home Office argument was that it would be wrong to impose double jeopardy on the defendant, to which I responded that the concept of double jeopardy is usually understood to apply to people who have not been convicted of any crime and who, until they are convicted, must be given the benefit of the doubt. I pointed out to the Home Office scribe that here we were dealing with people who had actually been convicted of crime. If people do not want to be subjected to judicial process, the remedy is not to commit crime.

The Home Office eventually agreed that my proposal should be implemented, but said, "Yes, let us give the Court of Appeal power to review those cases upon the application of the Attorney-General, but we think it would be wrong to give it power to change the sentence that the court below had imposed." I responded that it was adding insult to injury to tell the victim of a crime or his family that the defendant had been too leniently punished, but nothing could be done about it. The Home Office eventually agreed that that too was not a sustainable argument.

The Home Secretary of the day agreed in Standing Committee to what are now sections 35 and 36 of the Criminal Justice Act 1988. I recall that the Labour party was opposed to those provisions. The Liberals also opposed them, but the hon. and learned Member for Montgomery (Mr. Carlile) had the grace to say today that he had been wrong, and I suppose that a sinner who repenteth is deserving of praise.

When I wrote to the Home Secretary of the day, I wanted all cases to be subject to the right of the Attorney-General to appeal. However, I was persuaded that the power should be restricted to more serious cases, because it would increase pressure on the Court of Appeal—which is a very busy tribunal, as the hon. and learned Member for Montgomery has said—and would also increase the cost to the public. I felt that the power could be justified only in more serious cases, and should not therefore apply to magistrates courts.

When dealing with sentences, we are not, as I have said, dealing with double jeopardy properly so called. Nevertheless, it is desirable, once sentence has been passed, for an offender and his family to know exactly what sentence he will have to serve. Unless a case is serious, it should not, therefore, be subject to a right of appeal.

I am opposed to new clause 5. My proposal in 1987 was that, as an appeal against a sentence passed by a Crown court is a serious matter, the decision should be made only by the Attorney-General and his colleague, the Solicitor-General, personally. As those two Law Officers already have a considerable work load, it would not be right to expand the category of cases too widely so that they became over-burdened and perhaps made mistakes. We all make mistakes, but the more over-burdened we are, the more likely that is. In any event, new clause 5 is not necessary because the 1988 Act already contains the power by statutory instrument to widen the category of cases to which the right of appeal applies. My right hon. and learned Friend the Attorney-General, who I am glad to see in his place, has already exercised that power on a number of occasions.

With regard to new clauses 3 and 4, let us not delude ourselves into thinking that we can apply some computerised formula that will produce exactly the right sentence every time. Each case is different. The circumstances of each offence are different and each offender is different. The court has to consider both the offence and the offender in deciding upon the right sentence. The criminal appeal law reports are full of guidance which the Court of Appeal is handing down every day to the lower courts. In addition, there are sentencing conferences and other extrajudicial methods by which the Lord Chief Justice and his colleagues can give guidance to the lower courts.

Having attended law school in America, I would caution the House against the use of law clerks, and I recall that a distinguished American lawyer publicly cautioned us against it only a few days ago. As the work load becomes heavier, the delegation to the law clerks tends to increase and, although they are bright young men and women, they are not the experienced judges who sit in the Court of Appeal and whose judgment is expected to be applied to each individual case.

The hon. Member for Blackburn (Mr. Straw) mentioned the role of the prosecution in the criminal process. When I was at the Bar I found it unsatisfactory. I would listen to the defence counsel—sometimes I would be the defence counsel—pointing out to the court that the defendant was a very good son, who looked after his mother very well and did errands for the old lady round the corner and that it was quite out of character that he smashed a glass and thrust it into the face of his unfortunate victim.

When I sat down, expecting as a result of my orations a lenient sentence for my client—which was sometimes the case and sometimes not—I often felt uneasy that the prosecuting counsel sat mute. It was his duty only to draw the attention of the court in fairly bland and factual terms to the defendant's criminal record. He did not argue that the offence and the offender required a more severe sentence than the defence counsel had argued.

It is often said that judges are not influenced by speeches in mitigation. If that is so, the legal aid fund is wasting a great deal of public money. I do not agree. In some cases the court is influenced by the speech in mitigation and there are circumstances in which a prosecuting counsel—who has that right—should point out to the court that the defendant deserves not a more lenient sentence but a more severe one. If that were the case, perhaps the courts of first instance would make fewer mistakes.

Finally, the hon. Member for Blackburn mentioned the need for courts to be as fully informed as possible before passing sentence. Ten years ago, we could not do much about that, but now, because of the availability of information technology, we have the solution at hand.

My right hon. and learned Friend the Home Secretary has caused a number of studies to be made on the use of information technology in the courts, and so has the Lord Chancellor, but we still have a long way to go. I look forward to the day—not very far hence—when a terminal will be available so that the judge and the clerk to the magistrates will be able to access a database giving full details of the criminal history of the defendant before them—not just the criminal record, but the way in which that individual has responded to the treatment that the criminal justice system has seen fit to impose on him. With the investment of a certain amount of money—of course, nothing is free—it should be possible to have such a system in operation in our courts within the next five or six years.

For those reasons, I oppose new clauses 3, 4 and 5.

Mrs. Llin Golding (Newcastle-under-Lyme): I support new clause 3 in the name of my hon. Friends. I believe that the Court of Appeal should review sentencing practice and from time to time issue guidelines. In that respect, I return to a subject that I have often raised in the House—the treatment of children by our courts and the sentences handed down to the people who abuse them.

About two months ago a case was heard at Bristol Crown court concerning the abuse of seven children by their parents. A report of the case stated:

"It was a case of Dickensian deprivation and squalor: hungry children bound and gagged, punched, beaten with belts and sticks, made to take cold showers and sleep in a dark attic on urine-soaked beds . . . It went on for 11 years."

The jury was told that while all that was taking place, the parents dressed and ate very well indeed.

Just as shocking to many of those who attended the court was the reaction of Judge Lester Boothman. The report continued:

"Although he said the beatings were serious enough to warrant a prison sentence, he added that they amounted to no more than excessively violent punishment, that the physical injuries were not severe and that 20 years ago 'It may be that nobody would have raised an eyebrow.'"

What a thing to say. He gave the man, who cannot be named to protect the children's identity, a sentence of just 15 months. Of course he was released fairly soon afterwards as he had already served seven months on remand.

The judge passed that sentence

"despite hearing psychiatric reports that three of the children may never recover from the emotional damage caused by their prolonged suffering and following a catalogue of independent evidence from neighbours, teachers and doctors about the children's ill treatment and their injuries."

The three eldest children gave evidence that they had been regularly beaten and assaulted. In one incident, one was punished because he had accidentally broken a glass. His hands were tied in front of him with his father's dressing gown cord and a gag was placed in his mouth to stop him crying out as he was beaten. His brother was told to hold his feet so that he would not move and when he refused he was given similar treatment.

[Mrs. Llin Golding]

Although the judge said that the offences were "so serious" as to merit a prison sentence and that to do otherwise would "send a wrong message", he said that he had been satisfied that there was

"always a good reason for the punishment."

He said:

"It may not have seemed a good reason for the child concerned at the time, but I am satisfied that this is not a case that someone uses violence just simply for the sake of it."

The House has spent many hours examining criminal justice Bills and moving amendments to improve the way in which children give evidence in court. Although we have done a great deal, we still have not got it right. When a judge can pass such a sentence for that type of crime, it is clear that we have a long way to go to provide justice for our children.

I was so incensed by that case that I wrote to the Attorney-General—I am very pleased to see him in the Chamber tonight, as I know that he has a great concern for children—because I thought that I would get a sympathetic hearing from him. I received a reply from him, in which he said:

"I received a full report from the Director of Public Prosecutions on the proceedings. I considered the matter very carefully, as did the Solicitor-General, and it is my opinion that this is an unduly lenient sentence and accordingly I have referred the case to the Court of Appeal, for the Court to consider the matter.

Thank you for drawing this case to my attention."

It should not be necessary for the likes of me to draw the case to the attention of the Attorney-General, so that he can take action, because courts should pass proper sentences. Everyone who is concerned about the mental and physical abuse that is meted out to far too many of our children should be concerned that our courts still dish out 15-month sentences. Something is very wrong with the system. I am convinced that we could do much better in providing justice to our children if the Court of Appeal were to issue further guidelines on sentencing practice and if such cases were examined in far more detail than, obviously, they have been.

8 pm

Sir Ivan Lawrence (Burton): I shall not follow the hon. Member for Newcastle-under-Lyme (Mrs. Golding), who has identified a terrible case. It is difficult to know to what extent we can improve the system by referring to the occasional terrible case; we must deal with the overwhelming majority of cases.

This debate, in its very low-key and reasonable terms, has caused a change of heart in many hon. Members. Not only the hon. and learned Member for Montgomery (Mr. Carlile) has changed his view about lenient sentences being referred to the Court of Appeal by the Attorney-General, because I, too, have had a change of heart. There seems to have been a change of heart on tougher sentences also among Labour Members. The difference is that, whereas the hon. and learned Member for Montgomery and I have changed our views on lenient sentences after having observed that no great harm and some considerable benefit seems to have come from the measure, the Opposition have changed their view because of the nearness of the general election and the necessity of giving the electorate the impression that they are tougher on sentences than—after many months of their opposition on matters of law and crime—the electorate, and certainly Conservative Members, believe that they are.

The hon. and learned Member for Montgomery made a brilliant speech in defence of the Court of Appeal, to which I hope that he will soon be elevated—no doubt to adorn the judiciary. If he does so, it may well be that a little more sense will be shown by that body than it has sometimes shown. He sits in Wales and the Borders—where men are men and sheep are nervous—and perhaps those who steal sheep are nervous when they appear in his court. However, I think that he is wrong in suggesting that there should be an extension of the power to refer lenient sentences.

Although the hon. and learned Member for Montgomery may go to the Court of Appeal, he will never be Attorney-General. I cannot conceive of any circumstances in which we can inflict on an Attorney-General—even one who is backed up by the excellence of the current Solicitor-General—the burden of each year examining hundreds if not many hundreds of cases to determine whether they should be referred to the Court of Appeal. It is simply not possible. Once the power is extended to civil servants and other individuals, who may or may not have had any direct experience of our courts, we would be entering the stratosphere, which would be undesirable.

I am sure that the reason why it would be utterly and completely wrong to pass new clause 5 is that it is totally impractical to expect the Attorney-General to become involved in many more cases. It is a source of wonder to me that he gets through as many cases as he does and still answers summonses to the Chamber to appear on the Treasury Bench when legal matters arise. I pay him the fullest compliments. As he knows, I have enormous respect for him, particularly in the way in which he survived the scurrilous and wrong criticisms made of him in Scott. That concludes my comments on new clause 5, although I should be interested to hear how my right hon. and learned Friend the Secretary of State or my right hon. Friend the Minister respond to them.

On the fundamental matter of guidelines, I again take issue with the hon. and learned Member for Montgomery. There was no real problem preventing the Court of Appeal from issuing more guidelines than it has done. There is no reason why a Court of Appeal should not have said that only in exceptional circumstances should a professional burglar who has committed three offences escape with a prison sentence of less than three years.

There is no reason why, many years ago, a Court of Appeal should not have said that drug pushing and drug trafficking is such a corrupting and terrible influence upon children in our society that someone who is a professional and has been convicted three times—although he will have been very unlucky to have been caught and convicted if he had offended only three times, as most of those professionals have done it hundreds of times—should only in exceptional circumstances expect a sentence of less than seven years.

I do not know why the Court of Appeal should not have said—it is not terribly complicated—that if someone has raped once and then rapes again, he should be removed from society until it is safe to return him to society, and that the only way in which we can protect society is by a

life sentence. That would not have involved the Court of Appeal in too much heartache or consumed too much time, but it never did so. Because the Court of Appeal never did so, we have been forced to make these recommendations for minimum sentences, which is the heart and soul of the Bill. I regret that it has been necessary.

It has been made clear that I sit as a recorder, and so I have enormous respect for the judiciary. I do not want Parliament or, less still, the Executive to replace judges in judgments on legal affairs. I should not like to see that happen, but it is inevitable. The hon. and learned Member for Montgomery and I attend, as recorders, sentencing seminars. Time after time, in the dozen or so cases in our exercises, we go through the sentencing process and hear the sentence imposed by the Crown court. We then hear what the Court of Appeal has done to the sentence that has been passed, and we are left feeling that something is wrong with the Court of Appeal and that it does not act in tune with the feelings of the overwhelming majority of people—to whom recorders are closer, and to whom magistrates are sometimes very much closer.

Ordinary judges need support. Those of us who sit as judges and agonise when we read social inquiry reports and hear powerful mitigation presented by counsel, such as my hon. Friend the Member for Arundel—

Mr. Stephen: Shoreham.

Sir Ivan Lawrence: I am sorry; my hon. Friend the Member for Shoreham (Mr. Stephen)—although Arundel is not too far away. It is very difficult to harden oneself and to say that the appropriate sentence is such and such and not the lighter sentence that has been urged upon us. Judges are human. They are subjected to such pressures and respond to them and try to resist the pressures of the people outside the court who have not heard the circumstances of the case.

The result is that we have been encouraging burglars, drug traffickers and even the most violent and serious offenders—rapists and others—by the inadequacy of the sentences that have been passed. With 60 per cent. of seven-time burglars in magistrates courts and 30 per cent. in Crown courts not even being given a prison sentence, something serious has gone wrong with the system. Not only does it not reflect the wishes of the people, it does not protect them, because there is no deterrence in a system in which offenders are not detected. If they are detected they are not convicted. Those who are not convicted are not sentenced and those who are sentenced do not receive an appropriate sentence.

That is why we cannot have second thoughts about the Bill and go back to arguing about what would have happened if only the Court of Appeal had issued guidelines many years ago. It did not and there is no going back. There is too much crime and we have to protect society by removing from circulation for longer those who persistently commit crime in a professional way. We must also lay down proper deterrents, so that criminals know that sentences will be substantial if they are caught and convicted. That will help to reduce crime and protect society. That is why we have the Bill. It is no use, in my respectful submission, going along with new clauses 3 and 4, or even new clause 5. I shall therefore certainly support the Government in opposing them.

Mr. David Hinchliffe (Wakefield): I shall speak briefly in support of new clause 3, referring to a constituency case that is relevant to the points made by my hon. Friend the Member for Blackburn (Mr. Straw). As he said, the new clause would place a duty on the Court of Appeal to consider and review sentencing practice.

Having sat here for some time, I am conscious that I am in a small minority of non-lawyers tonight. I speak solely as a constituency Member of Parliament. I do not find the time to do my full-time job as a constituency Member of Parliament. I am full of admiration for my hon. Friends and others who are able to practise at the Bar here, there and everywhere. I accept that they bring relevant experience to this place, but it is beyond me how they find the time to do their job as Members of Parliament.

I am concerned that constituents frequently come to me believing that a court has not acted appropriately in a particular case. Some elements of the Bill have some merit in addressing that problem. There is also strong merit in the arguments of my hon. Friend the Member for Blackburn about regular reviews of sentencing practice.

My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) brought us down to earth with reference to a specific case. She rightly felt that the court had dealt with the circumstances inappropriately. I should like to refer to a constituency case that has caused me particular concern. It raises questions about how, over a number of years, the justice system has impacted on one individual, who eventually took the life of the daughter of one of my constituents.

8.15 pm

Last September, I was contacted by my constituents, Mr. and Mrs. Roy Wickenden from Middlestown in Wakefield, with regard to the tragic circumstances of the death of their 22-year-old daughter Julia in 1994. Julia was a fourth-year medical student in Liverpool who was killed while cycling in Wavertree, Liverpool. The court heard that she was, as the press report said,

"tossed through the air like a rag doll and never regained consciousness."

A 22-year-old man from Wavertree was convicted of causing her death by dangerous driving. He was gaoled for seven years. The court heard that he had been found guilty of driving while disqualified on 13 occasions and had convictions for reckless and dangerous driving. He had also never passed a driving test.

In September last year, after the trial had been reported in the press, Mr. and Mrs. Wickenden received a letter from the son of a woman whom the same man had killed while driving a stolen car in November 1990. He had received a 12-month probation sentence for that offence.

My hon. Friend the Member for Blackburn referred to the relevant issue of past records. Through the efforts of Mr. Wickenden, I have found out that the court service has confirmed that, at the time of the sentence in respect of Julia Wickenden, the judge had no knowledge of the previous conviction. The Home Secretary, whom I am pleased to see here, may have been told about the case by his Minister of State, to whom Mr. Wickenden wrote last year with his concerns. Mr. Wickenden sent me a letter on 16 November last year, which said:

"I refer to the letter I received today from David Maclean MP written as a reply to my letter written to Michael Howard on 29 September. The points made in this letter fail to address the questions that were put in my letter to Michael Howard."

[Mr. David Hinchliffe]

He went on to say:

"I am appalled to find that someone can be banned from driving on 13 separate occasions (the ones he was caught on) then continue to do the same thing, that is, to drive without any form of licence (and obviously insurance) with no supervision or training. To also drive continuously in a careless and reckless manner over a period of six years. During this period of driving he caused the death of a lady for which a sentence of one years probation was given.

It is because this person was not deterred from this persistent unlawful and anti social behaviour that he went on to exhibit exactly the same contempt for the laws of the country and take the life of our daughter. It could have been anyone's life . . . It is because I do not wish to see a repeat of this situation and others similar to it, that I am appealing for you to consider making changes now! If the legal system had possessed the powers and directions that I feel it needs, then my daughter would have stood a far better chance of becoming the doctor she had so wanted to be."

That letter makes my point. The Home Secretary will understand—I appreciate that he has listened carefully—that the family does not believe that the Government have treated the case seriously in the responses given by the Minister of State, who is also here tonight.

I repeat the facts. A 22-year-old man had 13 separate convictions for driving while disqualified, together with convictions for reckless and dangerous driving, and had previously caused a death. Why was he at liberty to cause the death of Julia Wickenden? We need to act on such gross injustices. New clause 3 offers some hope. If the Home Secretary refutes that, I should be interested to hear what he can offer those parents on the circumstances that caused the death of their daughter.

Mr. Andrew Miller (Ellesmere Port and Neston): I intend to follow very closely the theme of the speech of my hon. Friend the Member for Wakefield (Mr. Hinchliffe).

For a number of years, I have had the honour of being a patron of the charity RoadPeace, which is active in giving support to families and victims of road tragedies. I am careful not to use the term "road accidents" because it implies that circumstances could not have been helped. Tragedies such as the one to which my hon. Friend the Member for Wakefield referred would never have happened if the right legislative process had been in place.

One of my concerns, for which I do not blame the Government—I blame us all in this House and society as a whole—is that we view road traffic issues with an attitude of, "There but for the grace of God go I." The simple fact is that 3,000 people die needlessly in this country each year as a result of road tragedies—many of them in the circumstances described by my hon. Friend the Member for Wakefield. If one of us walked down Oxford street carrying a loaded shotgun that accidentally discharged, we would be prosecuted not for illegally or improperly carrying a gun but rightly for a charge relating to the resulting death. Yet we accept as a society that we can kill while handling a tonne of steel and face a charge that seldom relates to the consequent death of an individual. Had the Government pursued the arguments set out in the Law Commission's report No. 237, the family of the constituent of my hon. Friend the Member for Wakefield may have been given some hope.

There is no easy solution. Having read very carefully the Law Commission's arguments and those presented by the Government on proving intent, I recognise that we are not dealing with an area of the law that can be satisfactorily changed at the stroke of a pen; there is no quick fix to this very complicated issue. There is however a powerful argument that this place ought to give some leadership to ensure that, when cases as blatant as the one described by my hon. Friend come before the courts, something is done.

The principle of new clause 5 could provide the Attorney-General with some means of addressing the problem. I appreciate the difficulties facing him. To be totally fair to him—although the matter does not relate directly to the Bill—I should say that he courteously sent me a very gracious letter today apologising for a mistake in his Department. Although I appreciate that the Department is stretched, we cannot allow circumstances such as those we have just heard described to go unquestioned. We have a responsibility to people outside the House to get things right.

It has been said to me that, in the context of death on the road,

"we have to bear in mind that if unduly severe penalties are related to specific traffic infringements, one of the dangers is that the courts will not press those charges for fear that there might be acquittal."—[*Official Report*, 22 April 1996; Vol. 276, c. 8.]

Does the Home Secretary agree with that line of thought?

Mr. Howard *indicated dissent.*

Mr. Miller: I am pleased to see the right hon. and learned Gentleman shaking his head in disagreement. That statement was made by the then Minister for Transport in London in response to my asking him whether he would join me in congratulating the Law Commission on its report. Although the then Minister acknowledged my interest in the matter, he went on to use the words that I have just quoted.

We need to take a lead. We cannot allow the confused and unsatisfactory system of charges and subsequent penalties associated with the 3,000 deaths to which I have referred to continue. Many victims' families have written to me as a result of my involvement with RoadPeace, setting out tragic concerns arising from matters that have occurred in coroners courts, magistrates courts and higher courts. The one theme that runs through all the letters is a general concern that the system does not seem to care because the deaths were a result of a road traffic "accident". Such incidents were not road traffic accidents; people were killed. We view death as a result of somebody accidentally discharging a shotgun differently. Why do we not take the same view when a death occurs on the road?

We have a general duty to look very carefully at the way in which lenient sentences are meted out and why there is a great tendency for the prosecution to press for a lesser charge due to the difficulties associated with proof of intent. There is a massive problem in the existing framework of law. I do not deny that we would have difficulties in trying to frame precise legislation around the Law Commission's report, but I think that we have a general duty to bring about such change.

I read at a service that was held by RoadPeace in November and met many families who are looking to the House to bring about the necessary changes so that they can at least feel that justice can be done. I appreciate entirely the efforts that have been undertaken by the

Department of Transport to achieve the most important thing—a reduction in the number of deaths in the first place—but given that many of the deaths occur in circumstances such as those described by my hon. Friend the Member for Wakefield, we must not allow them to go unquestioned and simply be written off as yet another road traffic "accident".

8.30 pm

Mr. Walter Sweeney (Vale of Glamorgan): I intend to speak only briefly. First, I wish to commend the determination and perseverance of my hon. Friend the Member for Shoreham (Mr. Stephen) in his attempts to change the mind set of the Home Office and persuade it that it was appropriate to introduce a right of appeal against soft sentencing in certain specified circumstances. His success and the fact that the Government have legislated on that point have provided great reassurance to the public and improved the reputation of Parliament and of our judicial system. I hope that I will not embarrass my hon. Friend the Member for Shoreham by mentioning the fact that the Boundary Commission has not smiled on him in his constituency. I hope that he will soon return to the House, because he has been an adornment to it.

New clause 5 is inappropriate and would impose an intolerable burden on the Attorney-General. I am not averse in principle to the extension of the right of appeal against soft sentences, but some other mechanism should be found. On new clauses 3 and 4, I fully endorse the remarks made by my hon. and learned Friend the Member for Burton (Sir I. Lawrence). Even without any statutory duty, the Court of Appeal could have provided obiter dicta to help the lower courts in their task in the manner suggested by my hon. and learned Friend, but it did not do so. That is why Parliament is considering the Bill and that is why the Government thought it appropriate to introduce tough minimum sentences for persistent burglars, traffickers in hard drugs and violent offenders. If the Court of Appeal had addressed those problems, perhaps the legislation would not be necessary. It is patently obvious that it is necessary, but new clauses 3 and 4 are not necessary or appropriate.

Mr. Howard: We have had an interesting debate that has been marked by some moving contributions from the hon. Members for Newcastle-under-Lyme (Mrs. Golding), for Wakefield (Mr. Hinchliffe) and for Ellesmere Port and Neston (Mr. Miller). I shall return to their points in a moment. *[Interruption.]* The hon. Member for Ellesmere Port and Neston may be counting his chickens prematurely.

The debate has been noticeable for the fact that it has evoked cross-party support from all quarters of the House, although not always explicitly expressed, for the proposition that prison works. I especially welcome the belated conversion of the hon. and learned Member for Montgomery (Mr. Carlile) to that banner. He was robust in his acceptance of the relationship between the firmness with which the court at Hereford deals with offenders who appear before it and the excellent record on law and order in the city of Hereford. I was, however, alarmed by the emphasis that he placed on the seriousness with which the offence of sheep stealing had to be dealt with in Montgomeryshire. I hope that he was not making any distinction between sheep stealing in Montgomeryshire and sheep stealing on Romney marsh. Had he made any such distinction, he would give great offence to many of my esteemed constituents.

Mr. Alex Carlile: Of course not.

Mr. Howard: I am glad that he does not pursue any such distinction.

I agree with hon. Members on both sides of the House that lenient and inconsistent sentencing can undermine public confidence in the criminal justice system. It is important—I have devoted much of my time at the Home Office to the issue—to achieve a situation in which criminals receive the punishments that are appropriate for their crimes and that, as far as possible, achieve consistency. That is exactly what the Bill is about.

We believe that the public need greater protection from certain carefully targeted categories of serious, dangerous and persistent offenders and that is why we proposed the introduction of mandatory sentences. The Labour party has refused to support mandatory sentences. We have been told this evening that we shall learn the Labour party's final position on minimum mandatory sentences in due course. The hon. Member for Blackburn (Mr. Straw) said that he does not know what will happen, but the Government have made their proposals clear for long enough and it would be nice to know what his position is on those proposals. However, we know that the hon. Gentleman has many audiences to please and is engaging in the Labour party's usual tactic of pretending to those various and inconsistent audiences that he will give them what they want.

Outside the categories set out in the Bill of serious violent and sexual crimes, house burglary and dealing in hard drugs, judges will continue to be free to exercise their discretion, but it is right that in exercising that discretion they should be guided by the higher courts. The lower courts already obtain assistance. I agree with the hon. and learned Member for Montgomery that the lower courts are, to some extent, assisted in sentencing by guidance given by the Court of Appeal through its judgments on the appropriate penalty range for particular offences. Indeed, that practice has been developed in recent years to a greater extent than previously. Court of Appeal guidelines have been particularly useful in ensuring that the courts take a more consistent view of certain offences and reflect levels of public concern in their sentencing practice.

I do not disagree with the point made by my hon. and learned Friend the Member for Burton (Sir I. Lawrence) and my hon. Friend the Member for Shoreham (Mr. Stephen) that the Court of Appeal may not have gone far enough, but it is right to give it credit for the extent to which it has given guidance. I shall give a couple of examples. The 1986 guideline judgment in the case of Billam suggested starting points for sentences for rape and that case has had the effect of increasing significantly sentence lengths for rape. The case of Aramah, the judgment on which showed the appropriate penalties for offences involving the importation, supply and possession of class B drugs according to the scale of distribution and quantity of drugs involved, has also had an effect.

Currently, any Court of Appeal judgment in an appeal against sentence, whether it allows or dismisses the appeal, gives a clear sign of the opinion of the court on

[Mr. Howard]

the sentence passed in the lower court and explains the reasoning behind the decision. In that sense and to a significant extent, the judgments of the Court of Appeal are regarded as precedents for cases in which the circumstances are similar and the court can and does give opinions on appropriate sentence lengths for different categories of offence. There is also the Judicial Studies Board, and we should not overlook its role in disseminating Court of Appeal guidance to the courts and in training the judiciary.

I conclude that new clauses 3 and 4 are unnecessary. The Court of Appeal has the power to issue guidance and frequently does so. There may be scope for increasing the guidance that it issues, but it is not necessary to introduce the statutory duties contained in new clauses 3 and 4. They are cosmetic and would add little, if anything, to the existing powers of the court.

Mr. Straw: I shall deal with the Home Secretary's charge that the new clauses are cosmetic when I wind up in a moment, but I wish to ask him why, if the new clauses are unnecessary in England, the Secretary of State for Scotland has taken a wholly different view on both the issues raised by our debate.

Mr. Howard: The hon. Gentleman will be aware that there are significant differences between the legal systems in Scotland and in England and Wales. One of the most significant differences, which is relevant to this discussion of the issues, is the fact that the Scottish system is much smaller and fewer cases come to the court of appeal in Scotland. That fact has a considerable bearing on the different approach to the question there. Where there have been grounds for concern in particular areas, we have not hesitated to act; for example, through the power to appeal against unduly lenient sentences vested in my right hon. and learned Friend the Attorney-General and the proposals for automatic life and mandatory minimum sentences in the Bill.

I shall deal with the points made by the hon. Members for Newcastle-under-Lyme, for Wakefield and for Ellesmere Port and Neston. The hon. Member for Newcastle-under-Lyme told us in moving terms about a particular case in her constituency. My right hon. and learned Friend the Attorney-General has acknowledged that, on the face of it, the sentence passed in that case appeared to be unduly lenient and he has accordingly referred the matter to the Court of Appeal. She said that she should not have needed to draw the case to his attention. In fact, I understand that the case was drawn to his attention by the Crown Prosecution Service as well as by the hon. Lady. I hope that it will provide her with some comfort to hear that even if the case had not come to her attention as the constituency Member of Parliament, it would have been drawn to the attention of my right hon. and learned Friend, who would have pursued it in the appropriate way.

There will be many cases that will cause anxiety and distress of the kind to which the hon. Member for Newcastle-under-Lyme referred. That is why it is so important that my right hon. and learned Friend the Attorney-General continues to have his power in that matter, and he has said that he intends to use the power in the case to which the hon. Lady referred.

The offence of causing death by dangerous driving can also be dealt with by my right hon. and learned Friend, who has the power to refer to the Court of Appeal instances of unduly lenient sentences for death by dangerous driving, as well as for the new offence that we created of causing death by careless driving under the influence of drink. The hon. Member for Ellesmere Port and Neston said that the House should give a lead to show the seriousness with which it takes those offences. I entirely agree with him about the seriousness of those offences, which give rise to a number of casualties on our roads. It is no comfort to those whose loved ones are the victims of events of that kind—I share his distaste at the use of the word "accident" in that context—that the numbers of deaths have been reducing over the years. They feel anguish at the fact that they have lost a loved one, and regrettably that anguish is sometimes compounded by an unduly lenient sentence.

The House recently created the entirely new offence of causing death by careless driving under the influence of drink, and it has doubled the sentence for causing death by dangerous driving from five to 10 years. The House has provided my right hon. and learned Friend the Attorney-General with the power to appeal against lenient sentences passed for both those offences. It cannot be said that the House or the Government have failed to respond to those legitimate and understandable concerns. We have taken them seriously and we have responded in a practical way.

In a sense, the concerns illustrate the importance of the power that was given to my right hon. and learned Friend the Attorney-General by the 1988 Act—against, as has been acknowledged by hon. Members of all parties, the opposition of the Labour and Liberal Democrat parties. Following the introduction of the provision, we have taken steady and measured steps to extend it by order as permitted by the legislation. In 1994, it was extended to cover offences of indecent assault, threats to kill and cruelty to a child, together with attempts to commit or incite the commission of those offences. In 1995, it was extended to refer sentences passed in fraud cases. The effect of paragraph 13 in schedule 4 will extend the power to include automatic life sentences and minimum sentences.

It is no use ignoring the present position, which is that my right hon. and learned Friend the Attorney-General and my hon. and learned Friend the Solicitor-General personally consider every case. The amendments tabled by the hon. Member for Blackburn and the speech that he made have shown not the slightest consideration of the practical implications of the changes that he proposes. I join my hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney) in paying tribute to my hon. Friend the Member for Shoreham for his persistence in securing the provision of the power in the first place in 1988.

8.45 pm

If the hon. Member for Blackburn is proposing a new clause in those terms, we need to know his position on this matter. Does he intend that the personal involvement of the Law Officers should continue? If so, the effect of the increased work load would mean that both the Law Officers would spend one third to one half of their entire working time simply considering such cases. Does he intend that some new arrangements should be put in place to take away the personal role of my right hon. and

learned Friend and my hon. and learned Friend in the matter? Perhaps there is a case for that, but if so we should be told what that case is and how the hon. Gentleman sees the new arrangements working. We also need to know how they would be paid for.

I am bound to say that the utter failure of the hon. Member for Blackburn even to address those fundamental questions in his speech is the most eloquent evidence we could have that the new clause—in common with his other new clauses—is a pure piece of cosmetics. We know where the hearts of the hon. Gentleman and his colleagues lie in these matters. They acted on their instincts when they all trooped into the Lobby to oppose the introduction of the power. Their opposition was expressed in a fundamental way by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), who said that he regarded the proposal as "wrong in principle".

We do not have to go back as far as 1988. Five years later, I announced that we intended to extend the right of appeal to all serious violent and sexual crimes, including child cruelty and indecent assault. The right hon. Member for Sedgefield (Mr. Blair), no less, dismissed my proposal as a gimmick. That is the reality behind the position of the Labour party on those matters. Labour's attempts this evening to disguise that baggage are wholly unconvincing, and I invite the House to reject the new clause.

Mr. Straw: We can always rely on the Secretary of State to lower the tone of good debates. Since he referred to the approach of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley), I must point out that he should have taken the trouble to read a couple of columns further on in the speech made by my right hon. Friend in January 1988. Along with the hon. and learned Member for Montgomery (Mr. Carlile) and, I believe, almost all my hon. Friends, I am prepared to say that our anxieties about the effect of giving the Attorney-General the power to appeal in certain offences were misplaced, as it turned out. Those anxieties were widely expressed in the House—including by, for example, the hon. and learned Member for Burton (Sir I. Lawrence).

Happily, our concerns were misplaced and, in retrospect, we should have supported the measure back in 1988—just as the Secretary of State should have supported our proposals at that time to ban the sale of knives to children aged 16 and under and to ban the advertising of combat knives. He voted against those proposals. At that time, my right hon. Friend the Member for Sparkbrook said:

"If we wish to change the system so that prosecution counsel become involved in suggestions about the length of sentence, we must go all the way and do what happens in other countries, where prosecution counsel have been known to suggest, after considering the reports to which my hon. Friend refers, that a long sentence would be inappropriate and a short sentence would be more correct."—[*Official Report*, 18 January 1988; Vol. 125, c. 694.]

That shows that my right hon. Friend did not dismiss the idea of involvement by the prosecution but objected to the particular system that had been proposed.

Mr. Howard: Has the hon. Gentleman forgotten that he felt so passionately in 1988 about the need to ban the sale of knives to under-16-year-olds that he was not even present to vote for his party's amendment?

Mr. Straw: The Home Secretary has made that rather silly point before. Pairing was in operation at the time, although it is not tonight. The more important point is that he and many of his right hon. and hon. Friends voted against the ban; had they voted in favour, there would have been a ban on the sale of knives to children under 16 not this year but nine years ago.

I listened with great care to the serious part—short though it was—of the Home Secretary's speech. I do not understand why he opposes our proposals in new clause 3, under which the Court of Appeal would be given a duty to issue guidance in respect of all the main categories of offence. He said that the court currently did that in respect of some offences, but I spelt out in my opening speech the serious criticism made by highly regarded academic observers of the court's practice, regarding the fact that, although there are guidelines in respect of certain offences, the court has not worked through the range of major offences and issued guidelines to cover them all. That was the Government's expectation in 1990 when they published the White Paper on the criminal justice system, but it has not happened.

It is therefore inappropriate for the Home Secretary complacently—unusually for him—to seek to excuse the Court of Appeal's practice on the ground that it has worked out all right, because all the evidence adduced both by him and by us is that the court has not been playing the role that the Government set out for it and that, as I understand from my reading of a great deal of research work, was accepted implicitly by senior members of the judiciary at the time.

The problem of the lack of guidance covering the range of offences has been well illustrated by many of the speeches that we have heard this evening. My hon. Friend the Member for Wakefield (Mr. Hinchliffe) made an eloquent and moving speech about a constituent whose daughter had been killed in Liverpool as a result of appallingly reckless driving by an individual who had the most dreadful criminal record.

The Home Secretary was right to say that the offence for which the defendant in question was ultimately convicted is one on which the Attorney-General can exercise a right of appeal, but my hon. Friend the Member for Wakefield also drew attention to the fact that the defendant had not only committed that dreadful offence but had been disqualified on 13 separate occasions as a result of serious driving offences and had previously been convicted of causing death by dangerous driving, a conviction for which he received the risible sentence of 12 months' probation.

I do not believe that any sentencer considering the matter in the abstract would have said that it was appropriate to continue issuing disqualifications against that individual on the 10th, 11th and 12th convictions. It is my belief that anyone approaching the matter rationally would say that to continue disqualifying an individual who had already been disqualified two, three or four times for such an offence raised the most serious questions about enforcement and about whether there was any progression written into the sentencing system.

If the Home Secretary stood back for a moment, he might say that such a record was not only appalling for the individual defendant but raised serious questions about the practice of the courts. Many of the decisions would have been made by magistrates courts. For reasons to which the Home Secretary referred—we are concerned about the Attorney-General's work load—we did not

[Mr. Straw]

suggest in the new clauses that all offences should be the subject of potential appeal by the Attorney-General. That said, there is an even greater necessity for much clearer guidance from the Court of Appeal about the circumstances in which magistrates courts and Crown courts should stop issuing ridiculous and useless sentences of disqualification that, as anyone examining the record would know, were unlikely to be enforced.

I believe that the public understand the need not only for progression and consistency in sentencing but for machinery to ensure that such progression and consistency are far better enforced than at present. I do not know why we are arguing about that; it can stand entirely separately from the rest of the Bill's provisions.

The Magistrates Association has issued some guidance and I understand that the Lord Chief Justice attaches his name to it but, however worthy the association is, its guidance cannot carry the weight of guidance promulgated by the Court of Appeal. My hon. Friend the Member for Wakefield pointed out a major defect in the current arrangements and the Home Secretary has not given a proper answer.

There is another defect in that, at the moment, even if the Court of Appeal were more willing to issue guidance judgments, such issuing depends on the happenstance of there being a suitable appeal. Our proposals would not require that happenstance but would place an additional statutory duty on the Court of Appeal to act proactively and issue guidance to cover the major crimes that are dealt with not only in the Crown court but in magistrates courts.

It is worth remembering that, of the convicted individuals who go to prison, 55 per cent. have been sentenced by the magistrates courts. Those courts do not deal only with trivial matters; they deal with important issues, especially in relation to either-way offences.

On the parallel with Scotland, I accept, as does everyone else, that the Scottish legal system is different from that in England and Wales. It is entirely right that the Scottish legal system should be determined by what is right for Scotland. The Scottish system palpably operates more efficiently than that in England and Wales. Cases get to court much more quickly and they are disposed of more rapidly.

We also know that the Secretary of State for Scotland proposed for Scotland a year and a half ago—it has now passed into law—exactly the same power that we propose for England. When I put to the Home Secretary the fact that the Scottish appeal court has a power—which is almost the same thing as a duty—to issue sentencing guidance, all he could say was that the two systems were different. It is clear from the White Paper that that power will be used. The Secretary of State cannot explain why that system is appropriate for Scotland but not for England.

Mr. Howard: The hon. Gentleman has just acknowledged that the court of appeal in Scotland has a power. The whole thrust of my argument was that the Court of Appeal in England already has the power to issue guidance; it does not need a specific statutory power to issue it. The argument is about whether it should be under a duty to do so and, for the reasons that I gave, I do not believe that it is necessary.

Mr. Straw: The Secretary of State is wrong. If he looks at the power given to the appeal court in Scotland under the Criminal Justice (Scotland) Act 1995, to which the Secretary of State for Scotland refers in paragraph 8.19 of his White Paper, he will see that the power given to the court of appeal in Scotland is different from and, I understand, significantly wider than, the power that the Court of Appeal in England has taken unto itself. He cannot get away from the fact that the Court of Appeal in England, unlike the Scottish appeal court, has not exercised its powers as it should have.

The Secretary of State said that the Bill was about consistency and that it targeted specific offences. Apart from those affected by clause 1, which is about indeterminate life sentences, the Bill targets two offences from the whole criminal calendar: domestic burglary and trafficking in class A drugs. It targets those offences only where there has been a third or subsequent conviction. That is a tiny proportion of the totality of offences that come before magistrates courts or Crown courts for sentencing. Even if the Bill goes through unamended—which, as the Government keep amending it, remains a large question—it will scarcely touch the inconsistency and lack of progression of which the Secretary of State has made so much in the months since he published his crime White Paper. It will leave largely untouched the inconsistency and lack of progression to which I referred in the paper that I published in March and again this evening.

New clause 3 would put a duty on the Court of Appeal to issue sentencing guidance. It appears from the debate that that proposal has wide support in the House. I am sorry that the Government, for the most spurious and artificial reasons, have chosen to oppose it. They will rue the day, because they will be responsible for the lack of progression and consistency in sentencing and for the sort of appalling situation that my hon. Friend the Member for Wakefield mentioned. We wish to press new clause 3 to a vote.

Question put, That the clause be read a Second time:—

The House divided: Ayes 240, Noes 283.

Division No. 36] **[9.1 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, A J
Bell, Stuart
Benn, Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alex *(Montgomery)*

Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Golding, Mrs Llin
Gordon, Ms Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd-on-A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Sir Peter *(Fareham)*
Lloyd, Tony *(Stret'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAvoy, Thomas
McCartney, Ian *(Makerf'd)*
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
Oiner, Bill
O'Neill, Martin
Orme, Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Ms Dawn
Purchase, Ken
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Sedgemore, Brian
Sheldon, Robert
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wright, Dr Tony

Tellers for the Ayes:
Mr. Dennis Turner and
Mr. David Clelland.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Cartiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hat'fd)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger

French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson–Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat–Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox–Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair–Wilson, Sir Patrick
Maginnis, Ken
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mawhinney, Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple–Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Bowen Wells and
Mr. Richard Ottaway.

Question accordingly negatived.

New clause 7

TESTING AND TREATMENT ORDER

'.The Powers of Criminal Courts Act 1973 shall be amended in Schedule 1A by adding the following paragraph—

"7.(1) This paragraph applies where a court proposing to make a probation order or a combination order is satisfied—

(a) that the offender is using a Class A drug;

(b) that his use caused or contributed to the offence in respect of which the order is proposed to be made; and

(c) that his use is such as may be susceptible to treatment.

(2) The court shall not form such an opinion as is mentioned in sub–paragraph (1) above unless it has obtained a pre–sentence report and a drugs test.

(3) The probation order or combination order shall, subject to sub–paragraph (6) below, include a requirement that the offender shall submit to drug testing and drug abuse treatment by or under the direction of a person having the necessary qualification or experience with a view to the reduction or elimination of the offender's drug use.

(4) The testing required by such an order and by sub–paragraph (2) above shall be by provision of a sample of urine for the purpose of ascertaining whether he has any drugs in his body.

(5) The treatment required by any such order shall be such one of the following kinds of treatment as may be specified in the order—

(a) treatment as a resident in such institution or place as may be specified in the order;

(b) treatment as a non–resident in or at such institution or place as may be so specified: or

(c) treatment by or under the direction of such person having the necessary qualifications or experience as may be so specified.

(6) A court shall not by virtue of this paragraph include in a probation or combination order a requirement that the offender shall submit to testing or treatment for his drug use unless it considers that such a requirement is appropriate in all the circumstances and it is satisfied that the arrangements have been made for the testing and treatment intended to be specified in the order.

(7) The court shall review the offender's progress four weeks after making the order, and thereafter at intervals of not more than four weeks and not more than four months.

(8) While the offender is under treatment as a resident in pursuance of a requirement of the probation or combination order, the probation officer responsible for his supervision

shall carry out the supervision to such an extent only as may be necessary for the purpose of the revocation or amendment of the order.

(9) Where the person by whom or under whose direction an offender is being treated for dependency is of the opinion that part of the treatment can be better or more conveniently given in or at an institution or place which—

(a) is not specified in the order; and

(b) is one in or at which the treatment of the offender will be given by or under the direction of a person having the necessary qualifications or experience.

he may make arrangements for him to be treated accordingly.

(10) Where any such arrangements as are mentioned in sub-paragraph (9) above are made for the treatment of an offender—

(a) the person by whom the arrangements are made shall give notice in writing to the probation officer responsible for the supervision of the offender, specifying the institutions or place in or at which the treatment is to be carried out; and

(b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the probation or combination order.".'.—*[Mr. George Howarth.]*

Brought up, and read the First time.

Mr. George Howarth: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss new clause 13—*Court to be aware of provision in custody for certain dependent offenders*—

'It shall be the duty of the Secretary of State to make available to any court passing a custodial sentence upon any offender whom the court believes to be dependent on drugs or alcohol an assessment of the provision available in any prison or other custodial institution to which the offender is liable to be committed of facilities for providing treatment appropriate to his condition.'.

Mr. Howarth: In Committee, we debated a new clause that had a similar effect to new clause 7, which would allow for the rehabilitation and treatment of problem drug users to be recommended as part of a sentence. New clause 13 would be consequential on new clause 7 and would empower the courts to recognise that a treatment and testing order was available in those circumstances.

I suspect that the Minister will argue that the new clause is unnecessary—that is what he said in Committee when he opposed the similar proposal—but evidence suggests that we need treatment and testing orders because the current arrangements do not serve us well. We seek an effective course of action that is permissive rather than prescriptive. The courts should have the option of imposing treatment alongside punishment as an effective way to deal with drug abuse and drug-related crime. We want to present the courts and offenders not with a soft option, but with a means of providing a system that deters and deals with drug abuse and drug-related offending.

The new clause is based on Labour's treatment and testing programmes in a document entitled "Breaking the Vicious Circle", launched by my hon. Friend the Member for Blackburn (Mr. Straw) during our conference in October. A number of arguments can be used to support the proposals. First, treatment is a humanitarian imperative, not in the sense that it lets people off or gives them a way out of proper punishment but because it takes effective action to deal with the causes of other kinds of offending behaviour.

Secondly, a great deal of crime is drug driven. If we can remove the incentive to steal and get involved in crime because people are no longer dependent on drugs, we shall make an important contribution. Good empirical evidence suggests that approximately half of all property crime—burglary and other acquisitive crime—is committed by people seeking to feed their drug habit. The Metropolitan police commissioner recently estimated that, in his police area, the true figure is more like 60 per cent.—so in our capital city and elsewhere there is a powerful incentive to deal more coherently with the cause as well as the effect of drug-related crime and drug offences.

Another important argument in this context is that drugs in prisons are closely associated with prison disturbances. Drug treatment would reduce demand in prison. I shall talk later about the effects of mandatory drug testing, but there can be no doubt, not least on the basis of the reports of Her Majesty's inspector of prisons, that there are far too many drugs in our prison system and that drugs can lead to disorderly behaviour. They lead to offences within the prison system and can lead to serious disturbances. We may deal later with the statistics that underpin those arguments.

Mandatory drug testing has revealed a steady increase in hard drugs—opiate-based drugs such as heroin and crack cocaine—during 1996. In other words, drug abuse in prisons has shifted away from cannabis to harder drugs.

The Government seem to have no information on the amount of time that prisoners spend in drug rehabilitation. The source for that observation is the *Official Report* of 29 November 1996, columns *450-52*. The Government cannot evaluate how much of a prisoner's period of incarceration might be devoted to drug rehabilitation in appropriate cases. It is important for us to understand the relationship between treatment, offending and drug abuse.

There is a significant amount of anecdotal evidence to suggest that the time spent in rehabilitation in prison is decreasing. That might result from the reductions in expenditure that have recently taken place in the Prison Service, but we would need to study a great deal more evidence before arriving at that conclusion.

There are two additional reasons why the new clause merits support. Before I deal with those, it is important to make the point that all drug abuse, whether it takes place in prisons, in nightclubs, in the streets or in people's homes, is wrong. It is right and proper for us to maintain that position whether we are dealing with cannabis or with harder drugs. It is right that those who are apprehended for trading in drugs or using them are properly punished; it is also right that where drug abuse is a habitual part of people's lives, treatment should be available, as well as punishment. The siren voices calling for decriminalisation or a more permissive attitude towards drug abuse will in the long run serve neither those who are caught up in the vicious cycle of drug abuse, nor society in the wider context. They may believe that there is a humanitarian aspect to their argument, but it dissolves on closer examination.

I mentioned two other reasons for supporting the new clause. The first is the point made by Justice—not an organisation with which I always agree—that drug

[Mr. Howarth]

rehabilitation and treatment may no longer be an option under the Bill. If that argument can be sustained, the new clause would rectify such an omission by setting out in detail where the House stands.

Secondly, if direction on treatment were available in guidance issued by the Home Office, judicial discretion through the courts could be maintained, at least in part. That would mean that the courts could make clear judgments about the most appropriate way of dealing with individual cases.

The hon. and learned Member for Montgomery (Mr. Carlile), speaking from his experience as a recorder at Hereford Crown court, said that in some cases the courts find it difficult to deal with drug-related offences because of the many complicating factors involved. Home Office direction would make life easier for those in the courts who deal with such cases.

Since March 1996, when mandatory drug testing was introduced in all prisons—we agreed with that move—the scale of drug abuse in prisons has become clear. Initial conclusions show a disturbing shift away from cannabis use—which is wrong and unacceptable—to harder forms of drugs, particularly opiates. That shift is evidenced by a number of factors. Since the introduction of mandatory drug testing in prisons—I shall cite the statistics in a moment—there has been a shift from cannabis interceptions to interceptions of various forms of opiate.

The Minister and I have disagreed about the figures in the past, but I hope that we shall agree on a conclusion tonight. One of the reasons for the shift is that cannabis remains detectable in the blood for up to 28 days, whereas opiates remain detectable for only two to four days. It has been claimed that prisoners are switching from cannabis to opiates to evade detection. Statistics bear out that claim, and there is a growing body of anecdotal evidence that that is occurring in the prison system. In the normal course of my duties as a shadow home affairs spokesman, I visit many prisons where people tell me about that trend.

9.30 pm

Between 1 March 1996 and 30 September 1996, the percentage of random drug tests showing positive for opiates increased from 5.94 per cent. to 6.35 per cent. If my mathematics have not let me down, that represents an increase of about 7 per cent. in the number of prisoners testing positive for opiates. If we project that figure on to the entire prison population, the number of prisoners regularly using opiates has increased from 3,192 to 3,595.

The fact that prisoners change to hard drugs to escape detection suggests that the figures underestimate the extent of opiate use. I received a letter today from Her Majesty's chief inspector of prisons, Sir David Ramsbotham, who said:

"Like so many things connected with the drugs scene, I am suspicious of all statistics . . . I expect that it"—

he is referring to the use of heroin in prisons—

"is considerably higher than the figures disclosed."

That is an authoritative source in support of my argument, and it is a view based on evidence gathered during recent prison inspections. During an interview for the journal *Focus*, the Minister of State who has responsibility for the Prison Service refused to acknowledge the problem of a shift in usage from cannabis to harder drugs in prisons. She said:

"there is precious little evidence that this shift to opiate use is happening."

I do not wish to be disrespectful to the hon. Lady—perhaps I shall be if I am pushed hard enough—but I would rather accept the evidence of the chief inspector of prisons, who speaks to the relevant people and has more experience and greater exposure to what is occurring in the prison system, than the hon. Lady's comments during an interview.

We are concerned about the perceived move from abuse of cannabis—which is bad enough—to harder drugs. We must face the fact that many prisoners—particularly younger inmates—who at present take no drugs, or who use cannabis, may begin to take harder drugs during their period of incarceration. If that is what is going on, we should be very concerned indeed. One reason why the new clause should be given a fair wind and accepted is that such factors, and the ability to treat people while they are in the prison system, should be given greater prominence.

Apart from the cost of administering mandatory drugs testing in the Prison Service, each positive test results in an additional number of days in prison. There was a total of 7,618 such punishments between March and September of last year, which led to an extra 112,354 days in prison. There is nothing wrong with that. That was the system that was introduced, we supported it, and if people are going to get involved in drug abuse, they must be prepared to accept the consequences. If we could treat them and stop them from abusing drugs while in the prison system, however, that would prevent their serving extra days in prison. It would also yield savings to the Treasury.

I estimate that, at an average cost of about £400 per prisoner per week, the expenditure arising from extra days in prison has amounted to more than £864,000 since March 1996. It is a very large amount. If that is added to the initial start-up costs, which were assessed at £948,840, we realise that the amounts involved are substantial. In addition, each test costs, on average, £45.52—and between March and September there were 47,425 tests. The running costs of the tests alone are £2,158,786. The costs of the problem are enormous and it is in everybody's interest, not least the Exchequer, that we get to grips with it.

We have consistently argued the case for rehabilitation of drug users. There are examples of good practice, not least of which is the excellent scheme at Her Majesty's prison Downview, of which I shall say a little more later. I have had the opportunity to visit it. If the Under-Secretary has not been there to see what goes on, I suggest that he does so. One thing that is abundantly clear is that if we deal with those who are convicted of drugs or drug-related offences by treating them, there is a strong possibility that that takes away the incentive to get involved in drug abuse in future. That has to be worth while.

The Government, however, appear to have little if any knowledge of the amount of drug rehabilitation that occurs in the Prison Service. When we ask them questions about it, they seemed to confuse rehabilitation and detoxification and have information only about

detoxification which, although worth while, is not the whole answer to the problem. It is clear that we need a system that does not encourage prisoners who use soft drugs to take harder drugs, or lead those who take no drugs to start taking harder drugs.

If we are to make progress, mandatory drugs testing, although welcome and necessary, is inadequate to deal with the problem. Under the current system, there is a danger that we will send the small-time cannabis user and dealer to prison and release him seven years later as a confirmed heroin addict. The need for an option to include mandatory treatment is therefore obvious.

There is international evidence to support the claims that I am making. In California, an evaluation of the FIRST—fast, intensive, report, supervision and treatment—programme, which reviewed the work of the drug court programme in Oakland, showed impressive savings in terms of custody costs to the Alameda county sheriff's department. Last October, I visited Alameda county, which has a drug court programme. We could replicate elements of that interesting experiment in our system. The evaluation showed that the average number of arrests per defendant during the three-year period following the arraignment was reduced by about 40 per cent. if they had been through the drug court process. A cost-benefit analysis from the same report showed that those who had been diverted from custody into treatment spent approximately 34,000 fewer days in custody.

I also saw what was being done in Miami. An evaluation of the drug court in Dade county suggested that closely monitored drug treatment had extremely positive results. A comparison of defendants who had been in the programme with similar defendants who had not drew some interesting and useful conclusions. Defendants in the programme had lower incarceration rates, less frequent re-arrests and longer times before re-arrest—about three times as long. Clearly, the experiments in diversion are working in the state of Miami.

A study of the intensive, 18-month programme that is run by Osteraker prison in Sweden showed significantly reduced rates of recidivism and drug relapse since 1979, when the scheme was introduced. A 1992 study showed that recidivism over a six-year period was 58 per cent. higher in a control group than it was in a group of people participating in the programme.

Her Majesty's prison Downview provides a more local example. The chief inspector of prisons said:

"We are particularly impressed by the"—

drug rehabilitation—

"scheme at Downview which has developed a special residential programme for drug users in conjunction with the Addictive Diseases Trust".

The evidence for that conclusion is in a report produced in March 1996—which the Home Office has received—entitled "The ADT Drug Treatment Programme at HMP Downview". That study found that applicants had been dependent on drugs for an average of nine years, so they were well-established drug users of one kind or another. It also found that the overwhelming majority of applicants identified their habit as the main cause of their offending, whatever its precise nature. All but one of the sample studied had stayed drug-free since joining the programme's pre-admission group. That finding was supported by the use of drug tests, which I think were voluntary. Moreover, 21 of the 23 graduates of the programme had not used drugs since completing the programme.

The evidence in support of the new clause is overwhelming. When we debated this matter in Committee, the Minister said that such provision was unnecessary, and cited Downview as evidence that such schemes already exist. The existing programmes and the action that is being taken, welcome though they are, are merely nibbling at the edges. An increasing number of drug-dependent criminals find their way into the prison system and end up in a worse state by the time they finish their sentences. That is unacceptable, it is certainly not cost-effective, and it is not the way in which the general public expect the prison system to work.

We offer an option for—not a compulsion on—the courts. Courts should take into account the fact that drug abuse is part of the crime, and that the offender is involved in crime because he is also involved in drug abuse. In suitable cases, defendants could be diverted into treatment programmes either within the prison system or outside it if appropriate. That has to be a good move. The Minister will have to produce some powerful arguments to convince me—and, I hope, the House—that new clause 7 is not worthy of support. It represents a better way forward and if he has no solid arguments against it, I hope that the House will support it.

9.45 pm

Mr. Sackville: The hon. Member for Knowsley, North (Mr. Howarth) is absolutely right to sing the praises of drug treatment as an alternative to prison and to say that there should be such treatment in prison, for all the reasons that he set out. However, he was also right to predict that I would say that the new clause was unnecessary, for the very simple reason that schedule 1A to the Powers of the Criminal Courts Act 1973, supported by the Criminal Justice Act 1991, provides all the necessary legislation to give courts the power to pass community sentences that are conditional upon following drug treatment. It is all there and nothing more needs to be added to the statute book.

There are many examples. The most significant is in Plymouth, where the Devon probation service is running a drug assessment and stabilisation programme. If the hon. Gentleman has not already done so, I recommend that he should see it. The probation service has purchased 100 places on a drug treatment programme. When I visited it, 94 of those places were taken up by individuals who had not gone to prison, but who had been given a community sentence, with drug treatment provided immediately—hence the necessity to purchase those places—by the local community drug service.

The scheme has proved successful. Very few have dropped out and breached their community sentence. It appeared that all those who were on the programme were not simply avoiding prison, but wanted to get off drugs and had been offered an opportunity to do so. Therefore, they had a dual motive.

As I said, the legislation is already in place. We have to persuade the courts, the police, probation and health services and other drug treatment providers to get together in such a way that the courts would have the confidence to say that although certain individuals would normally be sent to prison, because they appeared willing to follow

[Mr. Sackville]

a drug treatment programme, society would be better served if they stayed out of prison. Those individuals would probably reduce their offending or eradicate it altogether and have a good chance of remaining off drugs. We want to encourage that. All the drug action teams around the country should be encouraging exactly those arrangements between the courts, the probation service and local drug treatment, perhaps through local health authorities. I make that point whenever I visit drug action teams.

I do not entirely understand a number of points in the new clause. For example, the hon. Gentleman proposes that only those who have been involved with class A drugs should receive the sentence envisaged in the new clause. However, when not injected, amphetamines are class B drugs, so an entire category of drug users who, according to some surveys, account for some 30 per cent. of local offenders, would be excluded. There are a number of reasons why the new clause is unsatisfactory, but it is particularly unsatisfactory because the relevant legislation is already on the statute book.

The hon. Gentleman rightly says that drug treatment should be available in prisons and proposes that courts should be able to demand some assessment of what drug treatment is available. That certainly should not be a major part of sentencing policy. Sentencing should be performed on the basis of the seriousness of the crime. It is up to the Prison Service to decide how to allocate prisoners and where they should be treated.

The hon. Gentleman may think that the new clause would stimulate the provision of more drug treatment in prisons, but there has already been great progress. There are now between 50 and 60 schemes in prisons. He mentioned one of the schemes, at Downview. I visited one of its sister schemes, at Pentonville, which is also run on the 12-steps basis by the Rehabilitation of Addicted Prisoners Trust—although, as he said, it was previously known as the Addictive Diseases Trust. Those prisoners—some of whom have been taking drugs for years, literally in and out of prison—seem to have the expectation of getting off drugs. Such schemes should be encouraged.

As I said, there has been an enormous growth in the number and variety of drug treatment schemes offered in prisons. Treatment has been stimulated further by mandatory drug testing in prisons. However, it is not necessarily possible to accelerate further the process. We must find drug treatment schemes that are accepted by staff and, ultimately, by prisoners—because prisoners who have drug treatment or who enter drug-free wings are essentially volunteers. That process is already happening.

I do not want to sound complacent, because for years there was very little progress on drug treatment in prisons. We witnessed the ridiculous spectacle of people who may not have been drug users entering prison, but who came out, typically, as heroin addicts. The growth in treatment schemes is welcome.

In his speech, the hon. Gentleman made a point that he has already made in Committee and elsewhere, about the apparent switch from cannabis use to heroin and other opiate use in prisons. As he said, according to the best figures available, opiate use is now at 7 or 8 per cent. Some of the increase may be due—I believe that it is a misconception—to prisoners' belief that it is easier to get away with opiate use. The figures are skewed also because one would have to be an extremely heavy cannabis user to reach the 28-day mark mentioned by the hon. Gentleman. It is likely that the trend has been affected more by the unfortunate fact that there is a great deal of cheap heroin around.

Mr. George Howarth: The Minister has made that point before, and I know that he has received medical advice to support it. I have taken a fairly broad range of medical advice on the matter, and I should tell him that the issue is contentious. He may have received such advice, but many experts would disagree strongly with it.

Mr. Sackville: I agree that a switch from one drug to any other drug in prisons—particularly a switch from cannabis to opiates—is worrying. Drug use is a health matter that greatly concerns the Government, and much is being done to reduce such use in prisons. However, drug use is a matter not only of treatment but of stopping drugs from getting into prisons—by supervising visits, by imposing sanctions against those found to be bringing drugs into prisons and by using a series of new disciplinary offences and practices, which is already happening in prisons.

Although the hon. Member for Knowsley, North and I do not disagree on the basics, I think that new clause 7 is mainly a device to make some virtuous-sounding remarks on the problem of drugs in prisons. I agree with those remarks, but I do not believe that his new clause adds anything to action that is already being taken. Therefore, I cannot advise the House to accept it.

Mr. Soley: That was one of the most incredibly complacent speeches that I have heard for many years from a Home Office Minister. Any visitor from outer space who examined the Home Office's own research would know without a shadow of a doubt that most offences committed in the United Kingdom are committed under the influence of alcohol or drugs. It is high time that we started taking the matter more seriously.

Mr. Sackville: Nothing that I have said contradicts that proposition.

Mr. Soley: Precisely. Then let us do something about it. That is what I am arguing for.

The Minister should focus on new clause 13, because it is very important. With so many offences being committed by people under the influence of alcohol or drugs, why do we not have a range of treatments available in every prison in Britain? The Minister must know as well as I do that, often, people with a history of drug or alcohol abuse are discharged from prison with nowhere to go. The first decision that they have to make is whether to turn left or right when they get outside the prison gate.

I shall tell the Minister a true story drawn from my experience as a probation officer. I know that similar situations occur today. John Healey wrote a book on alcohol abuse, called "The Grass Arena", which was then made into a BBC 2 film that won an award at the Edinburgh festival. He was in and out of prison over and over. At that time—the 1970s—only limited alcohol abuse programmes were available in prison, but at least we had a significant number of programmes outside

prison. Those programmes—or at least those funded by public expenditure—have been reduced by the Government. We tried to fit an offender coming out of prison into one of those programmes so that, even if they had accommodation and job problems, they had somewhere to go.

On one of the occasions related in his book, which is one of the most powerful books written about a vagrant alcoholic and how to get off drink—perhaps the Minister ought to read it to understand the problem—John Healey wrote to me from prison. I had spoken in court, suggesting that he should have a prison sentence to keep him there until the new year so that I could then get him into the Lee clinic in Oxfordshire, which provided one of the best treatment programmes for alcoholics.

However, the court and I had miscalculated the remission period. The result was that I suddenly got a desperate letter from Mr. Healey, saying that he would be released on Christmas eve. We had nowhere to put him and no treatment facilities. He had had no treatment for alcohol abuse during his three months in prison. At that time, the best that a prisoner could get was an offer of a place on the alcohol abuse programme.

I went to see the prison governor, who rightly pointed out that he could not keep Mr. Healey in prison until the new year. The only way to get round the problem, as the governor suggested, was for Mr. Healey to commit a minor offence in prison, so that the governor could give him an extra seven days and keep him in until the new year. Mr. Healey wanted to be kept in so that he could take advantage of the Lee clinic programme.

That was a deeply unsatisfactory solution, so we trawled through Mr. Healey's many previous convictions, among which was an unpaid fine. I went back to the court and asked the magistrate to give seven days in lieu of that unpaid fine. The magistrate did so and we kept John Healey in prison until 2 January.

Such situations still occur. I am not asking for a grand scheme to keep people in prison beyond the court's sentence, but if the appropriate treatment facilities were available in prison, we would be able to spot the problem long before it arose, not a week or two before the discharge date.

There is no coherent overall strategy on drug or alcohol treatment in prison, but drugs and alcohol are two of the major causes—if not the major causes—of crime in Britain. For the Minister to say that we already have enough programmes in place is unadulterated nonsense. Those programmes are not there. People are being discharged without any treatment.

Drug abuse and alcohol abuse are notoriously difficult to treat in or out of prison. It is no good just saying that we know that a particular offender has a drug or alcohol problem, so we should encourage them to join Alcoholics Anonymous or another programme. The problem needs to be worked on over a long period, perhaps over several prison sentences.

The Minister ought to recognise that new clause 13 offers an opportunity to rethink the way in which we address problems concerning addiction in our prisons—indeed, the way in which we address an abuse of a substance, be it alcohol or drugs, which leads to repeated patterns of offending. We ought to consider the matter again, so that we can direct a person to an appropriate treatment regime in prison.

Until we reach the stage where, after the sentencing procedure and after a person has been sentenced to imprisonment, we are able to try one type of regime for one person and recognise that we might have to try a number of different treatment programmes or patterns for a particular individual—instead of relying on one and giving up if it fails—nobody, but nobody, can say that we are taking the problem seriously.

The Government are yet again about pretending that they are doing something about crime while literally ignoring all its causes. As long as they go on doing that, they will continue to preside over a disastrous increase in crime—

It being Ten o'clock, the debate stood adjourned.

Debate to be resumed tomorrow.

SCOTTISH LEGAL SERVICES OMBUDSMAN AND COMMISSIONER FOR LOCAL ADMINISTRATION IN SCOTLAND BILL

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 94E (Scottish Grand Committee (Bills in relation to their principle)),

That the Bill be committed to a Scottish Standing Committee.—[*Mr. Anthony Coombs.*]

Question agreed to.

ADJOURNMENT

Resolved,

That this House do now adjourn.—[*Mr. Anthony Coombs.*]

Adjourned accordingly at Ten o'clock.

House of Commons

Tuesday 14 January 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

Stanmore Park RAF Base

1. **Mr. Dykes:** To ask the Secretary of State for Defence if he will make a statement on the voluntary redundancy and early retirement statistics of civilian and military personnel at Stanmore Park RAF base. [8970]

The Minister of State for the Armed Forces (Mr. Nicholas Soames): The majority of civilian staff to be affected by the closure of RAF Stanmore Park in April this year have been found alternative employment and every effort is being made to find posts for the remainder. By April, 35 Royal Air Force personnel will have left on voluntary redundancy and a further 13 will have been granted premature voluntary release.

Mr. Dykes: I thank my hon. Friend for that reply, and I also thank his Department and the Royal Air Force for the positive, thoughtful and careful way in which the programme has been handled. I congratulate him on being able to keep the pledge that there would not be other than a small number of redundancies. Is he now confident that everybody will be either deployed with satisfactory packages to enable them to have a breathing space to find alternative employment or re-employed in military or civil posts elsewhere?

Mr. Soames: I am grateful to my hon. Friend, and I note the care and attention that he has taken on his constituents' behalf on the occasions that he has lobbied me here and at the Ministry of Defence. I can give him the assurance that he seeks, but there may be a requirement for two employees—one industrial and one non-industrial—to leave on redundancy or early retirement terms by April 1997. However, all possible efforts will be made to identify alternative employment for them.

Armed Services (Rapid Deployment)

3. **Mr. David Shaw:** To ask the Secretary of State for Defence what assessment he has made of the state of readiness of the armed services for rapid deployment. [8972]

The Secretary of State for Defence (Mr. Michael Portillo): It is our policy to be prepared for rapid deployment. We have created a permanent joint headquarters and joint rapid deployment force and placed orders for appropriate ships and aircraft.

Mr. Shaw: Does not my right hon. Friend's reply demonstrate that the Government have continually developed our armed forces, and have made sure that they have the modern weapons that they need and are developing in a way that meets the requirements of the new commitments that, sadly, we must take on from time to time?

Mr. Portillo: My hon. Friend is quite right. I am pleased that we have been able to adapt our forces to the modern world, and we are now able to devote about 40 per cent. of the total defence budget to buying the equipment that our forces need. Having the best weaponry, intelligence and command and control of the modern battlefield is essential, and having rapidly deployable forces means that we have an important extra element of deterrence so that we can show resolve quickly when an international crisis may be about to erupt.

Mr. Menzies Campbell: Does the Secretary of State agree that the readiness for rapid deployment depends upon adequate funding for the armed services? Yesterday, a national newspaper that is normally sympathetic to the Government called for a defence review and revealed that, in spite of promises to the contrary, there will be a 3 per cent. cut in defence expenditure in real terms next year. How will that assist rapid deployment?

Mr. Portillo: I am surprised at the hon. and learned Gentleman, who is a member of the Select Committee on Defence, as I explained all this in great detail to the Select Committee a day or two after the Budget. I made it perfectly clear then that, in the present year, the extra £380 million that is being spent has been carried forward from previous years. We have been granted £244 million for this present year for extra costs in Bosnia, and those two figures together come to about 3 per cent. of the defence budget. Of course more money is being spent this year than the plans for next year, but next year's spending will not turn out to be just the planned amount because we shall again be spending money on Bosnia. In reciting what *The Daily Telegraph* has said, the hon. and learned Gentleman is trying to compare apples and pears, and one cannot compare outcome with plan.

Mr. Key: I congratulate my right hon. Friend on the readiness for rapid deployment of Britain's forces. May I invite him to consider the contribution made not only by the Defence Evaluation and Research Agency but by the thousands of civilian industrial workers throughout the country, including those at Boscombe Down, for example, which I visited only last week? I was told that they had never had as much work as they have now, with more than 40 different projects at that one establishment.

Mr. Portillo: DERA makes an outstanding contribution. My hon. Friend raises a broader point that is well worth emphasising: we often pay tribute, as we should, to our armed forces, but they are able to do what they do only because of the tremendous back-up from civil servants centrally in London, in the complex of

establishments throughout the country and deployed abroad. It is a combined military and civilian effort and I pay tribute to both sides with great pleasure.

Mr. Barry Jones: Does the right hon. Gentleman agree that the future large aircraft project would assist deployment of our troops overseas? What talks has he had with British Aerospace on the matter and can he tell us whether the French and Germans are prepared to come in and guarantee the project?

Mr. Portillo: All three countries—including ourselves—have expressed great interest in the future large aircraft. We certainly have a need for future heavy lift capability that has not yet been met in our plans. At present, the Germans and the French have been unable to identify any funding in their programme for the aircraft, and I have no more news about that. I have no doubt, however, that we shall need aircraft beyond the C130J that we have already ordered, and our interest in the project is well known to the House.

Mr. Brazier: Does my right hon. Friend agree that our rapid deployment capability, and indeed our wider military capabilities, are heavily dependent on the armed forces having a breathing space of stability? Does he further agree that the threat of a full-scale defence review is the last thing that they need to settle down?

Mr. Portillo: Yes, the idea of a defence review will be extremely depressing and discouraging for our armed forces. I was, frankly, surprised to see the idea endorsed in *The Daily Telegraph*. It would have an extremely deleterious effect on our armed forces. We have completely changed the orientation of our forces because the cold war has come to an end and we have redirected forces and developed a rapid deployment capability. There is absolutely no need for a defence review and everyone in the House knows why the Opposition advocate one: they want to cut defence and they do not have the courage to come out and say it. We know that many on their Back Benches long to cut defence, but we shall deny them the opportunity so to do.

Ministerial Responsibilities

4. **Mr. Gunnell:** To ask the Secretary of State for Defence which Minister is responsible for manpower levels in his Department. [8973]

Mr. Soames: My right hon. Friend the Secretary of State for Defence has overall responsibility for all defence matters.

Mr. Gunnell: I understood that the Minister had specific responsibility for manpower. Does he take personal responsibility for the fact that, because he has cut the armed forces by a third, manpower in the Army is 5,000 short? Is that any way to run the defence of the country?

Mr. Soames: I answered the question in that manner because of my natural deference and modesty. It is indeed true that I am responsible to my right hon. Friend for manpower levels. It is also true, as the hon. Gentleman says, that we have difficulties in recruiting. The reasons are well known by the House and have been rehearsed on many occasions. The hon. Gentleman must not paint too dim a picture; it is a difficult situation but we are making real progress. Army recruiting this year stands at 86 per cent. of its target so far, the figure for the Royal Air Force is 95 per cent. and the Royal Marines have recruited 100 per cent. of the target for officers and 87 per cent. for marines.

The picture is much improved, but the House should not be deceived for one minute into believing that the matter can be resolved easily or overnight. We live in a competitive and difficult environment and we have to work extremely hard to get the excellent young men and women whom we need.

Mr. Wilkinson: Is it not reassuring that my hon. Friend does not shrink from taking his personal responsibilities in these matters? He is no shrinking violet in any sense or form. On the recruitment figures, is it not thoroughly encouraging that recruiting should be so relatively high at a time when unemployment nationally is continuing to drop? It is essential that Her Majesty's forces can continue to attract high-quality manpower and the Government are taking a range of measures to do just that.

Mr. Soames: I am grateful to my hon. Friend. He is right and, as he and I said, we live in a competitive world in which a lot of other people are after the same high quality of young men and young women that we seek to attract into our armed forces. We have to make it an attractive career, which it is. They should come in, because they will find good comradeship, wonderful training, great opportunities, adventure and excitement. They will find that they can undertake no more satisfying career. The Duke of Wellington's regiment, the King's regiment, the Green Howards, the Light Dragoons and the Second Royal Tank regiment are all over strength. The problem is not found throughout the Army, but in certain specified and difficult areas and we are doing our best to ensure that those matters are dealt with expeditiously in the Army and the other two services.

Dr. David Clark: Can the Minister explain how, having spent £1,500 million on redundancy payments in recent years, Army recruitment last year was 25 per cent. under target and we have a shortfall of between 5,000 and 6,000 soldiers? Can he let us into his little secret?

Mr. Soames: This from an hon. Gentleman who, in an interview with the *New Statesman and Society* decided, on defence diversification, that the Thompson sonar could be used in fish farms. This is the man who asks me about the running of defence. He knows perfectly well that, having been through "Options for Change", the Army regretfully and sadly shed a large number of people to maintain the level of experience and age profile that it needs. To be able to fight—to do its business—it needs to recruit a constant stream of young people all the time. That is what we are doing. For the hon. Gentleman to portray this as some sort of mismanagement is ridiculous, dishonest and ignorant.

Defence Exports

5. **Mr. Congdon:** To ask the Secretary of State for Defence what measures his Department takes to assist British firms to win defence exports. [8975]

The Minister of State for Defence Procurement (Mr. James Arbuthnot): My Department's defence export services organisation exists to provide British defence exporters with the strongest possible Government support, within the framework of our defence, security and foreign policies.

Mr. Congdon: Does my hon. Friend agree that if foreign countries wish to bid for our defence exports, they should ensure that their markets are equally open to our exports? Does he also agree that Hunting Aviation does a good job in maintaining engines for the Ministry of Defence and should, therefore, be given equal access to the Canadian market?

Mr. Arbuthnot: I will accept both of my hon. Friend's questions. Protectionism is extremely bad for the defence industry worldwide. We need a two-way street in the defence exports and imports of the United States, Canada and other countries. I also agree that Hunting Aviation's work for the Ministry of Defence is first class. We are evaluating a competition for T56 Aero engines. We have not yet reached a decision on that, but I entirely agree that we need a two-way street in exports and imports of defence industry work.

Mrs. Anne Campbell: When does the Minister expect to award the maintenance contracts for the RAF Tristar fleet, since that is one of the contracts that will have an enormous impact on the ability of Marshalls in my constituency to continue its exports of defence equipment?

Mr. Arbuthnot: Shortly.

Mrs. Peacock: Can my hon. Friend tell the House the value of our defence exports for the year 1995-96?

Mr. Arbuthnot: In 1994, we took something like 14 per cent of the world export share. In 1995, it was nearly 20 per cent. In 1996, we expect it to be up on that and, in 1997, we know that it will be significantly higher even than that. Exports were worth something like £5 billion in the last year and that is because Government policies have helped British industry to become lean and competitive. We produce excellent equipment at a very good price for overseas markets, as well as for the defence of the country.

Mr. Spellar: Does the Minister accept that exports need a solid domestic base? Does he think that our exports have been helped by the appalling delay and shambles in the Bowman project? Can he tell us how he got into such a mess and, more important, how he intends to get out of it?

Mr. Arbuthnot: Not only exports but the entire defence of the country need a solid defence base. That does not need a strategic defence review, with all the uncertainty that the Labour party would inject into our armed forces and defence industry. Bowman is an extremely important competition for the country. It is an interesting competition because it is constantly chasing a technology that is evolving so rapidly that it must not be allowed to become obsolete before it goes into service. We shall evaluate industry's new proposals to produce a single consortium, and we expect to make a decision on that round about March. We intend to get the Bowman equipment into service by 2002, and we intend to make sure that there is as much competition as possible so that the project will achieve good value for money for the British taxpayer.

Mr. Garnier: Does my hon. Friend accept that, for my constituency, one of the most important elements of the defence exports business is a company called King Trailers Ltd., which manufacturers trailers for military and civilian purposes? The company has endeavoured over the past few years to export trailers to foreign Ministries of Defence. It has had some encouragement from my hon. Friend's Department, but it needs all the encouragement that it can get. Will he visit the company in the next few months and give it the support that it deserves?

Mr. Arbuthnot: I not only accept but know that, because my hon. and learned Friend has raised the subject of the company with me on several occasions. I will happily accept his invitation to visit, but if I may, I would rather do so after the election, if I continue in this job.

Armed Forces (Manpower)

6. **Mr. Jack Thompson:** To ask the Secretary of State for Defence for how many consecutive months up to the most recent month for which figures are available there has been a shortfall in each of the armed forces' manpower. [8976]

Mr. Soames: Up to 1 November 1996—the latest figures available—the naval service has had a manpower shortfall for four consecutive months, the Army for 16 months, and the RAF has been undermanned for 12 consecutive months.

Mr. Thompson: In view of the Minister's previous answers to questions on this matter, has he read the Defence Committee report, which argues that the legacy of undermanning in the Army will affect the Army's efficiency for many years to come? How do our allies in NATO react to such undermanning, given our NATO responsibilities? Is that not an example of ministerial mismanagement and incompetence in defence matters?

Mr. Soames: I know that the hon. Gentleman is one of the poor figures who are snaffled in the Tea Room by the hon. Member for South Shields (Dr. Clark) and given a question to table. He could not possibly mean that question.

Mr. Foulkes: Withdraw.

Mr. Soames: No, I will not withdraw.

The French have recently announced that they will not only rejoin NATO, but intend to model their armed forces on the British Army. Is that a symbol of our incompetence? All the time we hear that socialist whining and whingeing. The British forces have swept to victory in the Gulf, in northern and southern Iraq, in Angola, Rwanda, Kuwait and the former Yugoslavia, and still the Opposition ask whether our forces are capable of doing

the job. Recruiting is a difficult matter. We have serious problems and we are under strength, but we are dealing with it.

Sir Jim Spicer: My hon. Friend will know that, for many years, the Junior Leaders regiments provided not only quality but quantity to our armed forces. Can he inform the House when a final decision will be made to reinstate them?

Mr. Soames: I am grateful to my hon. Friend for raising that issue. He knows better than most that the supreme quality of the non-commissioned officers in the British Army and the other two services depends largely on the extraordinarily successful Junior Leaders regiments. Everyone regrets that they no longer exist. I am happy to inform my hon. Friend that my right hon. Friend the Secretary of State will arrive at a decision about the timing of the new arrangements for Junior Leaders shortly.

Dr. Reid: In wishing you, Madam Speaker, and the Minister a happy new year, I must say how deeply Opposition Members regret press reports that the Minister will not be able to defend his record on those issues during the general election campaign because Tory central office has banned him from appearing on television as he is too much of a toff. The Opposition deprecate the politics of envy. Will the Minister defend his record now as he will not be able to do so during the election campaign? Will he confirm that the Government have cut our force levels by one third, have spent £1,500 million doing so, and have ended up short in every service? Is it not true that our forces are under strength and over stretched and that the general election is long overdue?

Mr. Soames: Before reciprocating the hon. Gentleman's new year wishes, I draw your attention, Madam Speaker, to an advertisement that appeared in an impertinent magazine entitled *Defence News*. It is signed by the hon. Gentleman, who described himself as Minister for the shadow armed forces. In view of those strictures, perhaps you should have a word with the editor of *Defence News*, Madam Speaker.

The hon. Gentleman's portrayal of the armed forces is a travesty. Everyone knows that we have the best armed forces in the world, although they are over stretched, very busy and have manpower problems. It is a volunteer service and we cannot compel people to join, but we are lucky in that those personnel we have are the best in the world. The hon. Gentleman does them no service by portraying them as he does.

Defence Contracts

7. **Sir John Cope:** To ask the Secretary of State for Defence how many British jobs are sustained by his Department's defence contracts; and if he will make a statement. [8977]

Mr. Arbuthnot: We estimate that in 1994-95—the latest year for which figures are available—my Department's contracts for equipment and other goods and services sustained some 270,000 jobs in the United Kingdom. We estimate that a further 90,000 United Kingdom jobs depended on defence exports.

Sir John Cope: My hon. Friend has just agreed that the defence base, and hence MOD contracts, is a necessary pre-condition for arms exports. In providing the figures for those whose jobs are sustained by arms exports, will he bear it in mind that, in the last defence estimates debate, 21 Labour Members of Parliament called for a total ban on British arms exports?

Mr. Arbuthnot: I will indeed. An interesting letter has been received from the right hon. Member for Yeovil (Mr. Ashdown), who attacked the possibility of selling Westland Lynx helicopters to Indonesia. If he is prepared to do that to his constituency, I dread to think what he would do to the country.

Mr. Madden: As both India and Pakistan have nuclear capability and the long and unresolved conflict between the two countries over Kashmir makes the region one of the most exceptionally dangerous in the world, how does the Minister justify British sales to India of Hawk 100 aircraft, which clearly could, and probably will, be used to suppress the popular insurrection by the people of Kashmir in pursuit of their right to self-determination?

Mr. Arbuthnot: Article 51 of the United Nations charter gives every country the right to defend itself. We have very close relations with India and, fortunately, also with Pakistan. We shall do everything that we can to preserve the stability of those regions. We shall not try to undermine our defence industry—unlike the hon. Gentleman, who would clearly like to undermine it by preventing exports to countries that have been friendly to the United Kingdom for many years. I suggest that he has a word with his Front Bench about that, but unfortunately I fear that he represents the views of many Labour Members.

Mr. Mans: Does my hon. Friend agree that one way not to sustain jobs in the defence industry would be to carry out a defence review, which would delay procurement of much-needed weapons systems? Does he further agree that it is particularly worrying to workers in the defence industry in Lancashire that the Labour party has made no commitment whatever to exclude the Eurofighter project from its defence review, which means that it could be cancelled, or at the least the Royal Air Force would not get the number that it wants?

Mr. Arbuthnot: My hon. Friend puts his finger on a point of huge importance. The instability of a strategic defence review would undermine the certainty of our negotiations in the Eurofighter project and would be damaging not only to this country but to the entire European defence industry. If the Labour party were able to bring in a strategic defence review, that would undermine not only this country's defence industry but the aims of Europe to bring its industry together and to be able to compete properly to the world market. My hon. Friend makes an extremely important point.

Mr. Grocott: Is the Minister aware of the announcement made last Friday of 270 redundancies at GKN Defence in my constituency? That is 270 out of a total work force of 700. Those are skilled people who have given years of service to the defence needs of the country. Does he recall his letter to me of 13 December, in which he turned down a suggestion from GKN that it provide 87 armoured vehicles? If that contract had gone

ahead, it would have secured a number of important defence jobs. I do not expect an instant reply, but in the light of the redundancies that have occurred, I ask him to reconsider that decision, because he must appreciate that, if those skills are lost, they will be difficult, if not impossible, to replace.

Mr. Arbuthnot: I understand the points that the hon. Gentleman made and I considered the decision very carefully indeed because of those points. Obviously, we regret hugely any loss of defence jobs or other jobs, but it is true of any company that, in the long term, it has to match the number of its employees to its order books. The Warrior system that GKN proposed to us for early purchase has been hugely successful not only in this country but in Bosnia, the Gulf, Kuwait and around the world, but in the long term we decided that our requirement was not sufficiently well established to enable us to accept its very interesting and in many ways attractive proposal. GKN is an extremely successful company. We have seen recently an order from Qatar for Piranha vehicles. We know that there are plenty of prospects for other Warrior vehicles throughout the world, so let us not attempt in any way to undermine the possibility of GKN winning many other orders elsewhere.

Sir Anthony Grant: When coming to what I hope will be an early decision on the Tristar contract, will my hon. Friend bear in mind what I have repeatedly told him: that what is at risk is not merely jobs in Cambridgeshire but, for the nation, the remarkable expertise of the Marshalls company, which has been built up over many years?

Mr. Arbuthnot: My hon. Friend has, on many occasions, raised this competition with me. I shall certainly bear in mind the points that he makes when I come to a decision, which will be very soon.

Mr. Murphy: Contrary to what the hon. Member for Wyre (Mr. Mans) just said, does the Minister accept that it is the firm intention of the Labour Government to be elected later this year to be absolutely committed to Eurofighter? Secondly, instead of talking about Yeovil, will the Minister reflect on what my hon. Friend the Member for The Wrekin (Mr. Grocott) said: that nearly 300 highly skilled and well-paid jobs have been lost in my hon. Friend's constituency? Is the Minister telling the House that it is too late to stop this cruel blow to Shropshire, to the company and to a dedicated work force?

Mr. Arbuthnot: No, I am saying that a strategic defence review—the point with which the hon. Gentleman started—would undermine the stability of our defence industry. In addition, it would undermine our credibility in international negotiations over matters such as the multirole armoured vehicle, the Horizon frigate and crucially, at this important stage of the project, the Eurofighter. How can we have a strategic defence review—unless the hon. Gentleman is saying that he would exclude the Eurofighter from it, which would make it pretty meaningless—and continue to negotiate sensibly with countries that are partners in the Eurofighter project? The answer is that there cannot be such a review on that basis.

Mr. Atkins: Does my hon. Friend recognise the importance to jobs in Lancashire of British Aerospace, Leyland Trucks, Rolls-Royce, Royal Ordnance and many other firms? Does he also recognise the enormous effort that is made by Lancashire Conservative Members to represent and fight for the interests of those companies? Is he aware that the electorate in Lancashire do not take kindly to Johnnies-come-lately jumping on bandwagons at short notice? My constituents still remember TSR2.

Mr. Arbuthnot: I acknowledge with gratitude and admiration the work that is done by Lancashire Conservative Members. When I was last in my right hon. Friend's constituency, he drew my attention to a number of competitions involving the defence industry. By contrast, he drew my attention to the approach of the hon. Member for Preston (Mrs. Wise) to the export of Hawk aircraft to Indonesia. My right hon. Friend is completely right. The Labour party wishes to be all things to all men. It wishes in some areas to encourage exports, but in reality it knows that it wants to destroy the British defence industry.

NATO

8. **Mr. John Evans:** To ask the Secretary of State for Defence if he will make a statement on the future expansion of NATO. [8978]

Mr. Portillo: It has been agreed that a NATO summit in July should invite one or more countries to begin accession negotiations.

Mr. Evans: Does the Secretary of State agree that if countries such as Poland, Hungary and the Czech Republic are to be welcomed into NATO, it should, if possible, be with the agreement of Russia? Long-term peace and stability throughout Europe cannot be guaranteed without the long-term support of the Russians.

Mr. Portillo: It is not the Government's policy that Russia should have a veto over NATO membership. I very much hope that that is the Labour party's policy. NATO will take its decisions in July at the NATO summit. I hope that it may be possible at the same time for a charter to be signed between Russia and NATO. Let it be perfectly clear that the question of new NATO members is for NATO and for the sovereignty of nations making applications.

Mr. Viggers: Does my right hon. Friend agree that the expansion of NATO is the most important political and military issue to be faced by European countries for many years? Does he further agree that we are able to take a full and reasonable part in discussions because of the strength and stability of our armed forces, which the Government have brought about?

The Labour party is suggesting a fundamental review of defence. How often in my right hon. Friend's experience—in his time at the Treasury as well as at the Ministry of Defence—has a fundamental review led to an expansion of expenditure, and how often has it led to cuts?

Mr. Portillo: Under Labour, a review always means cuts. Some of my hon. Friends have recalled some of the most outstanding examples of cuts made by Labour. We can play a vital role in NATO because our forces are

respected and because their capabilities are well understood. I would shudder for the influence and status of the United Kingdom if a Labour Government were able to implement a defence review and cut our defences.

Mr. Gapes: Does the Secretary of State welcome NATO's recent statement that there is no question of placing short-range nuclear weapons on the territory of any central and eastern European country that may join NATO? Will he make it clear that the Government have no intention of doing that, and thereby help to reassure the Russians that the expansion of NATO is not directed against them?

Mr. Portillo: The expansion of NATO is not directed against anyone. NATO is a defensive alliance. It is made up of countries that are democracies and that have no expansionist pretensions. There is no need whatsoever for NATO to alter its nuclear posture if it takes in new members.

Nuclear Capability

10. **Mr. David Evans:** To ask the Secretary of State for Defence what plans he has to increase Britain's nuclear capability. [8980]

Mr. Portillo: The Royal Navy's Trident force provides the effective and credible deterrent that Britain needs.

Mr. Evans: I thank the Secretary of State for his reply, disappointing though it was. Is he aware that the Ukraine has more nuclear warheads than Great Britain and France put together, and that any madman can buy them if he so wishes? Is he further aware that the Minister of State for the Armed Forces served in the 11th Hussars 25 years ago as an officer fighting for Queen and country, whereas the right hon. Member for Sedgefield (Mr. Blair) and 12 of his Front-Bench cronies grubbed around Greenham Common in their CND tee-shirts with their legs and arms in the air ready to give away the defence of the realm? Is that what they would do if they were negotiating on Europe?

Mr. Portillo: I recently refreshed my memory of the 1983 election address of the right hon. Member for Sedgefield (Mr. Blair). It is perfectly clear that, at that time, the Leader of the Opposition favoured the removal of our nuclear weapons. He believed in neither nuclear weapons nor cruise missiles. I do not believe that the British people will be willing to entrust the defence of this country to someone who has changed his mind and has been so wrong on such a fundamental issue of national interest.

Mr. Cohen: Have not the hon. Member for Welwyn Hatfield (Mr. Evans) and the Minister, in his first reply, given the game away? The Tories favour increasing the number of nuclear weapons and closing hospitals.

Mr. Portillo: I salute the hon. Gentleman because, unlike his Front-Bench colleagues, he has never changed his mind. He has remained absolutely true to his underlying principles. He is unreformed and unconverted, and I believe in his sincerity. I wish that I could believe in the sincerity of his Front-Bench colleagues.

Overseas Service

11. **Mr. Duncan Smith:** To ask the Secretary of State for Defence how many service men who were not serving as part of a NATO commitment were serving overseas on 1 January 1986, 1990 and 1997. [8981]

Mr. Soames: The numbers of service personnel serving overseas other than as part of a NATO commitment on 1 January 1986 and 1990 were 25,575 and 21,650 respectively. The latest available comparable figure, for 1 June 1996, is 15,733.

Mr. Duncan Smith: Given the various changes to our defence policy in the past few years, does my hon. Friend agree that those figures should be underlined and presented to the Treasury as a sign of our total commitment? Will he now persuade our right hon. Friend the Secretary of State to write to the hon. Member for South Shields (Dr. Clark) and ask him to say, as a signal service to the nation, which of those commitments he would cut to fit in with Labour party policy of cutting overall defence expenditure?

Mr. Soames: I am grateful to my hon. Friend for referring to a question that, like so much of Labour policy, remains hopelessly unanswered, vapid and up in the air. The obligations and commitments of the United Kingdom's armed forces reflect our historical links and obligations, our status as one of the world's great trading nations and our position as a permanent member of the United Nations Security Council. He may like to know that a royal naval deployment, Ocean Wave, left Portsmouth yesterday led by the aircraft carrier HMS Illustrious and 20 other ships. It will be deployed through the far east and the Pacific rim to show that Britain still has extraordinary interest, influence and capability in that part of the world.

No-fly Zone (Northern Iraq)

12. **Mr. Campbell-Savours:** To ask the Secretary of State for Defence when he next intends to visit northern Iraq to discuss the operation of the northern no-fly zone. [8982]

Mr. Portillo: I have no plans to visit northern Iraq.

Mr. Campbell-Savours: Is it not true to say that the Iraqi opposition forces have been led by the western powers into attacking Saddam Hussein's forces, under the umbrella of the no-fly zone, and, having done so, have promptly been dropped by John Major and President Clinton? Is that not the truth? The British Government—and, at the same time, the American Government—received the benefit of the war in Iraq. Why do we not now face up to our responsibilities to the people of northern Iraq, who are suffering incredible miseries?

Mr. Portillo: The hon. Gentleman ought to be truly ashamed of himself, and particularly of his attack on my right hon. Friend the Prime Minister. My right hon. Friend led international opinion in forming the safe havens for the Kurdish people. The Royal Air Force has participated in flights over northern and southern Iraq over the past five years, and we have made a major contribution to

ensuring that Saddam Hussein is not able to continue his policy of massacring the Kurdish people. We have also provided the Kurdish people with some £90 million of aid. It is truly deplorable for the hon. Gentleman to attack my right hon. Friend the Prime Minister.

PRIME MINISTER

Engagements

Q1. **Mr. Ainger:** To ask the Prime Minister if he will list his official engagements for Tuesday 14 January. [9000]

The Deputy Prime Minister (Mr. Michael Heseltine): I have been asked to reply.

My right hon. Friend the Prime Minister is returning from an official visit to India, Pakistan and Bangladesh.

Mr. Ainger: Has the Deputy Prime Minister seen the results of a survey conducted by the Health Visitors Association showing that 2 million British children are malnourished, that one third of health visitors are dealing with childhood tuberculosis and that rickets has returned to plague hundreds of British children? Does the right hon. Gentleman agree with the association that those appalling effects on health are a direct result of family poverty and deprivation, and does he agree with me that any Government who are able to recreate the social conditions of the 19th century at the end of the 20th do not deserve to serve into the 21st?

The Deputy Prime Minister: The last occasion on which we saw some of the social conditions of the 19th century was in 1979, when the winter of discontent characterised the activities of the last Labour Government. The survey to which the hon. Gentleman refers has been drawn to my attention and I reject its findings.

Mr. Richards: Has my right hon. Friend seen today's edition of the *Western Mail*? Its front page states that the water and electricity giant Hyder is to move into the gas supply market, which would reduce prices by some £40 a year for the consumer. Does he agree that, if there were a windfall tax, Welsh consumers would be robbed of price cuts, and Labour's policies would yet again end in tears?

The Deputy Prime Minister: My hon. Friend is absolutely right to point to the dangers of imposing a windfall tax on the people of Wales. He would, however, also be right to point to the dangers for a large number of people—pensioners and employees—who would suffer from the punitive effects of such a tax; although it must be said that, according to recent evidence, no such tax could be effectively levied. That leaves the question, "Where is the money coming from to fund Labour's extravagant expenditure plans?"

Mrs. Ann Taylor: Does the Prime Minister accept the verdict of the British Medical Association that the health service is facing its worst crisis for 10 years?

The Deputy Prime Minister: It is difficult for the hon. Lady to suggest, when we have just announced £1.6 billion extra expenditure, that there is a crisis in the health service. The fact is that 25,000 patients a day are being treated in the health service. Nothing does more damage to the morale of those who work in it, and provide excellent service, than the endless sniping of the Labour party, which is obviously oblivious to the fact that for most of its life the health service has been safe in the hands of Tory Governments.

Mrs. Taylor: Does the Deputy Prime Minister not realise that the picture that he paints bears little resemblance to the everyday experiences of ordinary families in Britain? His complacency is an insult to the families of women in Leeds and London who died in the past few days because intensive care beds were not available. Can he not understand that his failure to give a serious answer to serious questions proves beyond doubt that the health service is not safe in Tory hands?

The Deputy Prime Minister: As we are spending £724 for every man, woman and child in Britain, perhaps the hon. Lady will explain how things were better when it was only £444 in 1978-79, but there is a serious point behind what the hon. Lady raises: the need to provide intensive care beds. That is why, in December, we set up a national register for intensive care beds so that, by a single call, doctors can find out where they are—*[Interruption.]* I would have thought that the Labour party would be interested in the health service. As the Labour party and the whole House will know, the demand for hospital beds can literally double in a day and if the Labour party is suggesting that, in every hospital, we should keep beds empty all the time for fear that there may be an emergency, it is important that it should say that so that we can understand the lost opportunities for a large number of patients who rely on those beds.

Mrs. Taylor: Surely everyone in Britain has the right to expect the national health service to be able to provide emergency, life-saving treatment when it is necessary. Is not the problem with what the Deputy Prime Minister says about figures and money the basic fact that the Government have created 20,000 more administrators and lost 50,000 nurses? If the right hon. Gentleman will not accept the expert opinion of the British Medical Association, and if he wants a second opinion on the state of the health service, why not consult the people who really matter—the electorate—and the sooner the better?

The Deputy Prime Minister: If the hon. Lady were a little more realistic with the figures that she quoted, she would have to point out that there are now 55,000 more qualified nurses and midwives than there were when the Labour party was last responsible for the health service and that waiting times are down. About 200,000 people were waiting more than 12 months in 1990—80,000 of them were doing so for more than two years—but today around 15,000 patients are waiting more than 12 months and only a couple of dozen are waiting more than 18 months.

Dame Elaine Kellett-Bowman: Would my right hon. Friend have been prepared to answer questions from the right hon. Member for Kingston upon Hull, East (Mr. Prescott) if his friends had not been so terrified of what he might say that they bundled him off to Hong Kong?

The Deputy Prime Minister: The right hon. Gentleman was courteous enough to ring me to explain

that he could not be in the House this afternoon. I am not exactly sure why, but, given what the Leader of the Labour party said on Sunday, it occurs to me that the right hon. Member for Kingston upon Hull, East (Mr. Prescott) may have gone looking for a job.

Q2. **Mr. Ieuan Wyn Jones:** To ask the Prime Minister if he will list his official engagements for Tuesday 14 January. [9001]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Jones: Is the Deputy Prime Minister aware of the low morale in the teaching profession as a result of changes in the rules on the early retirement scheme and of the poor settlement that local authorities had in Wales this year? Is he aware, for example, that hundreds of teachers in Wales are applying for early retirement and that 1,000 others face redundancy as a result of local authority cuts? Are those the education policies that the Government will be pursuing in Wales in election year? If so, they are in for a rough ride. The right hon. Gentleman can restore morale by extending the consultation period on the teachers' pension plan and by giving local education authorities more money so that they can at least maintain existing services.

The Deputy Prime Minister: My right hon. Friend the Secretary of State for Education and Employment has made it absolutely plain why she is changing the rules of the early retirement programme. I do not know which world the hon. Gentleman is living in, but he must be aware that the Government have provided an extra £875 million for schools, colleges and universities next year. How he can talk about a crisis, I fail to understand.

Mr. Dunn: Is my right hon. Friend aware that local government in Manchester, Liverpool, Lambeth and Islington is inefficient and incompetent and that those authorities are run by the people who wish to run the country? Run the country? The Labour party could not run a bath.

The Deputy Prime Minister: Every time Labour spokesmen tell us what they would like to do to improve education standards I wonder why they do not talk to Labour councillors who run local education authorities and tell them to improve the appalling record over which they preside.

Q3. **Mr. Hoyle:** To ask the Prime Minister if he will list his official engagements for Tuesday 14 January. [9002]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Hoyle: Is the Deputy Prime Minister aware that on 6 March 1996 the Secretary of State for Health gave an assurance that he would keep a close eye on intensive care capacity? Despite that assurance, a lack of intensive care beds in Warrington hospital means that operations are being cancelled and patients are being transferred to hospitals as far away as Leeds. That is happening not just in Warrington but throughout the north-west. Because of the Government's folly, the number of bureaucrats has increased threefold at the expense of beds for patients. What does the Deputy Prime Minister, the most important person in the country at the moment, intend to do about that?

The Deputy Prime Minister: I share the hon. Gentleman's concern about the provision of emergency beds. Health service administrators, who, as I said, cope with 25,000 patients a day, do a remarkable job in extraordinarily difficult and unpredictable circumstances. If one asks our hospital administrators to keep beds empty in anticipation of emergency admissions, one must explain to those who do not get the advantages of those beds why they are empty. Labour would be the first to complain if it could show that beds were empty because we had said that we had to keep them empty in case of emergency admissions.

Mr. Marlow: The Government have obviously been studying the so-called windfall tax. I wonder how it would work if a company, having been floated, was then taken over—

Madam Speaker: Order. The hon. Gentleman must put a question on a matter for which the Government have responsibility. If he does that, I will listen to him. If he does not, I shall call another hon. Member. Questions must be on Government accountability.

Mr. Marlow: If my right hon. Friend were looking for advice on how to run our schools, would he take it from a party that has been running local education authorities that have produced the most appalling results in the country?

The Deputy Prime Minister: My hon. Friend is absolutely right to point to the difference between the rhetoric and the performance of Labour local education authorities. I have no doubt that there is a chilling relationship between their incompetence in education management and the incompetence that has led to the production of an unworkable scheme called the windfall tax.

Q4. **Mr. Cummings:** To ask the Prime Minister if he will list his official engagements for Tuesday 14 January. [9003]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Cummings: I thank the Deputy Prime Minister for that answer. Is he aware of a recent case in which a seriously ill child of 20 months was driven from Sunderland to Edinburgh—120 miles—because of a lack of intensive care beds in Sunderland district general hospital's paediatric unit? Will he assure my constituents, who use Sunderland district general hospital, that such

incidents will not occur again, and will he ask his right hon. Friend the Secretary of State for Health to make a statement on the great distress in the health service?

The Deputy Prime Minister: I am not familiar with the individual constituency case to which the hon. Gentleman draws attention. I share the concern that he quite rightly feels on behalf of his constituent. However, I have answered the specific question, and I will ensure that my right hon. Friend the Secretary of State for Health is aware of the problems.

Mr. Fabricant: Is my right hon. Friend aware that some of my poorer constituents in Lichfield can send their children to private schools because of the assisted places scheme? Will he please confirm that the Government have no plans to abolish the scheme, because without it those parents could not afford to send their children to private schools?

The Deputy Prime Minister: I can assure my hon. Friend that we will not only maintain but expand the assisted places scheme. We believe in diversity of choice in education and in widening opportunities, which is why we have introduced legislation with precisely that purpose in mind. As I understand it, to exercise choice in the Labour party, one must either be the leader of that party or the hon. Member for Peckham (Ms Harman).

Mr. Beith: Does the Deputy Prime Minister realise the seriousness of the crisis in the health service and the depth of concern among all who work in it and all who depend on it? Will he take positive action by using his authority to end ward closures, while an evaluation is conducted of how much reserve capacity the health service needs? Everyone in the service agrees that it must have some reserve capacity.

The Deputy Prime Minister: Substantial capacity is available to deal with emergency cases; otherwise the very difficult cases—such as that to which the hon. Member for Easington (Mr. Cummings) drew attention—would be much more numerous. The House should salute the energy and devotion of those who work in the health service, who cope with those cases, day and night, with immense skill, care and attention.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(4) (Standing Committees on Delegated Legislation),

That the Education (Assisted Places) (Scotland) Amendment Regulations 1996 (S.I., 1996, No. 1808), the Cosmetic Products (Safety) Regulations 1996 (S.I., 1996, No. 2925), and the Joint Consultative Committees Order 1996 (S.I., 1996, No. 2820) be referred to a Standing Committee on Delegated Legislation.—[*Mr. Ottaway.*]

Question agreed to.

Bull Bars (Prohibition)

3.32 pm

Mr. Paul Flynn (Newport, West): I beg to move,

That leave be given to bring in a Bill to provide for the prohibition of the use on roads of motor vehicles fitted with bull bars; and for related purposes.

This Bill is before the House today because of a defect in our democratic processes and because the will of the House was not enacted last March, when a Bill in a similar form was introduced. On that occasion, powerful and persuasive speeches were made by hon. Members on both sides of the House, and the will of Parliament was expressed in the support that more than 250 hon. Members gave to that Bill. The issue, as it is about safety, should not be a party political matter, and most of the people in the United Kingdom support the cause.

Bull bars originally came from Australia, where they were used to protect vehicles from kangaroos and were known as "roo bars". They were introduced into the United Kingdom with the growth in the fashion for driving four-by-four vehicles. They were fitted on the front of such vehicles. They perform no useful purpose except for farmers, and for ram-raiders they are the favourite type of vehicle. Because of their shape and nature and because they are made of metal, the bars concentrate and multiply the force of a collision, often at the level of a child's head or vital organs. We know of a long, sad litany of casualties who have died because of this macho fashion. There is no sensible reason to clutter the front of a car in that way.

The greatest single improvement in road safety, which saved hundreds or possibly thousands of lives, was the move away from vehicles that were designed for aesthetic purposes and that were current for the first part of the century. Cars were designed to look marvellous and smart and had many sharp structures and badges. We realised that those were deadly in accidents at high speeds. They damaged not only those who were hit, but those sitting in the cars and the cars that were hit. The improvement led to cars of a different shape, which meant that if somebody was hit, they were deflected away from the front of the car and the crumple zone took most of the force. The force of the collision was soaked up by the vehicle, not by the person who was hit. All that was reversed by bull bars which, sadly, became very popular—about 500,000 of them are in use.

When the matter was raised in the House, there was a welcome reaction from hon. Members, and we know that our car parks in the House have long been bull bar-free zones. There was a welcome reaction from many people with four by fours who, realising the additional danger, took them off. There was a highly disreputable campaign by the bull bar manufacturing industry to persuade the owners of light vans to use them on the front of their vehicles. Those vans have a mid-engine and no bonnet in front. The campaign played on the fears that those vans were inherently dangerous. The vehicle manufacturers strongly deny that there is any special danger. Indeed, if they are dangerous, they should not be allowed on our roads.

The recent report by the Transport Road Laboratory shows that the fitting of such bull bars to those vans is likely, in many cases, to add to the danger to not only those who are hit and to other vehicles, but to those occupying the van on which the bar is fitted. There is no safety to be gained from the bars. We are now seeing a trend towards their fitting on some saloon cars.

There have been tragic accidents as a result of the bars and I shall mention just two of them. An incident that I found very moving involved Helen Baggs from Melksham in Wiltshire. She was 10 on the last day of school and was excitedly rushing home with her sister, Elizabeth. She ran into the path of a bull-barred four by four and was hit. She did not die immediately, but lived for 10 days. The injury caused by the bull bar was at the level of her lungs. The bracket of the bar broke in the accident and it is clear that the child was injured because of the multiplication of the force caused by the bar. We know what happens when someone is hit by a bar; imagine that bar with the weight of a four by four behind it. The theory is that those bars will kill a child if it is hit on a vital area, even if the vehicle is travelling at only 12 mph.

Helen's mother has been campaigning with great dignity and restraint in a non-emotional way, but with great effectiveness. She is one of the prime campaigners against bull bars.

Today I received a letter about another case involving a 10-year-old child who was struck a glancing blow. As a result, he is permanently disabled and will be in a poor state of health for the rest of his life.

We have heard of new evidence from the TRL that has been widely misunderstood. The report said that no one can be sure how many people have been killed by bull bars. Evidence was collected in 1974, but it was ineffective, because, while one police authority reported 126 bull bar accidents, a neighbouring authority reported none. Strangely, that neighbouring authority had bull bars on its police cars. In some areas, such as Oxford, there were even bull bars on ambulances. They have now been removed. I understand that in Woking there is an ice cream van with bull bars.

The TRL said:

"Bull bars pose additional risks, particularly to pedestrians, but also to occupants of vehicles hit by them, and even in some cases to the occupants of the vehicles fitted with them."

The TRL points out that European legislation is being passed at the moment.

Last time we discussed the measure, it was not passed, in spite of the will of the House. The Bill was not thrown out, but talked out in a way that does not reflect well on our democracy. The will of the House should have been heeded. One of the more plausible reasons given for not passing it was that it did not fit in with European legislation. The Bill has now been redrafted in collaboration with the European Union Transport Commissioner, to ensure that it fits in with European legislation. European rules will ban bull bars on new vehicles. It is up to us, as a national Parliament, to ensure that they are banned on existing vehicles.

According to the TRL report, the estimated cost—a minor factor—is £5.5 million. It says that enacting the Bill

"would save 11 per cent. of fatalities and 26 per cent. of seriously injured casualties to pedestrians hit by these cars."

Enormous savings of life can be made. It is not the only safety measure that we need to enact—there are many—but it is important not to allow the spread of an inherently dangerous fashion accessory that has no useful purpose.

In conclusion, I shall read what the parents of a 10-year-old boy wrote in a letter that I received yesterday:

"Fourteen months ago, our child was fit, healthy and sports-mad. He is now lucky to be alive and left with a permanent disability. He has no confidence, is unable to swim properly and will never play any racket sports again. This is just to mention a few of his problems. Isn't this and every child's life more important than a fashion accessory?"

Question put and agreed to.

Bill ordered to be brought in by Mr. Paul Flynn, Mr. Jon Owen Jones, Mr. Richard Spring, Ms Jean Corston, Mr. Michael Fabricant, Mr. Andrew F. Bennett, Mr. John Home Robertson, Mr. Nick Ainger, Mr. Andrew Miller and Mr. David Hanson.

BULL BARS (PROHIBITION)

Mr. Paul Flynn accordingly presented a Bill to provide for the prohibition of the use on roads of motor vehicles fitted with bull bars; and for related purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 28 February, and to be printed [Bill 68].

Points of Order

3.43 pm

Mr. D. N. Campbell-Savours (Workington): On a point of order, Madam Speaker. I am sorry to raise the issue again, but you will recall that yesterday I raised a point of order on whether Ministers had told you that they intended to come to the House to be questioned on insider dealing in the shares of the Go Ahead Group—a company that has bid for the franchise of the north-east rail network. In the light of that point of order and the intervention of my hon. Friend the Member for York (Mr. Bayley), have Ministers told you whether they intend to make a statement to the House? Some of us believe that Ministers should be questioned and want to know why that company remains in the bidding procedure, with announcements due to be made later this week.

Madam Speaker: No Ministers have indicated to me that they are seeking to make a statement today on that issue or any other.

Mr. David Shaw (Dover): On a point of order, Madam Speaker. You will have seen that, according to certain press reports during the past week, the Labour party has recruited a man called Andrew Sholl from Australia to dig for dirt on Conservative candidates. He used to be employed by the National Media Liaison Service—a group in Australia known as "the animals". This person has also been involved in a quite serious financial scandal in Australia, which was called "the sandwich-shop affair". Indeed, he was forced to help the Minister for whom he worked in Australia to resign from office as a result. Should not my right hon. and learned Friend the Home Secretary make a statement on how the Labour party is allowed to import such low-life people from Australia?

Madam Speaker: Who the Conservative party or the Labour party employs is certainly not my concern. I have far too much to do here and much more important things than that to worry about.

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Madam Speaker. You will recall that, last night, Government business terminated at 10 o'clock because of the failure of their managers to move the 10 o'clock business motion. As a result, the Home Secretary has—naturally—deemed it wise to criticise all hon. Members for not wanting to carry the Bill through, thus denying protection to citizens of this country. Should he not be brought before the House and asked to apologise to hon. Members, as his own party's actions led to the cessation of business?

Madam Speaker: The procedures last night were properly carried out. I was in the Chair to see that they were conducted correctly.

Orders of the Day

Finance Bill

[Relevant document: The Third Report from the Treasury Committee of Session 1996–97 on The 1996 Budget (HC 129-I & II).]

Order for Second Reading read.

Madam Speaker: I have selected the amendment standing in the name of the Leader of the Opposition.

3.45 pm

The Chief Secretary to the Treasury (Mr. William Waldegrave): I beg to move, That the Bill be now read a Second time.

In his four Budgets, my right hon. and learned Friend the Chancellor of the Exchequer has put Britain firmly on course for a sustained period of rising prosperity and falling unemployment. The United Kingdom's economy is in far better shape both in absolute terms and in relation to our neighbours than it has been for many years. We are enjoying a more favourable combination of strong growth, low inflation, falling unemployment, strong export performance and low mortgage rates than we have seen for a generation. The Budget and the Finance Bill will maintain that performance. I should like to remind the House of what has been achieved.

The economy has been growing continuously since 1992 and has grown more strongly overall than in any other major European country—outpacing France and Germany for the past four years. We are set to outpace those two countries again, I am glad to say, for the next two years, which will bring the gap in gross domestic product per head that opened up in the 1960s and 1970s between France and the UK down from 8.5 per cent. to 6 per cent., and between Germany and the UK down from 11.5 per cent. to 8.5 per cent. If we can continue that performance, the gap will be closed once and for all. Incidentally, if such performance comes about, as most forecasters think it will, it will be the first time since the second world war that we shall have outpaced those two countries for six consecutive years.

Claimant unemployment has fallen from a peak of 10.6 per cent. of the work force at the end of 1992 to 6.9 per cent., and is at its lowest for almost six years. That reminds us of the forecasting skill of the right hon. Member for Dunfermline, East (Mr. Brown), who famously said in 1993:

"unemployment will rise this month, next month and for many months afterwards."—[*Official Report*, 17 March 1993; Vol. 221, c. 289.]

It went down from that day onwards.

Mr. Dennis Skinner (Bolsover): It is about time that we put the unemployment figures in the correct perspective. Is the right hon. Gentleman aware that, on 17 November, the Murdoch Tory newspaper, the *News of the World*, said that the Government's figure for unemployment, which then stood at 2 million, was totally bogus and that the real figure was at least 4.1 million? That was said in the editorial of a Tory paper and has been proved time and again in almost every constituency where surveys have taken place, including mine, where a house-to-house survey of the number of people out of work as opposed to the number claiming unemployment benefit revealed unemployment of about 50 per cent. in three Bolsover wards. The reason why the Government are able to produce bogus figures is that they do not count people on jobseeker's allowance; they keep them out of the figures, yet such people are genuinely trying to get work. The 31-time fiddled figures represent what the Government stand for. They will fiddle anything in order to try to get re-elected.

Mr. Waldegrave: The weakness of the hon. Gentleman's argument is that whichever measure one takes—the labour force survey or the work force in employment survey—all the internationally agreed surveys show that Britain's performance has been better than in other comparable countries. I do not accept that we have fiddled the figures, but if all the countries in western Europe have fiddled the figures, our performance is still better than theirs. I doubt that if the Labour party by any misfortune came to power, it would change the figures and add on 2 million or 3 million, or whatever the hon. Gentleman claims has been knocked off. I suspect that that would not happen.

Mr. David Winnick (Walsall, North) *rose—*

Mr. Robert Sheldon (Ashton-under-Lyne) *rose—*

Mr. Waldegrave: No, I have dealt with the point and I shall proceed.

Inflation has been below 4 per cent. now for four years and we are set to meet our underlying target of 2.5 per cent. or lower. Those figures represent the achievement of the British people, given the right framework of stable and responsible policies. They show that Britain continues to win more jobs and has higher living standards and, if we stick to the policies that we have, we shall continue to do so.

Mr. Winnick: If all is so rosy in the garden and if everything is as fine as the Chief Secretary is painting it, why are the Government the most unpopular since the end of the war and why is it that the Government are so terrified of moving the writ for the Wirral, South by-election? Why are the people not appreciative of what the Chief Secretary has told us?

Mr. Waldegrave: The hon. Gentleman must await the day and he will find that the British people will respond to the facts. I am not saying that everything in the garden is perfect. It would be foolish of any Minister to stand here and say that, but the policies followed by the Government are leading us in the right direction in the crucial sectors of long-term growth, low inflation and jobs. Governments on the continent of Europe who respond to the same arguments as the Labour party about minimum wages and social contracts and chapters have systematically higher unemployment. The issue is one of comparisons between real policies in the real world, and the hon. Gentleman's party is on the wrong side of the argument.

It is not only members of the Government who say what I am saying. It is also the view of the Organisation for Economic Co-operation and Development, which I

know the hon. Member for Walsall, North (Mr. Winnick) respects. In the OECD's *Economic Outlook*, published last month, it said:

"The prospects for achieving sustained output growth and low inflation are the best in 30 years."

That is also the view of the International Monetary Fund, which has described Britain's economic performance as "enviable".

Our success derives from the supply-side reforms of which British firms and employers have taken advantage, but which were opposed by the Opposition in every critical respect. The Leader of the Opposition may now campaign up and down the country by saying that the greatest achievement—of modern times, as far as I can make out—was Lady Thatcher's trade union reforms and that he wishes to imitate her success in other areas, but he and all his hon. Friends opposed those reforms root and branch. The House discussed one of the Leader of the Opposition's damascene conversions on defence earlier and that is yet another one.

Mr. Sheldon: The Chief Secretary will be aware that the trade-weighted exchange rate has risen from 83 to 96—an increase of about 15 per cent. Clearly, that has had a great effect on import prices and has helped to keep inflation much lower than it would otherwise be. The ordinary method of computing the effect is to apply the four to one rule—for every 4 per cent. increase in import prices, inflation increases by 1 per cent. and the reverse is true when import prices fall. What is the Chief Secretary's estimate of what inflation would have been if the exchange rate had not increased? Does he agree that the retail prices index would have been somewhere between 2.5 per cent. and 4 per cent. had not the Government had the advantage of the rise in the exchange rate?

Mr. Waldegrave: The right hon. Gentleman's question is complex and has a lot of conditionals. Inflation was down before the exchange rate rose, and the policies of my right hon. and learned Friend the Chancellor had inflation under control before then. There are some, such as the right hon. Gentleman, who say that the proportion is about four to one, but there are others who doubt that. Those matters are part of the equation that my right hon. and learned Friend must take into account when he considers the overall balance of the economy and interest rates.

It is because of our determination to counter the threat of inflation and the resolute approach to the public finances that we have adopted in this and previous Budgets that we have such a satisfactory set of background conditions. In fact, Britain's strong economic performance is obvious to everyone—except, allegedly, to Opposition Members. As a matter of fact, I suspect that it is pretty obvious to them as well. The proof of that is that they do not have an alternative set of economic analyses or policies to offer, which makes me suspect that, in their heart of hearts, they recognise that the underlying basis of policy is about right. I doubt that a single Opposition Member believes in his or her heart of hearts that if Mr. Kinnock had been elected in 1992, unemployment would now be below 7 per cent. and falling, inflation would be on target for 2.5 per cent. and Britain would be in the fifth year of non-inflationary growth.

Mr. D. N. Campbell-Savours (Workington): Will the Chief Secretary give way on that matter?

Mr. Waldegrave: The hon. Gentleman always says, "on that matter", and then goes off in quite another direction, but I cannot do other than give way to his charm.

Mr. Campbell-Savours: I wish to ask about the 1992 election and the prospectus that the Government put before the British people. I was reading an interesting document this morning—the supplement to the Red Book for that period. It shows that the Government were projecting for this financial year a public sector borrowing requirement of £7 billion, when in fact the PSBR for this year will be £26.7 billion. In other words, they are £20 billion adrift from the prospectus that they put before the British people at the previous general election. How can they possibly have any credibility next time, when their figures have been so blatantly wrong?

Mr. Waldegrave: It is no secret that there was a recession of far greater depth than was predicted by the Government or by the Opposition. The hon. Gentleman's credibility problem is that he went into the previous election loyally fighting for an economic programme that was put forward by the present Transport Commissioner in Europe and the late John Smith. It was a completely clear policy and, as far as we know, was different from what is now being proposed by Labour. Labour put forward a coherent policy, and the hon. Gentleman supported it. There is no coherent policy now, so he is unable to say exactly what he supports—as are his Front-Bench colleagues.

The Budget that my right hon. and learned Friend the Chancellor proposed on 26 November and which the Finance Bill accompanies was a Budget not just for the next few months, but for the next five years. It was a Budget for lasting prosperity, combining sustained economic growth with low inflation, so that living standards go on rising year after year. The measures announced by the Chancellor address several objectives. They enable people to keep more of what they earn. They finance high-quality public services—spending more on the services that people care most about, including the health service. At Prime Minister's Question Time, we heard again Labour's technique, which is to raise anxieties about health. But Labour has not even matched our spending pledge on health, let alone committed any more money. That is the technique that it uses right across the board, day in, day out, and it is fundamentally disreputable.

Mr. Denis MacShane (Rotherham): Does the Chief Secretary recognise the real anxiety of every exporting company in Britain about the astronomic growth in the value of the pound sterling? In my constituency, that growth has led to British Steel—a successful company—laying off people and to Guest and Chrimes laying off 70 only last week. In addition, every manufacturing and

[Mr. Denis MacShane]

exporting company in my constituency is reporting a loss of orders. Is there a single policy that will stabilise sterling, or are we on a permanent Tory yo-yo?

Mr. Waldegrave: I think that it was the hon. Gentleman who intervened at an early stage in my speech in this very debate last year—it may have been the economic debate just before Christmas—to criticise the Government because the pound was then going down. If Labour has an exchange rate target or policy, it will be the first that it has had. The hon. Gentleman is at least an honest believer in joining a single European currency. He has a policy, but his right hon. and hon. Friends on the Front Bench do not necessarily agree with it—or rather, on Tuesdays and Thursdays they do, but on Wednesdays and Fridays they do not.

Mr. Michael Stephen (Shoreham): Day after day, we hear Opposition Members demanding more and more spending on public services and complaining about increased taxes, but if one does not borrow and one does not increase taxes for all the public expenditure, how does one fund it? Would the Labour party have done it by printing money, and what would the consequences have been?

Mr. Waldegrave: As Aneurin Bevan said, we do not need to look in the crystal ball when we can read the book. The Labour party taxed higher, borrowed more and ended up with a combination of higher taxes, broken pledges, higher borrowing and chaos in the country. That is what happens under Labour Governments.

The Bill will protect the ordinary taxpayer by taking further significant steps in the fight against social security fraud, tax evasion, smuggling and other fraud. It also closes some further tax loopholes. In a different direction, it levels the playing field for ordinary taxpayers by phasing out some special reliefs and allowances. They may be convenient and popular for those who enjoy them, but they are often unfair to those who do not, and in our view it is better to have low tax rates, as we do for business and personal taxes in this country, and to diminish special allowances.

Mr. John Greenway (Ryedale): My right hon. Friend mentioned measures to close loopholes. Will he confirm that the proposal for a 17.5 per cent. rate of insurance premium tax is directed only at abuse and that it is not intended to apply to policies that are genuinely arranged and transacted by insurance companies?

Mr. Waldegrave: As my hon. Friend may know, the abuse that is targeted is that of the profit margin being put on the insurance policy, which had a lower rate of tax, and, allegedly, lower prices being offered for the associated goods; that seemed to be merely a way of avoiding tax. There is no intention of getting into the territory about which my hon. Friend warns. Those matters will no doubt be discussed in detail in Committee.

Mr. Alistair Darling (Edinburgh, Central): On that point, can the Chief Secretary give us an assurance that he intends to serve on the Committee? As I understand it, all Chief Secretaries have done so for many years. Will he be with us this time?

Mr. Waldegrave: That will depend on the Committee of Selection. The hon. Gentleman must wait and see. I am deeply touched that he thinks that no Committee can proceed properly without me. That is a flattering judgment and, as always, I am most grateful to the hon. Gentleman for his support.

The Bill maintains a responsible fiscal position by keeping firm control of public spending and reinforcing the downward path of borrowing. It tightens fiscal policy, reducing the public sector borrowing requirement by nearly £2 billion in 1997-98 and by considerably more in later years. Compared with previous plans, the Budget measures take £750 million off tax and £2 billion off spending, and the measures to reduce tax leakage, blocking loopholes and boosting the fight against fraud, should contribute another £500 million.

Mr. Stephen Timms (Newham, North–East): Will the Chief Secretary give way on that point?

Mr. Waldegrave: No, I must proceed.

By 1999-2000, the Budget measures are expected to reduce the PSBR by more than £5 billion. Under this Government, the national debt has been lower as a share of national income than in any year under the previous Labour Government. The Leader of the Opposition has a particularly silly argument that my right hon. Friend the Prime Minister has doubled the national debt since 1990. Why 1990-91? Because that was the year when the national debt was lower than at any time since the second world war.

The United Kingdom has one of the lowest overall debt burdens of the big countries in the European Union, whereas in 1979 it had one of the highest. If Labour had stayed in power and continued to borrow, as it is reasonable to assume would have been the case, at the same average annual rate, the national debt would be almost exactly twice what it is, at about 90 per cent. of gross domestic product.

Part of the Labour party's current campaign is to try to argue that the public finances are in a dire state. We know perfectly well why that is so. It is not because the finances are genuinely in a dire state, and the figures that I have given prove that. Even without appealing to our extremely strong position in relation to funded pensions, thanks to action taken by the Government over the years, we know why Labour Members make that argument: if they came to power, they would want an alibi for the tax rises that followed. They would say, "The books have shown all sorts of mysterious things and we have to put taxes up." That is what the Opposition are preparing the ground for, but we intend not to give them the opportunity to use that alibi, by keeping them firmly on the Benches on which they now sit.

The Finance Bill, which implements the Budget tax measures, is central to its aims. It starts with a clause that will, I think, receive support from both sides. I see no members of the Scottish National party with us temporarily, but I am sure that even they would welcome the clause. Last year, my right hon. and learned Friend the Chancellor cut whisky duty for the first time for

100 years. He has not waited 100 years to do it again, but has cut it again this year. That measure is important for two reasons. The industry is huge at home, but the measure is also a clear signal to overseas tax authorities not to discriminate against Scotch whisky, which is one of the problems that that industry has had to face. For the second year, we have also been able to freeze the duties on wine and beer. Those changes will help to alleviate the legitimate concerns of the drinks industry over cross-border shopping and smuggling.

The Bill contains a number of significant measures to protect the tax base. It is important that people pay the amount of tax that Parliament intended them to pay, that reliefs are not subverted and that people do not find over-ingenious ways of reducing their tax liabilities. The Government have long held that a successful tax system is one with low rates and a broad base, so we can cut tax rates only if that base is sound. Part III of the Bill introduces a further package of powerful measures to block value added tax loopholes.

I expect that Labour will claim, with its usual Morton's fork argument, that, first, all those measures are its idea—I see that the hon. Member for Edinburgh, Central (Mr. Darling) nods—and, secondly, they are all new Tory taxes. Labour sticks up silly posters saying that all these loophole closures are new taxes, but also claims that they were Labour's idea in the first place.

The complete, formidable package of VAT anti-avoidance measures will yield more than £700 million in the first year and protect a further £1.6 billion from attack by avoidance schemes.

Mr. Peter Brooke (City of London and Westminster, South): Since the publication of the Bill, has there been adequate opportunity for the Treasury to meet representatives of the property industry who, while sharing the Government's views about wishing to stamp out abuse, feel that perhaps they are not going about it as effectively as they could?

Mr. Waldegrave: I am grateful to my right hon. Friend and am aware of the issues raised by a number of property developers. I think that the Financial Secretary to the Treasury has already met some groups—I take this opportunity to congratulate him on his Privy councillorship. It was one or other of my colleagues. I am led to understand that the Exchequer Secretary has met groups to talk about the matter. We shall certainly listen closely to the points raised.

The Bill also contains measures to protect the income tax and corporation tax base. Schedule 11 makes a number of changes to the tax treatment of finance leasing arrangements. Leasing can be a sensible way for people to employ the assets that they need in their businesses—this is relevant to the point made by my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke)—but in some cases finance lessors have found a way of turning rental incomes into a capital payment for tax purposes and the Bill will prevent that.

In other arrangements, the rental payments are concentrated towards the end of the lease period, thus reducing the tax take. In both cases, the Finance Bill will bring the tax treatment of leasing more closely into line with the treatment in commercial accounts. The Bill will bring in the new rules that apply where companies buy back their own shares, or pay certain special dividends. Where companies found a way of routing such payments into the hands of tax-exempt institutions, the Exchequer was adding a sizeable subsidy in the form of payable tax credits. Schedule 7 puts a stop to those payments from the Exchequer.

As my right hon. and learned Friend the Chancellor said in his Budget statement, the Government will not tolerate tax abuse. These measures and a number of others like them, which together will yield more than £1 billion a year, are ample proof that we are serious in the battle against tax avoidance. In addition, we are making extra resources available to the revenue departments to counter tax evasion and avoidance and to ensure that everyone pays the proper amount of tax.

As I said, a successful tax system is one that operates across a broad base. The Finance Bill therefore removes or reduces certain reliefs and I shall pick out two. First, clause 62 provides for the phasing out of the tax relief for profit-related pay. The relief was introduced by my right hon.—now noble—Friend Lord Lawson in 1987 explicitly, as he said at the time, as a temporary measure designed to encourage firms to set up PRP schemes. It has been an outstanding success. Around a quarter of private sector employees are now in PRP schemes. PRP has become successfully established as part of the United Kingdom's business pay policy.

The time to phase out the tax relief over a period of years has therefore arrived, but it is important to remember that we are simply removing the tax relief. Firms can and should still relate pay to profits and can therefore continue to reap the rewards, including greater pay flexibility, increased employee involvement and higher productivity. I hope that many firms will continue to do so.

Secondly, schedule 13 reduces the rate of writing down allowances on long-life assets from 25 per cent. to 6 per cent. a year. The tax system treats investment generously, but 25 per cent. a year is too generous for assets with lives over 25 years. The new regime is a logical extension of the 1984 corporation tax reforms brought in by Lord Lawson. By bringing the tax treatment more closely into line with accounting treatment, we are ensuring that tax considerations enter as little as possible into companies' investment decisions.

Mr. John Butterfill (Bournemouth, West): Does my right hon. Friend think that it is reasonable and appropriate for the regime that applies to aircraft to be different from that which applies to trains and ships? Are they not all now in fairly open competition for transport purposes, and is there not, therefore, an element of discrimination against the aircraft industry in my right hon. Friend's proposal?

Mr. Waldegrave: I am aware of the representations that have been made by many in the aircraft industry. Once again, we shall take careful note of the legitimate point that my hon. Friend raises. It will doubtless be discussed further, and we shall listen to the arguments.

All the proposed measures will significantly expand the tax base and allow us to continue to reduce tax rates. The Bill takes another significant step towards our goal of a 20p basic rate of income tax. We believe that low direct taxes are the most effective way to encourage enterprise

[Mr. Waldegrave]

and hard work. Under the previous Labour Government, as we know, the basic rate of income tax was 33 per cent., and the higher rates rose to 83 per cent. on earnings and 98 per cent. on what Labour was pleased to call unearned income. Those were the punitive marginal tax rates that people suffered under Labour. Labour's taxes hit those who worked and those who took entrepreneurial risk.

Since we came to power, we have repeatedly cut the basic rate of tax towards our 20 per cent. goal. In 1979, the rate was 33 per cent. From 6 April, clause 55 ensures that it will be fully 10p lower, at 23 per cent., the lowest basic standard rate of tax for almost 60 years. For more than a quarter of taxpayers—more than 7 million people—the rate of tax is already 20 per cent.

Once again, the Opposition's attitude is something of an enigma. They seek to defeat the Bill, so presumably they seek to defeat those income tax cuts. If, having listened to our arguments, the House carries the Bill, the Opposition will abstain, as they did last year, on the income tax cuts. It is all muddle and confusion. I suspect that the Opposition hope that they will not win the main argument, because they do not want to vote against income tax cuts, but they are not brave enough to say so, nor are they brave enough to criticise the tax cuts in the amendment that they have tabled. It is a muddle, as usual.

As my right hon. and learned Friend said in his Budget statement, we could have reduced the basic rate of income tax by 2p, thanks to the tough stance that we have taken on spending in the measures that I described to protect and expand the tax base. However, it is also important to maintain the real value of allowances. Clause 56 goes further than that. It increases the lower rate band by twice and the personal allowances by three and a half times more than required by statutory indexation. As a result, all income tax payers will pay less income tax—on average, £150 a year less. We do not know whether the Opposition are in favour of that or against it. Again, their attitude is a mystery wrapped in an enigma.

It is not just individuals and families who benefit from the measures in the Bill. Unincorporated businesses and small companies will also feel the benefit of lower income tax and corporation tax. The Government recognise that small businesses are crucial to the success of the economy. That is why clause 74 and schedule 8 help small companies to raise finance through relaxations to the venture capital trust and enterprise investment schemes. It is also why we are freezing business rates for small properties this year.

We may have found an area where Labour agrees with us—or has a policy—as there are two differences between its rather platitudinous amendment this year and last year's amendment. This year, the amendment contains a split infinitive and omits criticism of the Government regarding small businesses. Therefore, the Opposition presumably acknowledge that we have taken the right steps on small business. They would be wise to do so, as the Forum of Private Business called this Budget

"The best of the decade."

We have also made another significant down payment on our commitment to abolishing inheritance tax. Clause 91 raises the threshold by £15,000—£10,000 more than is required by statutory indexation. Combined with the big increase in the threshold last year, it amounts to a rise of almost 40 per cent. in two years.

The Finance Bill crowns five years of economic achievement. Since our re-election in 1992, we have seen nearly five years of uninterrupted growth with unprecedented low rates of inflation. Under this Budget, a family on average earnings will have more than £20 a week extra to spend next year after tax and inflation than before the previous election. The last Labour Government could manage only a puny £1 a week.

The Finance Bill takes forward an unquestionably coherent and successful strategy for the British economy. That is in marked contrast with the Opposition, who still refuse to come clean about the central issues of economic policy. The Opposition do not have the courage to criticise tax cuts in their amendment, but they will vote against them. If the Bill is carried, they will abstain.

Opposition Members complain about so-called tax loopholes, but they refuse to say what they are. Will they continue to support pension funds, reinvestment relief or exemption from inheritance tax for family businesses or art of national importance? The Opposition continually hint that closing loopholes will bring huge tax savings, but they will not specify what those loopholes are. Meanwhile, we have shown that we are tough on real avoidance and evasion. When we take steps to modernise the tax system by closing loopholes or ending relief, Labour erects feeble posters calling them Tory tax rises.

Ms Jean Corston (Bristol, East): The Minister said that an average family will be better off by £20 a week. We both attended a conference at the council house in Bristol last week, when we heard that an average family in Bristol will see four or five times that sum swallowed by council tax increases imposed by the Government.

Mr. Waldegrave: We see the same technique in action. Last week, the Leader of the Opposition addressed the issue of local government grants and said:

"You may have heard Frank Dobson say a couple of nights ago to local government, 'You have to work within the existing spending limits.' We could not be clearer about this".

The hon. Lady and her hon. Friend on the Front Bench, the Member for Bristol, South (Ms Primarolo), went to Bristol council to talk about the "dreadful" grant settlement, but in the same week the Leader of the Opposition said that there would be no more money for local government. That illustrates the basic incoherence and dishonesty of that line of argument.

The fact is that, on such matters, Her Majesty's loyal Opposition should be called "Her Majesty's loyal abstainers". They have no view on all the big issues. When it comes to tax, they sit on their hands and abstain. They are terrified of saying anything that might be construed as an acceptance that they would have to raise taxes to pay for the £30 billion in spending pledges that they have scattered around the Lobbies. However, they do not withdraw those pledges.

The only tax measure to which Labour is prepared to admit is a punitive tax on successful companies owned by millions of private shareholders, pension funds and employees: the so-called windfall tax. If Labour could make it work, it would hit consumers, shareholders and employees. It would produce only a one-off payment and could not be used to meet the huge continuing spending commitments that Labour has attached to it.

Last week, the Leader of the Opposition claimed that Labour's plans would mean no tax increases. However, at the same time, he promised that Labour would do more

for education, health, welfare, local government—you name it. It was vintage new Labour. On Wednesday, the Leader of the Opposition told local government:

"You have to work within the existing spending limits"

but on Monday he was nodding and winking to the education lobby about higher spending.

As always, the right hon. Gentleman is trying to be all things to all men and women. It is the usual nod towards the media and the City; the usual wink to the spending lobby. He promises more computers, more literacy summer schools and smaller class sizes, but no new money. The problem is that that simply is not credible. Either Labour's education policy—the same goes for all its other policies—is just another series of empty Acts of Parliament with no money, or it is a hidden agenda for more spend. Labour hopes that one audience, in the Bristol council house, will believe one version, and the other audience, in the *Daily Mail*, another.

The fact is that the Government have been able to make substantial increases in spending on education and health because we have been prepared to make difficult decisions, making cuts in lower-priority programmes. Labour has shown no capacity to make such decisions, except for one. The only genuine cut that it has announced is the mean-minded decision to axe the assisted places scheme, which will not even pay for the reduction in class sizes, which will threaten many ancient schools, for example in Bristol, and which will widen the divide between public and private provision in education. That is typical of its approach.

Sir Wyn Roberts (Conwy): Would my right hon. Friend care to remind the House that the last time there was a real cut in health service spending was when Labour was in government, and after the International Monetary Fund had intervened?

Mr. Waldegrave: My right hon. Friend is right. There has been only one year in which real spending in the health service has been cut, and that was under the previous Labour Government, in the year to which my right hon. Friend refers.

The Labour party is caught in a trap of its own making. On the one hand it promises all manner of vaguely specified changes for this country; on the other it claims that there will be no tax increases and no losers, except for a few fat cats. If the Labour party were to come to power, it would have no mandate for anything, and the ensuing drift and confusion would put at risk all that the British people have achieved in the 1980s and 1990s.

The choice before the House and the country is pretty simple. Labour has no policies beyond the cosmetic, no views on economic management beyond the platitudinous and ungrammatical verbiage of its amendment, no sense of direction and no sense of priorities. There is, of course, nothing wrong with wanting office in a democratic system. That is an honourable ambition. But to want only office, with no philosophy or ideas about what to do with it, is not enough.

Conservatives know what we want for Britain. We want to continue our battle to make Britain a competitive, low-spending economy and thereby get unemployment down. We want to continue the clear and responsible economic policy that my right hon. and learned Friend the Chancellor has carried through with such success. We want to continue the real growth in living standards for our people. The Bill, as part of our outstandingly successful economic policy, will continue to deliver those things.

Once again Labour stands for muddle and abstention, for soundbites, not real policy. We stand for steady and responsible economic management. I have no hesitation in commending the Bill to the House.

4.23 pm

Mr. Alistair Darling (Edinburgh, Central): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to the Finance Bill because it fails to adequately address the needs of the country, namely high levels of investment and employment, providing opportunities for all, economic stability and a long-term commitment to low inflation; in particular it does not provide for a new welfare to work strategy which will tackle the scandal of youth and long-term unemployment, nor new measures to improve the skills level of the country; and further fails to provide for effective action to close tax loopholes, to adequately reform the Private Finance Initiative or address the causes of the increasing tax burden and as a consequence fails to equip the country for the future."

The only interesting thing that we have heard this afternoon is the fact that the Chief Secretary will probably not serve on the Finance Bill Committee. I understand that he may be the first victim of the Government's loss of their majority. He does not want to be on the Committee. He would rather be somewhere else, perhaps in the Wirral or perhaps nursing his constituency of Bristol, West. It would seem very strange if the Chief Secretary to the Treasury were not in the Committee to take his Bill through the House. One might have thought that he would have sufficient confidence and commitment to turn up to take his Bill through the House.

Mr. Waldegrave: This is the Second Reading of the Finance Bill. Will the hon. Gentleman say why his right hon. Friend the Member for Dunfermline, East (Mr. Brown) is unable to attend?

Mr. Darling: I was speaking to my right hon. Friend only half an hour ago. He is at this moment watching our performance on the television in his office. He is quite happy that we should deal with these matters. If the Chief Secretary wants to hear more, why does not he agree to sit on the Finance Bill Committee for the next few weeks?

In his speech this afternoon, the Chief Secretary has invited us to forget the fact—*[Interruption.]* My right hon. Friend the shadow Chancellor has arrived. That is yet another example of how a new Labour promise will be delivered.

The Chief Secretary has invited us to believe that, somehow, we should judge the Government on a snapshot of what is happening in the country, to forget the past, to forget the ominous signs of the future. He is inviting us to forget the fact that the Conservatives have been in power since 1979. The Finance Bill gives us the opportunity to judge the Government's record over the past 18 years and since the last election. The coming election, as with all elections, will turn on the questions of trust and credibility. That is how the Government will be judged. People remember full well—

Mr. Rod Richards (Clwyd, North–West): Will the hon. Gentleman give way?

Mr. Darling: I shall certainly give way to the hon. Gentleman on matters of trust. He will remember that at

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the last election he, along with other Conservative Members, promised that a Conservative Government would cut taxes year on year and would not increase value added tax. Yet the incoming Conservative Government deliberately broke those promises. The Bill reflects the continuing saga of broken promises. We have had 22 tax rises since 1992. We have had VAT imposed on gas and electricity. National insurance contributions have increased. These increases are why the Conservative party is in so much difficulty.

No one trusts the Conservatives on tax or on the economy. Indeed, the Bill introduces seven further tax rises. Despite what the Chief Secretary had to say, and despite what he says generally about cutting taxes, the Bill, when enacted, will lead to the implementation of more new taxes. The penny off income tax and other such measures are more than offset by increases in indirect taxes. The Red Book shows that in the next financial year about £350 million more will be raised in taxation.

Mr. Richards *rose—*

Mr. Darling: I shall give way to the hon. Gentleman if he tells us why he stood on a manifesto at the last election that promised to reduce tax year on year and not to increase VAT, and when returned to the House voted to increase taxes. Will he tell us why he did that?

Mr. Richards: The hon. Gentleman would have a windfall tax. The right hon. Member for Sedgefield (Mr. Blair) said at the weekend that he had taken legal advice on the propriety of introducing such a tax. That suggests that the Leader of the Opposition must have given counsel specific details of the proposed tax. Will the hon. Gentleman tell the House when he and his right hon. Friend will make those details known in public?

Mr. Darling: As the hon. Gentleman will not answer questions about his broken promises on tax, he might be better advised asking Aims of Industry and the right hon. Member for Peterborough (Dr. Mawhinney), the Chairman of the Conservative party, to publish the legal advice that they were spreading about in newspapers over the weekend.

It is interesting that one of the lawyers who apparently wrote that legal opinion telephoned the *Daily Mail* to express his concern that his and his fellow lawyers' opinions were being distorted by Aims of Industry and the Conservative party. If the Conservative party is to rely on such a bogus opinion, it is no wonder that people do not trust it. What we saw at the weekend was not a legal challenge but a political challenge. I understand why the Conservatives are taking that course. Their paymasters—some of the fat cats whom they have been protecting for many years—are increasingly fed up and frustrated at the inability of the Tory party to make any impact on the proposed windfall tax. It is no wonder that they summoned the chairman of the Tory party, gave him a dressing down and asked him why he was not doing more to try to advance his cause. The Conservative party will not be able to advance its cause if—

Mr. Richards *rose—*

Mr. Darling: I shall not give way. The point has been adequately and completely answered.

Conservative Members might do well to sit in a period of quiet humility and to listen, given the record of the hon. Member for Clwyd, North–West (Mr. Richards). Let them reflect on what the Finance Bill will do. It contains seven further tax rises. Council tax is due to increase by £4 billion. Insurance premium tax will be increased from 2.5 to 4 per cent. Air transport tax will be doubled. Tax relief on profit-related pay will be abolished. All that is equivalent to 8p on the basic rate of income tax for someone on average earnings. Prescription charges will be increased, as will fuel duties and tobacco duties.

Since the last election, despite what the Conservative party promised, taxes have increased. The typical family is paying £2000 more in tax than it was at the last election.

Mr. Waldegrave: Will the hon. Gentleman give way?

Mr. Darling: I shall give way to the Chief Secretary, but I want him to answer this central question: why should anyone believe what the Conservative party has to say about tax this time round when it made the same promises to reduce taxes in 1992 and then broke them? Why should anyone believe the Conservative party? Let the Chief Secretary answer that question.

Mr. Waldegrave: The hon. Gentleman is doing what Labour Members always do. He is parading a list of proposals that it is popular with certain groups to oppose. He said that it is a disgrace that we are abolishing profit-related pay, and that that is a new tax. If he were sitting on this side of the House and were introducing a Finance Bill, would he reintroduce the old system of PRP? Or is he saying to people who are lobbying for the maintenance of the allowance that he is on their side, but is not giving them a pledge to do anything about it? I suspect that the latter is his position.

Mr. Darling: The right hon. Gentleman must realise that anything said in the House is recorded in *Hansard* and is widely available throughout the world. The idea that anyone would say something in this House and hope that it would not be picked up somewhere else is nonsense.

My right hon. Friends and I have no hesitation in making it clear that we are not promising that if we are returned to power after the next election we will restore everything that the Conservatives have abolished in the past 18 years.

Mr. Waldegrave: Will the hon. Gentleman give way?

Mr. Darling: I shall give way in a moment.

We have different priorities: we believe that there is much that the Government should be doing—for example, in education and in encouraging people at work—that they are not doing. It has never been our position that we will undo everything that the Conservative Government have done and rectify every broken promise.

Mr. Waldegrave *rose—*

Mr. Darling: I shall give way in a moment, if the right hon. Gentleman can contain himself. If he sits and contents himself for a few moments, I shall make it clear that the state of the public finances and the Government's

conduct of economic affairs are such that people know that the damage that they have done in many areas cannot immediately be remedied. It is not as if any Government who come into office discover that there are no difficulties and no obstacles to putting right the matters that they would like to address. The right hon. Gentleman's point is nonsense, and he still has not answered the central charge.

Mr. Waldegrave *rose—*

Mr. Darling: I promise the right hon. Gentleman that I shall give way in a moment. I enjoy a good debate, and we have several hours to discuss these issues. He still has not dealt with the central point. At the last election he and his colleagues promised that they would reduce taxes year on year. They said that they had no plans to extend the rate or scope of VAT and no plans to increase national insurance. They broke those promises, so why should people believe them again?

Mr. Waldegrave: We are making some headway. The hon. Gentleman said clearly that he will go on attacking us for abolishing PRP, but he will not restore it. That is an exact summary of Labour's methods in general.

Mr. Darling: I shall carry on exposing the fact that the Conservative party broke the promises that it made at the last election. It broke its pledge on profit-related pay, and as a result 3 million people will be worse off. We are entitled to attack the Conservative party on that, just as the right hon. Gentleman and his right hon. and hon. Friends are entitled to criticise our policies.

The Financial Secretary to the Treasury (Mr. Michael Jack): What is the hon. Gentleman's view on profit-related pay?

Mr. Darling: I am happy to refer the hon. Gentleman to the numerous remarks that I have made on PRP. We have always supported the principle of ensuring that people working in any organisation or any factory have a stake in the enterprise that employs them. That is why we support the extension of employee share ownership and the principle behind the profit-related pay scheme.

Two years ago, when I first spoke about this matter, I expressed concern about the fact that the scheme was being abused and that the cost was rising uncontrollably. At that time, Conservative Members ridiculed our concern and suggested that we were irresponsible to express it. Conservative Members cannot get away from the fact that they tolerated abuses of the system for far too long, which is why they were eventually forced to scrap the scheme. It was not scrapped because it was a temporary scheme, as the right hon. Gentleman said, but because the Conservative party had so operated it that it could no longer afford to continue it in its present form. The Government have not told us whether they still believe in the principle or will come up with an alternative proposal. We shall wait and see.

There is one piece of good news—we should all be thankful that the Bill is shorter than last year's: it contains only 111 clauses. Much detail will have to be attended to in Committee. It is worth noting, however, that since 1979 there have been 4,596 pages of new legislation in Finance Bills, more than half of which have been produced during the current Parliament. Taxpayers, particularly business taxpayers, want stability; they do not want constant change.

Let me place it on record that I welcome the news that the work of the tax law review committee—of which I was a member, although I have now resigned—will be continued by a committee chaired by Lord Howe, but containing a widespread membership. I hope that that committee will be able to further the process of simplifying tax legislation; I think that hon. Members on both sides of the House would welcome that.

Every Second Reading of a Finance Bill must take place against a background of the performance of the economy. Today, the Chief Secretary gave us a familiar litany of claims that the Tories make. Let us examine them, for they do not bear close examination.

The right hon. Gentleman said that his was the party that was delivering lower taxes. Well, his sense of humour has certainly not deserted him. Although one particular rate of one particular tax fell by one penny, what the Government gave with one hand they took away with the other. As we see in paragraph 16 of the Treasury Committee report, published last night, Mr. Andrew Dilnot of the Institute for Fiscal Studies said:

> "There is very little difference between the direct impact in this year's Budget and last year's Budget . . . the gains rise with income".

It is interesting to note in the same paragraph that Professor Tim Congdon, who is no great friend of the Labour party, raised a "wider issue", saying that

> "the main problem with the tax system was to be found at the low end of the income scale where people could face 100 per cent. marginal tax rates because of the interaction of the social security system and the tax system."

That problem, he said, could not be tackled by simply "tinkering at the margins".

So there we have it. The Chief Secretary tells us that this is a tax-cutting Budget, but the people and the House know that that is not the case. According to the Government's own Red Book, in 1979 the proportion of gross domestic product that went on tax was 35.5 per cent.; in the coming financial year, it will be 36.25 per cent. The Government's claims about tax, just like their claims about everything else, simply do not stand up.

The Chief Secretary tells us that we have the best prospects for a generation. What is the Conservatives' time scale? Is it today, this month or this year? What sort of generation have they in mind? When we examine their record over the past 18 years, we find that Britain has fallen from 13th to 18th in the world prosperity league, and there are already signs of cracks in the recovery: there is the threat of higher inflation.

Paragraphs 13 and 14 of the Treasury Committee's report say that the Government's claims in that regard lack credibility. It is worth noting that the report of the Committee, which still contains a Tory majority, is the most grudging "MOT" that I have ever seen in respect of a Finance Bill. The doubts felt by that majority, and indeed by the whole party, are spread throughout the report. It will be interesting to hear whether what is said by the hon. Member for Carshalton and Wallington (Mr. Forman)—who usually takes a refreshingly honest view of these matters—will bear that out. Tory Members

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do have doubts about the whole credibility and basis of the stance that the Government are taking on the Finance Bill.

Mr. Nigel Forman (Carshalton and Wallington): The hon. Gentleman is right to say that we paid attention to inflation in the Select Committee report, but the amendment that stands in his name also refers to

"a long-term commitment to low inflation".

What does that mean to the Labour party, in precise terms?

Mr. Darling: It means precisely what it says. We believe that it is essential for the country to maintain low inflation, something that has not been possible over the past 20, 30 or 40 years. If there is a political consensus on that, I think that it will be welcomed by most people outside carrying on their day-to-day business, such as pensioners and those on low incomes. But the point that I am making—one of the points that comes across from the Select Committee report—is that there is some doubt about whether that is likely to happen under the present Government's policy. We have seen higher interest rates, and there is the threat of more to come. Despite what the Chief Secretary said, there have been higher mortgage rates: they have already been announced, at the end of last year and the beginning of this year. People want stability.

Mr. Nicholas Budgen (Wolverhampton, South–West): Will the hon. Gentleman give way?

Mr. Darling: No, I must make some progress. I will certainly give way to the hon. Gentleman later.

The idea that this is the only country in Europe with low inflation is simply not true. We are 11th out of 15 in the European inflation league. Only Greece, Italy, Portugal and Spain are behind us. It is a perfectly legitimate point to make because we are always being told that Britain is the enterprise centre of Europe. Indeed, in its report presented last night, the Select Committee expressed concern about the output gap.

The Chancellor forecasts that inflation will fall from 3 per cent. to 2.5 per cent. Is that credible when, in each of the past few years, the Government's forecast has not been met? The Bank of England is still expressing doubts and concerns, yet we are asked to believe the Chancellor. His whole strategy depends on inflation being down to 2.5 per cent. or less. His costings depend on it. Having regard to his record, can we believe him on that?

As I said, if we consider long-term interest rates, which are a good indicator of international expectations, we find that UK long-term interest rates are higher than those of any other OECD country. Surely that should tell the Government something. It tells us that not only in Britain and in the Labour party, but in the markets, people do not believe the Government or trust them on inflation because they know that the Government have delivered two of the worst recessions since the war, which has hit home owners, businesses and all taxpayers alike. It is essential that we deal with that fundamental weakness in our economy and the causes of the long-term inflation, and that the long-term culture and long-term outlook is achieved not just in business—which all of us keep calling for—but by politicians and Chancellors.

Mr. Budgen: The hon. Gentleman talks about the need for stability in interest rates, so will he explain whether the Labour party is against any increase in interest rates between now and, say, 1 May?

Mr. Darling: We have always made it clear that the appropriate action must be taken to ensure stability. The hon. Gentleman might want to direct that question to the Chancellor to find out what he has to say on the matter.

The Chief Secretary told us that unemployment was coming down and of course the number of people entitled to claim benefit is falling. We certainly welcome people leaving benefit and going into work. People know of course that there have been 32 changes to the way in which the Government calculate unemployment. We know that one in three people who disappear from the register disappear completely. There are 1 million fewer jobs since the Prime Minister took office in 1990. It is no wonder that people do not feel good about the economy. Nor do they believe his claim that living standards are up.

There have been tax rises. In 1994 and 1995-96, living standards fell, as the Chief Secretary had to admit last year. Of course, when living standards fall, it is always someone else's fault, yet when people's circumstances begin to improve, through their own hard work and efforts, the Tories try to claim credit for it. The fact is that in Britain we have an overlay of job insecurity, which is causing immense social and economic problems. The Secretary of State for Trade and Industry may say that job insecurity is "a state of mind", but it is a reality for millions of people and a problem for all of us.

The Chief Secretary says that we have a fast growth rate. The average growth rate since 1979 has been the slowest of the G7 countries and slower than that of any other major European country. Over that period, the annual growth rate was only 1.9 per cent. Under the last Labour Government, it was just over 2 per cent. Far from being the enterprise capital of Europe, Britain is ninth in the European prosperity league.

There is an interesting statistic on inward investment. In 1995, 60 per cent. of inward investment was in the form of takeovers of UK companies and, in the same year, a fifth of the total was accounted for by the fact that two privatised utilities had been taken over by American companies, so when the Government tell us that this is the capital of inward investment, we must consider those figures closely. In doing so, we realise that, to a large extent, they are due to the fact that there has been much takeover activity because the Government sold off the assets at knockdown prices.

Like other Tory tax Bills, this Bill is about tax raising. The Government's credibility depends on the central promise that they broke. It is worth reflecting—because those promises will be made again and again—what the Prime Minister told the *Los Angeles Times* about a year after he won the election. He said:

"I said the day after we won the election, with a number of people around me, 'within the next 12 months the Government will be the most unpopular we have seen for a long time'".

Why did he say that on that Friday, the day after the election? The same Government had told the rest of Britain that, if people voted Conservative in 1992,

the recovery would begin on the Friday. On the same day as the Conservatives were telling the people that the recovery would begin, the Prime Minister in private was telling his Conservative party cronies that they would be the most unpopular Government in a long time. That is an example of a Prime Minister who is condemned by his own words. Why should we believe him this time when he said that in 1992?

In 1992, the Prime Minister told us:

"The signs are already there: better retail sales figures; encouraging signs for the motor industry; and positive evidence from the CBI . . . All that is needed is the confidence which will come with the re-election of a strong Conservative government. Britain's economy is now poised to bounce back."

That is what he is saying in 1997, but we know the truth of what happened in 1992: he said one thing in public and another in private, which is exactly what will happen this time.

Mr. Den Dover (Chorley): Will the hon. Gentleman give way?

Mr. Darling: I will for the last time.

Mr. Dover: Does the hon. Gentleman accept the official statistics, which show that growth in the economy started in the third quarter of 1992, showing that the Prime Minister was absolutely right? The recovery started almost immediately after the general election.

Mr. Darling: The reason why the Prime Minister said that the Government were going to be unpopular was that he knew full well that they had made promises that they could not have kept. Here are some of them. On 22 March 1992, he said:

"The difference between the parties on tax is clear, the Conservative Party would cut direct taxes."

The proportion of people paying indirect taxes has gone up. He said the next day:

"We do not see any need to increase the tax burden."

The tax burden has gone up. The Chief Secretary had to admit to me in a parliamentary answer that since 1992-93 direct tax had gone up. He has also had to admit that indirect tax—taxes on spending—has gone up, so there we have it: under the Tories, there is more tax on income, more tax on spending and more tax in total. There have been 22 Tory tax rises. No wonder no one believes them at all.

It is the same with VAT. The Chancellor may say that he has no recollection of having made a promise, but the Prime Minister did. He said that he had

"no plans to increase value added tax."—[*Official Report*, 28 January 1992; Vol. 202, c. 808.]

He said that there would be no VAT increase and that the Conservatives had

"no plans and no need to extend the scope of VAT",

yet he broke that promise. That has also happened with insurance premium tax, airport tax and other taxes. They have gone up under the Conservative party.

There is a clear pattern as we approach the Tory party's bid to win a fifth term. Not only is tax going up on income, but it is shifting to more and more taxes on spending—they are both going up. There is a clear strategy to pay for reductions of one particular tax—the basic rate of income tax. Indirect and hidden taxes will go up.

Lord Howe said in his first Budget in 1979, when he doubled VAT—despite having promised not to do so—that that was his strategy. The present Chancellor said:

"The Government's clear policy has always been to shift the burden of taxation, over time, from income to spending."—[*Official Report*, 30 November 1993; Vol. 233, c. 938.]

The Chief Secretary said in his interview with Mr. Dimbleby on 1 December last year:

"what we're saying, and it's true"—

so it must be—

"is that our first priority, as we can return overall to . . . a position where we can begin to look again at tax cuts, is to relieve the pressure on income tax. There's no secret that the Conservatives, right back to 1979, have always said, 'We prefer to take tax off, direct taxation off income tax and to put it—if you have to have it—on indirect . . . all other taxes'".

There we have it. The Conservative strategy is to increase taxes such as VAT. We are entitled to ask: where are they going next? What will they do to win a fifth term? Is VAT going to go on food or clothes? They said last time that VAT would not go on gas and electricity, yet they broke that promise.

It is the same with national insurance. The Prime Minister said:

"National Insurance is a tax on talent"

so he put it up. The former Tory party chairman, Chris Patten, perhaps the next leader of the Tory party, said:

"Raising National Insurance contributions would be a back-door stealth tax."

The Leader of the House said that national insurance

"is, in fact, simply a disguised tax."

Perhaps that was an expression of hope, but whatever the Conservatives say on tax, people do not believe them. Nor do they believe their promises on spending, whether on the health service, on education or on borrowing. In each case, the Conservatives break their promises.

On borrowing, the Chief Secretary asked why we pick 1990. He may like to forget this, but that was when the Prime Minister was elected to office by the Conservative party. Despite what the Chief Secretary said, the national debt has doubled.

Mr. Barry Legg (Milton Keynes, South-West): Will the hon. Gentleman give way?

Mr. Darling: No.

It is no wonder that the Select Committee and others have expressed so much concern about the foundations that the Government invite us to believe are sound. Investment is growing more slowly in this recovery than in any recovery this century. People lack the education and skills that they need and we are 42nd in the world skills league. One in five families are without work, a higher proportion than in Germany, France or the United States, and our national and individual wealth continues to fall.

We need a platform of stability that is based on tough rules on spending and borrowing. We need a programme that will help to get the young unemployed and the long-term unemployed back to work. We must increase

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our education standards and opportunities, encourage longer-term business investment and reduce the barriers that face people who leave benefit and enter work.

Our amendment and our published policy set out our approach, which is economic stability, a commitment to low inflation and sound public finances. People want stability and they look to the Government whom they elect to act on their behalf to ensure the right conditions for high investment. People want the Government to provide an education service that will benefit everyone and not just the few. They want people to be equipped with the new skills and training that they will need in future because in a world in which capital is increasingly mobile, our skills and training will mark Britain as a place to invest.

People want a Government who are prepared to overhaul and modernise the welfare state and bring about conditions that will increase investment in our infrastructure and end the scandal and waste of long-term unemployment. They want a Government who will prepare the country for the future and end the economic and political drift of the past few years. They want a Government with strong leadership and a clear sense of purpose and direction who will deliver on their promises. That is what people will get with a new Labour Government.

4.51 pm

Mr. David Willetts (Havant): I welcome this opportunity to support the Bill from the Back Benches. I congratulate my right hon. and learned Friend the Chancellor and the Treasury team on their overall Budget judgment. The Budget has delivered not just the fifth year of a growth rate that exceeds that of Germany and France, but the prospect of continuing to improve on that performance. We can carry on beating the over-regulated, over-taxed and over-subsidised economies of the continent.

Despite what the Opposition say, our sound control of public finances has enabled us to hold down taxation. The figures in the Red Book are clear: the proportion of GDP paid in taxes in 1991-92 was 36.25 per cent. and it will be the same in 1997-98. The proportion of family income in tax and national insurance contributions was 20.7 per cent. in 1991-92 and it will be the same in 1997-98. Meanwhile, we have lowered the basic tax rate, reduced tax on savings and taken many families out of tax altogether.

Mr. MacShane: The hon. Gentleman is in want of a little information. Is he aware that in France a family with two children has to earn about £15,000 a year before it starts to pay tax? That is why family stability in that country is stronger than in our family-unfriendly country. On what income does a United Kingdom family with two children start to pay tax?

Mr. Willetts: I shall return to the subject of family taxation if time permits. I should like to deal with the underlying control of public expenditure which enables us to hold down taxation and deliver the economic conditions that are described in the Red Book. Low taxes and continuing growth can be achieved only by holding down public expenditure.

During my brief period as Paymaster General, I discovered that one of the responsibilities of the post is signing the cheques. Such responsibilities for actually disbursing public expenditure still fall by statute on the Paymaster General. I understand that his signature appears on about 17 million cheques a year. People used to come to me in my constituency or at parties and say, "Thank you for the cheque." The average Opposition Front-Bench Member imagines that that is what being a Minister is all about, or at least it is what he or she thinks it should be about—signing cheques and handing them over in the hope that they will be warmly welcomed. In reality, a Government can deliver the low taxation that we now enjoy and our current rate of growth only by prudent public expenditure control.

At Prime Minister's Question Time today, we saw how Labour approaches the issue of public expenditure control. In the health service and in education, Labour assumes that the solution to every problem is more public expenditure. We have costed Labour's public expenditure pledges at more than £30 billion. When we published that figure, Labour immediately produced what it called a rapid rebuttal and denied the 89 public expenditure pledges that we had identified, not from dog-eared Labour documents but from specific statements by the Leader of the Opposition and the shadow Chancellor.

In its rapid rebuttal, Labour said most of the time that its public expenditure pledges would be met from existing resources. That may be rapid, but it is not a rebuttal. People cannot say that they will give sabbaticals to teachers for a term every 10 years but that there is no need to worry because it will be financed from existing resources. That is not a responsible approach to the control of public finances and, without such an approach, there will be no prospect of continuing to deliver low taxation and sustained economic growth.

Mr. Darling: People follow our proceedings, and it must be put on the record that the document produced by the Conservative party about alleged spending commitments was utter rubbish. Each of the allegations made against us was refuted. The hon. Gentleman is an honourable man. He and I have had many conversations and we disagree on some issues. I do not want to be rude to him, but I caution him against repeating things that he must know to be untrue.

Mr. Willetts: The hon. Gentleman knows that many of these so-called rebuttals by the Labour party consisted of assuring us that the expensive spending pledges—I gave a specific example—could be met from existing resources. I invite the hon. Gentleman and his fellow Opposition Treasury team members to explain how they seriously imagine that the expenditure pledges that they have put before the electorate in the past few years could be met from existing resources.

Dame Elaine Kellett-Bowman (Lancaster): Does my hon. Friend recall that Labour spelled out precisely how it would pay for one pledge? It said that school classes of 30 would be paid for by abolishing assisted places. That would give one teacher per seven schools.

Mr. Willetts: My hon. Friend is correct.

I should like to deal with some of the specific measures in the Bill which I welcome. The first of those is the approach to environmental taxes. In an earlier Budget,

there was an imaginative approach to the problem of landfill sites which, as we all know, are often the bane of neighbourhoods because of the pollution they generate. In this Budget, the imaginative measures on vehicle excise duty and the taxation of hydrocarbons will mean that the particulates which are emitted, especially from diesel engines, will be reduced by a further 10 per cent. That is a good example of exactly how we can use the power of the tax system to deliver policy objectives that I am sure are shared throughout the House.

The second welcome measure in the Bill is an apparently obscure item on the depreciation of long-life assets. The philosophy on which the proposal rests is that, whenever possible, we should try to align the rules of the tax system with the accounting rules under which companies describe their financial affairs. As we all know, the 25 per cent. capital allowance in corporation tax for some investment is much more generous than the rate of depreciation that accountants, in preparing companies' accounts, would regard as appropriate for some particularly long-lived assets. I therefore welcome the proposal to reduce capital allowances on long-life assets from 25 to 6 per cent.

The measure has one interesting side effect. Some of the companies that will be paying the higher rate of corporation tax, because they have a particularly large number of such long-life assets, are utilities. In the past, some of the utilities have benefited from a clear distortion in the corporation tax regime, because they were allowed to depreciate their assets for corporation tax purposes at a much better rate than any sensible accountant would have expected them to depreciate in the accounts.

Mr. Sheldon: The hon. Gentleman is right: an argument can be made for ensuring that tax rates follow true rates of depreciation. I believe that there should be some incentive to invest. However, even on the basis of tax rates following the true rates of depreciation, does he not understand that the 25 per cent. rate on many items of machinery and, particularly, of plant does not provide such an incentive? Few articles of plant and machinery are worth 75 per cent. of the price after the first year and, in some cases, 25 per cent. represents the commission that a salesman might receive. Therefore, true depreciation is much greater than the depreciation allowed by tax.

Mr. Willetts: That is a very interesting point. However, in his initial remarks, the right hon. Gentleman seemed to accept that, on his argument, although a 25 per cent. rate sometimes was too low, on other occasions it might be too high. I hope that I may interpret his remarks as a guarded welcome for the proposal to reduce the rate from 25 to 6 per cent., although I accept that he believes that there are arguments for increasing the 25 per cent. rate.

Mr. Sheldon: I must apologise, as I did not get my point across. I believe that there should be an investment incentive on certain types of plant and machinery, and that the tax depreciation should be greater than the actual depreciation.

Mr. Willetts: The right hon. Gentleman and I will have to agree to differ on that point, because I think the 1984 corporation tax reforms, which attempted to introduce a set of capital allowances in corporation tax that were closer to normal accounting conventions, made a lot of sense. The old regime of providing very generous allowances and then a very high rate of corporation tax was much inferior to our current regime of a lower rate of corporation tax and more sensible allowances.

The proposal to move down to 6 per cent. for long-life assets makes a lot of sense, and will ensure that some of the utilities that benefited in the past from a distortion in the corporation tax regime will in future pay more corporation tax. That approach to taxation of the utilities is in striking contrast to the Labour party's proposals for a windfall tax, which lacks any such logic.

I should briefly review some of the arguments that Labour has made in favour of a windfall tax and contrast them with the proposals in our Finance Bill. One of the arguments made in favour of the tax is that, whatever problems there may be with retrospective legislation, Conservative Members must still take responsibility for the retrospective measures in the 1981 Budget—the so-called "bank tax". I served in the Treasury in 1981 when that tax was formulated and was involved in many of the fraught meetings with representatives of the banking industry, who came along vigorously to complain about that tax. I still have scars on the back which were inflicted at some of those meetings, when those representatives vehemently expressed their opposition to our proposals in that Budget.

The 1981 bank tax is very different from the Labour party's proposals for a windfall tax. The first difference is that we were clear on the basis on which a tax should be levied. It was a tax on the non-interest-bearing sterling deposits held by all banks in the United Kingdom, and there was no attempt to discriminate between banks on the basis of their status—whether they were foreign or domestic—their circumstances, or their history. The measure was based on agreed and published banking statistics showing the non-interest-bearing deposits held by the banks.

There was a genuine windfall element in that tax because interest rates had risen so high—at one point, they reached 17 per cent. Banks were taking in deposits on which they were paying no interest and were earning interest, sometimes of more than 20 per cent., on the loans that those deposits financed. We formulated a clear, simple measure specifying that the tax on banks should collect 2.5 per cent. of the value of those sterling deposits. The measure was clear and precise, it was introduced at the same time as the banks were making excess profits, and it was based on agreed statistics that had long been prepared and published before by the Bank of England.

I can do no better than quote from the Institute for Fiscal Studies, which has examined the possible analogies between our bank tax and Labour's proposed windfall tax. It states:

> "The special tax on bank deposits had the merits of being applied to a well-defined set of firms and of being charged on a tax base that was coherently related to the reasons given for introducing the tax. It also had the advantage of being introduced at around the same time as the banks were earning these windfall profits, and not several years later.
>
> In contrast, it is not at all clear which privatised firm will be liable to the windfall levy, or what basis would be used to decide how much each firm would be charged."

There is a clear difference between the approach in our 1981 Budget, although many Conservative Members regretted the element of retrospection, and Labour's extraordinary proposals, many years after the event, for a windfall tax on the utilities.

[Mr. Willetts]

Labour needs to answer some pertinent and essential questions about the tax, such as how much it is supposed to raise. Will it be £3 billion, £5 billion or £10 billion? Which companies will pay it? Will it be, as the Leader of the Opposition said, "privatised monopoly utilities"? That is what Alastair Campbell—who is presumably the most authoritative spokesman available on Labour policy on these matters—said in his notorious letter to *The Independent*. Or will it be, as the shadow Chancellor said, "privatised utilities"—deleting the "monopoly" word? British Telecom, BAA or the electricity generators would find themselves taxed under the proposals that the shadow Chancellor wants to introduce, but apparently would not be taxed under the proposals supported by Labour's chief spin doctor and the leader of the Opposition.

Mr. MacShane: I am grateful to the hon. Gentleman for giving way once again. He is making incredibly heavy weather of this matter. I have no doubt that when, in a few weeks or months, my hon. Friends are sitting on the Government Benches, they will provide answers to the detailed questions he has asked. May I ask him whether he is against the principle of a windfall tax?

Mr. Willetts: I am certainly against the principle of a windfall tax on the utilities, and I have explained why that case is very different from the windfall tax on banks which we introduced in 1981.

Those are important questions to which leading firms in our country are entitled to know the answers, and they are questions that any serious political party about to put its prospectus before the electorate should be expected to answer. The windfall tax is the core of Labour's tax strategy, and it is the pot of gold that Labour says will enable it to finance all the public expenditure pledges that it has made to the electorate. Will corporation tax be taken into account in calculating liability for the windfall tax on the utilities? When we introduced the bank tax, we deliberately decided to set it completely independently of corporation tax. No corporation tax payments were relevant to the liability for bank tax. Will the same apply with this tax? That question is particularly relevant to British Telecom.

How would Labour handle the question of state aid? What about those firms in the same business that were never nationalised—

Mr. Andrew Miller (Ellesmere Port and Neston) *rose—*

Mr. Willetts: I am sorry; I shall make a bit more progress.

What about those firms that were nationalised and, therefore, never privatised, such as some private water companies, for example, which presumably would not pay the tax? Under agreed European Commission rules, they would be regarded as beneficiaries of a negative state aid. A discretionary tax would be borne by some of their competitors in their industry but not by them. What has Labour done about the response to that problem from the European Commission? We know that, because French companies own some of those utilities, the French Government are extremely unhappy about the proposal.

We have been told how close the Labour party is to President Clinton's Democrats. When talking to its friends in President Clinton's Administration, does Labour just swap notes on what its focus groups say or does its friends raise the worries about the proposal felt by American businesses that have bought into the British utilities? We know that in America they are particularly unhappy with anything to do with retrospectivity. There are rumours that the first thing that would happen in the event of a trade war, which the tax would unleash, is that the American authorities would block the British Telecom merger with MCI to form the new firm, Concert. Does the Labour party believe that that would happen? How would it be handled?

We have heard from the leader of the Labour party that it believes that it is important for all of us to do our homework. If that is so important, will Labour's Treasury team do its homework on this proposal? We are all entitled to know the answers to those practical questions.

Mr. Miller: If the hon. Gentleman wants to make so much about Labour's tax on the utilities and is drawing a comparison with the 1981 tax on the banks, perhaps he would be kind enough to tell the House where a reference to that tax appears in the 1979 Conservative manifesto—which clause and which paragraph?

Mr. Willetts: Although there was no reference in the 1979 manifesto, there was a clear reference in the 1980 Budget. The then Chancellor, now Lord Howe, made it clear in his 1980 Budget that he was considering the possibility before it was introduced in 1981; so the possibility of a bank tax was publicly ventilated and the pros and cons were set out in the 1980 Budget speech.

We know what the Labour party says when pressed on these practical questions about tax. I have the Labour party's briefing document, which says:

> "We have made no public comment on the nature of the levy, its expected yield or the distribution of the levy and have no plans to do so until we have consulted the regulators in government."

The Labour party's defence is that these are difficult issues which have to be discussed with the regulators. If that is the Labour party's line, how can it explain what appears on the following page of that same briefing document? When confronting the question about legal obstacles to the tax in the European Court of Justice and the European Court of Human Rights, the document says:

> "Our investigations have confirmed that there are no financial, technical or legal obstacles to the introduction of the tax."

How can the Labour party know so much about the tax that it can assure us that it will not encounter any legal obstacles, yet, at the same time, know so little that it needs to consult the regulators and will not answer any of our questions until then?

Mr. Butterfill: Does my hon. Friend agree that the principle of the proposed tax undermines the position of the regulators in their judgment about the policies that will need to be pursued in the future? The regulators must make economic judgments about the profitability of the companies concerned and the public interest, but the tax would undermine those judgments.

Mr. Willetts: My hon. Friend is right. The tax involves a fundamental transformation of the way in which we

have regulated the utilities. Our deliberate decision when we set up the regulatory regime was not to make the mistake that had been made in America, where they have rate of return regulation. We wanted to regulate prices; if a company could do well and improve its performance, it could make better profits as a result. The proposed tax is about shifting to rate of return regulation. In the long run, that will bring back all the old inefficiencies, the gold plating, the unjustified expenditure and the excessive expenses that the American regime has inflicted on America. Sadly, if the Labour party took office, it would be the end of the basis on which the utilities have been regulated so far. There would be a reversal of our fundamental decision not to go down the American line. I do not want to detain the House for too long. The one thing that has been noticeable during my remarks about the windfall tax is that there has been no attempt by Opposition Members to answer any of the practical questions about how the tax would work.

Labour Members say that they need to raise this unspecified sum to finance an ambitious training programme to get the long-term unemployed back to work. That brings us to another element of the Budget, because it raises some important questions about how we think that we can bring down unemployment in this country. Since there are more than 4 million unemployed in Germany, more than 3 million unemployed in France and less than 2 million unemployed in this country, one might think that this Conservative Government know something about the right policies for bringing down unemployment.

I must tell Opposition Members that training for the unemployed is much exaggerated as a way of getting people back to work. Of course training is a good thing, and we need training so that people can earn high incomes on the basis of their skills. However, the best training is done in-house by an employer for a known employee so that that employee can increase his contribution to the firm's output.

Sadly, training schemes aimed at the unemployed can have the opposite result to the one intended. Unfortunately, there is evidence to show that, when training is oversold and unemployed people are told that it will transform their job prospects, they end up expecting higher pay than they will be able to command in the labour market. In an experiment in America, one group of unemployed people was offered no training and a second group was offered training. Subsequently, the group that did not receive the training did better at finding work. The training had, to use the language of economics, increased the reserve wage of the unemployed people by more than it had increased their value.

We need a flexible labour market that helps people into work and provides on-the-job training. If we have succeeded in creating such an economy, we should see that, once people find work, they will enjoy significant increases in their living standards and their pay.

Sir Ralph Howell (North Norfolk): I am interested in my hon. Friend's argument. Will he explain why the Government's excellent scheme on workstart, which is in line with what my hon. Friend is suggesting, has not been introduced nationally? That is crying out to be done.

Mr. Willetts: My hon. Friend has a distinguished record of proposals in this area. Project work, which is very much modelled on my hon. Friend's thinking, is being expanded this year to cover 100,000 people. However, in this aspect of policy we have learnt that it is better to experiment and run pilot schemes to find out what works rather than rush too soon to a national scheme.

A labour market that works—ours does work and that is why we have such low unemployment levels—would be one in which we would expect people to find their jobs and then, as a result of training in work, to boost their income.

An OECD study on income mobility found that, across the whole of the OECD, upward mobility among young people was greatest in Britain, where 62 per cent. of under-25s moved up at least one income band—during the period of the study, which was 1986 to 1991. In America—we are often told how terrible things are there—54 per cent. managed to increase their incomes and in Sweden, the type of country which the Labour party likes to copy, only 39 per cent. of young Swedes managed to move to a higher income band in that period. In other words, our policies help people into work and enable them to enjoy higher incomes once they are in work.

Alongside the measures on environmental taxation, long-life assets and the elimination over time of the tax distortion of profit-related pay schemes, there are other tax measures not in the Budget to which I hope that we can look forward in future Budgets delivered by the current Treasury team. I particularly hope for further reform of capital taxation.

Capital gains tax is a classic bad tax. It is imposed at a high rate on a narrow base. Many people have complained about the effect of the 40 per cent. capital gains tax rate on incentives for investors. Following that pressure, over the past few years ingenious new allowances and exemptions have been created. I do not like a tax levied at 40 per cent. with so many allowances and exemptions that only those who have planned their affairs badly pay that rate. That is not a good tax; it is exactly how a tax should not be structured.

Even if Treasury prudence means that it will be some time before capital gains tax can finally be abolished, I hope that, in the interim, we can have a more broadly based tax levied at a lower rate. There are some useful proposals in the Budget on the reform of capital taxation. I hope that we can make further progress on that in our fifth term.

5.21 pm

Mr. Robert Sheldon (Ashton-under-Lyne): The hon. Member for Havant (Mr. Willetts) spent more time on the Finance Bill that my right hon. Friends will introduce than on that before us today. He made heavy weather of the windfall levy on the utilities. I accept the need for the kind of consultation that he had with the banking community when the banking levy was introduced, but that is a matter for a Government. No Opposition, however much advantage they may have in experience or understanding, can copy the work that is essential for a Government. The necessary consultation with the utilities and other interested parties will obviously be an essential part of the work of my hon. Friends when they form the Government. I look forward to the Finance Bill and the debates that will follow, when we shall find out how successful my hon. Friends have been in meeting some of the obvious comments that are bound to be made as a result of their initiative.

[Mr. Robert Sheldon]

My first thought on receiving the Finance Bill was that it was in one volume only. It is still too large, but it is more manageable than those that we have received in the past. There has been an inflation of expectation with Finance Bills and I am grateful for this year's reduction.

In Somerset House, there was—there may still be—a room in which all the Finance Bills and related regulations are set out on shelves. Until the middle years of the last century, one volume covered several years. The pace of change increased to annual volumes, then to several volumes for a year, then to whole shelves for each year. I fear to think how much space they now take.

Hand in hand with the inflation of the tax system has gone the army of accountants, tax advisers and all those who service that mighty engine of Government revenue. At some time the expansion will have to level out, but I fear that we may have to wait some time. Meanwhile, we are awaiting with great expectation, but some uncertainty, the simplification that this Government—like all others—talk about but fail to deliver.

When the combined tax and revenue Budget was introduced, the argument was that we would be able to relate taxes to expenditures and decide on the priorities. However, the Government overlooked the fact that to do that one would need to assess the priorities between taxes and spending and make decisions accordingly. More expenditure would mean more tax and less tax would mean less expenditure. Ideally, one might even have envisaged reducing a certain item of expenditure to provide a specific tax reduction, or increasing an item of expenditure and accepting a specific tax increase.

One can, of course, argue that all that is impracticable outside the Treasury, which alone has the means of producing the large range of options. Without the ability to trade certain items of expenditure against tax, we have a combination of little value. In fact, the new system is a disadvantage. It is not working. It jams up the legislative process and distorts what was a sensible division of the parliamentary year. We are not getting that trade-off between expenditure and taxation. We are making similar speeches to those that we used to make. In the old Budget debates it was always possible to urge certain expenditure decisions. The root of the matter is that, given the inability to increase taxes—only the Government can undertake that—the position does not make for greater parliamentary control of the decision-making process.

We could well consider returning to a spring Budget, with the Finance Bill reaching the statute book by July. One certain advantage is that debates on the economy could be spread over a wider period. It is unacceptable that, after speaking in the debate on the Queen's Speech in October and the Budget debate in November, the Chancellor makes no further speech until July, six or seven months later.

Mr. Forman: I am following the right hon. Gentleman's argument. I remember similar points being made by my right hon. Friend the Member for Worthing (Sir T. Higgins), with whom the right hon. Gentleman agrees on this issue. However, he should remember that it is always open to Opposition parties to use one of their supply days to debate the economy. It has been noticeable in recent years, when the economy has been doing well under the management of my right hon. and learned Friend the Chancellor, that Opposition parties have not taken the opportunities available to them to debate the economy. They know how strong our position is.

Mr. Sheldon: I am talking about the formal arrangements for managing such matters. That is the essential issue. Of course Opposition days can fill in the gaps, but there is no formal arrangement for a debate between those in October, November and December and those in July. I believe that there should be. I hope that that will be considered in due course.

Several commentators have argued that my right hon. Friend the Member for Dunfermline, East (Mr. Brown) will receive a splendid inheritance. That assumption is behind the speeches that we have heard and are yet to hear. The argument is that there will be low inflation, reasonable growth, a reducing budget deficit and low taxation. The reality is that those commentators have got it all wrong. We have an artificially low level of inflation because of the rising value of the pound. I know that Governments facing an election have a partiality for an over-valued exchange rate. That has always been so, because a high exchange rate makes for a lower retail prices index. Cheaper imports feed into the RPI. The standard rule of thumb that I used in my days at the Treasury was that each 1 per cent. change in the exchange rate resulted in a 0.25 per cent. change in the RPI. I was encouraged to hear that that calculation is still roughly correct.

Mr. Legg: I am interested in the right hon. Gentleman's argument. Why did that relationship not work when we left the exchange rate mechanism? The pound then floated downwards. Imports rose in value, but inflation fell.

Mr. Sheldon: There are long-term effects of such matters. It sometimes takes a long time for import prices to feed in. There is no question but that if the value of the pound is increased, imports become cheaper. Given equal conditions, such cheaper import prices will eventually feed into the RPI. There may of course be other short-term considerations, and the pressures of competition are one among them, but the general rule still applies. One can argue about the precise nature, but that is the broad direction of movement.

In the past 12 months, the trade-weighted exchange rate has risen from 83.5 per cent. on 2 January last year to 96.1 per cent. today—an increase of about 15 per cent. On the basis of the calculation by Goldman Sachs International Ltd., inflation has been dampened by about 2 per cent. So, the 2.5 per cent. target for inflation has been met only by endangering our manufacturing industry. If we accept the Goldman Sachs argument, the level of inflation today would be about 4.5 per cent. Nobody can doubt that the increase in the value of the pound has meant that the level of inflation today is much less than it would otherwise have been.

Mr. Butterfill: The right hon. Gentleman suggests that damage to export industries is an inevitable consequence of a rising exchange rate, yet that is not borne out by the examples of many other countries. If that were ultimately true, how does the right hon. Gentleman explain the success of the Japanese and German economies and their

exports? Do not successful economies throughout the world generally tend to have appreciating exchange rates? They are successful and remain so because they hold down their cost base, are innovative and have flexible labour markets.

Mr. Sheldon: If the hon. Gentleman will forgive me, he has got it a little wrong. The strength of such countries' industries brings about an increase in the level of currency. Here, the increase in the value of the pound is motivated not by the strength of industry but by the level of interest rates, to which I shall refer.

The target on which the Government have prided themselves above all others has been obtained purely temporarily and is having serious economic consequences. It is damaging our exporters and, of course, our home industry, because it is easier for people to bring in goods from abroad and compete with our industrial manufacturers to their disadvantage. There were enormous such difficulties in the 1960s when so many goods were brought in from outside this country, damaging especially manufacturers' white goods and affecting them for the whole of the 1970s and 1980s, and even now. The question is what would the RPI have been if sterling had remained at the level of 12 months ago? One can take one's choice, but Goldman Sachs' projection is probably about right.

The current overvaluation of sterling has serious dangers for our manufacturing industry, because its exports may be priced out of the market and competition in home markets may be increased. After all, manufacturing industry was saved only because of black Wednesday, which cost us billions of pounds but produced a realistic exchange rate. It was that which enabled the economy to emerge from the savage recession.

The Government are storing up trouble for the future. The only way in which our economy can really improve in the long term is through our manufacturing industry. Meanwhile, there is the benefit of the "J"-curve effect. The initial effects of devaluing are disadvantageous, as the exporter is committed to a lower value of sterling for his goods and services. With an upward movement of sterling, the invoice value to the exporter for current deliveries will be increased—but at the expense of future orders. So, for a very short time, the Chancellor of the Exchequer will find the balance of trade beneficial, but in that way he is bequeathing to my right hon. Friend the Member for Dunfermline, East an unwelcome legacy. Unfortunately, that is not all.

My right hon. Friend the Member for Dunfermline, East may find that the level of the economy is unsustainable. Apart from the increase in house prices, which is always reflected inadequately in the RPI—the level of house prices and its effect on inflationary expectation is much greater than anything that shows up in the RPI—I do not believe that we are seeing anything like a boom. We are however seeing a recovery that may not be sustained. After all, that is the reason why the Governor of the Bank of England will want a greater increase in interest rates than the Chancellor of the Exchequer is likely to find acceptable.

Even all that does not complete the problems that my right hon. Friend the Member for Dunfermline, East will inherit. There are the problems of public sector pay, too. It has held down for so long that the pressure is likely to continue to mount. My right hon. Friend will also lose the financial benefits of further privatisation. Several billions of pounds a year of family silver sales are not easily replaced. In all 18 years of office, the Government have missed the opportunity to get from industry the investment and the exports that could have produced lasting economic success. Ian Gilmour put it extremely well when he pointed out that we once had such a great opportunity, but failed to make use of it. Indeed, the opportunity was forgone to the disadvantage to the country as a whole.

It is the credit of my right hon. and hon. Friends that they have seized on the only lasting solution to our problems: investment and education—investment in industry and investment in people. The Government's 18 years might have been regarded as a little less than disastrous if they had undertaken such measures. After all, they had more than £100 million of North sea oil revenue, let alone the balance of payments advantages that flowed from it, as well as privatisation receipts. They had a unique, once-and-for-all opportunity to invest in education and industry, but threw it away. Now, in much poorer circumstances, we have to find the means to undertake the task of rebuilding this country's real wealth, our industry and the skills of our people.

I see that once again the question of company taxation is being examined. I believe that it was a fundamental mistake to change from the classical to the imputation system of taxation. The encouragement to pay dividends means that that main source of investment—the retention of earnings—is not available in the same way as the classical system allowed. Reluctantly, some years ago I came to the view that such fundamental changes in company taxation would have to be forgone. One cannot keep changing the system year after year or even decade after decade. We have lived with the present system for more than 20 years and witnessed the disadvantages of it, especially for investment. If we are to look at the matter again, it might be worth considering the arguments that were put forward at the time that the system was introduced. In any event, the level of capital allowances in the Bill does not provide the incentives to invest that we should be offering.

The increase in the rate of insurance premium tax came as no surprise. I always expected that the Chancellor of the Exchequer would follow the sound principle of first getting the structure right. I have seen the introduction of a number of taxes where revenue was the first consideration and sacrifices of structure were made. Much the best way of proceeding is to get the structure right first and the revenue later. I would be interested to hear the views of the Chancellor's predecessor but two, Lord Lawson, on the matter. He prided himself again and again on the abolition of taxes. Any comments that he makes on the insurance premium tax as well as the air passenger duty will be worth reading.

I cannot be as sanguine about self-assessment as the Government. I must confess that I have not had many inquiries from constituents on the matter, but those that I have received show a lack of comprehension about what it all means. I know that the Inland Revenue has provided much information and advertisements. I must however warn the Government that, despite all their efforts, they must be prepared for a certain level of confusion that might surprise them. I know that, as in the United States,

[Mr. Sheldon]

there will be much work for tax accountants and advisers, but such a system of help will take some time to come into effect and the cost to individual taxpayers will be considerable—in fact, much larger than many taxpayers will expect. Payment by September in each year may be subject to some slippage and I hope that the Inland Revenue will use its discretion in applying any penalties, especially in the first year. It should not be too heavy at the beginning, but give people time to adjust so that eventually they come to understand the problems involved in self-assessment.

In the words of the amendment tabled by my right hon. and hon. Friends, the Finance Bill fails to equip the country for the future. That is the real indictment of the Government that I hope to see put right in the first years of a Labour Administration.

5.39 pm

Mr. Quentin Davies (Stamford and Spalding): It is a great pleasure to follow the right hon. Member for Ashton–under–Lyne (Mr. Sheldon), who is a distinguished Member of the House and who has a long record of taking an interest in financial matters. His speeches are always thoughtful and considered, but I did not expect such a remarkable and revealing speech as we heard today. After the classic attempt, which is now typical of new Labour, by the hon. Member for Edinburgh, Central (Mr. Darling) to try to evade every question that was put to him and to avoid any commitment about the Labour party's policies if ever it came to power, the right hon. Gentleman let the cat out of the bag. I hope that his speech will be read thoroughly and carefully—and people should read between the lines of the speech—by everybody who will cast a vote at a general election some time in the next few months.

The right hon. Member for Ashton–under–Lyne is not only a living symbol of the continuity between the modern Labour party and that of the Wilsonian era, of inflation over 20 per cent., of the British disease and of the IMF bailing us out, but he made it clear today that exactly the same policies so disastrously practised in the 1960s and 1970s still lie at the heart of Labour thinking. We heard the same nostalgia for devaluation—in fact, the right hon. Gentleman delivered almost a panegyric to devaluation, so he has learnt nothing from the 1970s. It is clear that the Labour party's exchange rate policy would once again be one of secular devaluation to compensate for the productivity failure of the economy as a Labour Government began to run down the supply-side reforms that we have introduced in the past 15 years.

The right hon. Member for Ashton–under–Lyne also said—not subtly enough to deceive anybody in the House or outside—that public sector pay had been rather neglected in the past few years. What does that mean? That means that the Labour party when it comes to power will give a bonanza to the public sector trade unions which support it and continue to finance it. Now we know about another source of extravagance, fiscal irresponsibility and inflation if ever we have a Labour Government.

The right hon. Member for Ashton–under–Lyne also said that privatisation was a great mistake. I distinctly heard him say that the Government should have invested more, so the Labour party still believes that it is the job of Governments to invest. The Labour party still secretly believes that Governments should make resource allocation decisions and determine how savings are mobilised and where they are invested. We know now what will happen to the British economy if we have a socialist Government in power in a few months.

The right hon. Member for Ashton–under–Lyne also said that he did not like the tax imputation system and that it provided too great an incentive for companies to distribute their profits. What does that mean, en clair? It means that he and the Labour party want to place disincentives on companies to distribute their profits. The Labour party wishes to force companies to retain profits and it still opposes the whole concept of capital mobility. It does not believe that we should have efficient financial markets that channel cash from cash-generating industries and allow it to be mobilised in other sectors of the economy and by other firms. It believes not in mobility but—as socialism always does—in a rigidified economy in which capital is stored in the firms that generate the capital instead of being distributed around the economy.

I also heard the right hon. Member for Ashton–under–Lyne make a remark about capital allowances, to which the same principle applies. He wants to create incentives for companies to invest in fixed assets and that shows that the Labour party still has the traditional socialist obsession with fixed assets and capital. It cannot distinguish between investment in general and the purchase of plant and machinery in particular. That obsession goes back to the very origins of the socialist party and we have heard the same rhetoric for the whole of this century from Opposition Members. They believe that Governments should somehow distort capital flows.

We heard an interesting speech from the right hon. Member for Ashton–under–Lyne and I hope it will be not only read but kept by everybody until the moment when we have to take an electoral decision. What a contrast there is between that vision of socialism drawn from the past that was presented to us with such commendable frankness—or relative frankness, by the Labour party's present standards—and the picture of the actual British economy at the beginning of 1997. What a contrast there is also between those policies to which the Labour party is clearly still wedded and the policies reflected in the Budget and the Finance Bill before us.

The Budget is one in a series of sound, sensible and historically productive Budgets. In the past few years, we have steadily reduced Government borrowing. The Budget will go further towards reducing the public sector borrowing requirement. It will go further towards reducing the ratio of Government debt to gross domestic product and, at the same time, it will reduce direct taxes. It is a considerable achievement to hit all three objectives at the same time.

Mr. MacShane: Would the cherry on the cake that the hon. Gentleman is describing be Britain's entry into economic and monetary union as soon as possible?

Mr. Jack: Stirrer.

Mr. Davies: I have not yet got on to monetary policy, but I should delighted to pursue that matter in another context. My views on EMU are well known. Clearly,

if there is a opportunity to create a sound and sustainable zone of monetary stability in the European single market, and if there is an chance to achieve the resulting stability gains, the lowered costs of capital and the benefits for trade, we would be crazy to pass up such an opportunity. Whether such an opportunity will present itself we have yet to see and we will take a decision in the light of circumstances at the time.

Mr. MacShane: We will take the decision.

Mr. Davies: I can tell from the hon. Gentleman's reaction that he does not disagree with the logic of my response. I understand also why the hon. Gentleman wanted to deflect me from the original course of my speech. I was making some irrefutable remarks about the qualities of the Budget before us. If we reduce Government borrowing, we reduce the pressure on interest rates and inflationary expectations in the economy. If we reduce the ratio of public debt to GDP, we reduce the pre-emption of resources in the economy by the Government sector and allow a greater proportion of national wealth to be allocated by the productive sector of the economy. Moreover, reducing direct taxes increases the incentives for people to return to work, to train, to take overtime opportunities, to invest, to take risks and to build up businesses. Doing all that year after year creates a sound basis for a modern economy, and that is exactly what has happened.

At no time during the lifetime of any hon. Member in the Chamber—or during the entire century—have we enjoyed, as we have now enjoyed, nearly five years of continuous growth. Growth started again after the recession in the spring of 1992, so within a month or two there will have been five years of continuous growth, falling unemployment and increasing numbers of hours worked in the economy. At the same time, we have falling inflation and no balance of payments crisis. When Labour has been in power, we have scarcely enjoyed a couple of years of continued growth. Labour Governments did not achieve that very often, but they then ran straight into the bumpers of inflationary pressures and a major balance of payments crisis.

Why have we not had a balance of payments crisis during the past few years? Is that not the rather revealing dog that has not barked in the night? Why has increasing demand been satisfied from domestic sources, or—to the extent that we have increased imports in a world that is rightly becoming increasingly commercially interdependent—why have we been able to increase our exports by an equivalent or even greater rate? It can only be explained by a simple phenomenon—one which the Labour party does not want to recognise. There has been a genuine supply-side revolution in this country.

We have improved productivity and become more innovative. Management has become more professional and the work force has become more realistic, and has got away from the terrible influence of trade unionism, which was systematically opposed—and remains opposed, so far as it retains any influence—to productivity increases and to innovation. The supply-side revolution has been a direct result of the Government's policies of sound money. We have not subsidised firms—either directly through subsidies of the kind advocated by the right hon. Member for Ashton-under-Lyne or indirectly through devaluation—and we have carried through our complementary policies of privatisation and tax reforms.

Does this extremely encouraging picture mean that I will simply sit down without saying that there are any problems or challenges on the horizon? No, it does not. Anybody who looks carefully at the Red Book can see that there are one or two challenges. I believe that they can and will be met by the Government in the next Parliament. One of the challenges—or disappointments, if you like—that is perhaps most striking to any reader of the Red Book is the fact that after five years of continuous growth, social security spending continues to rise. That is clearly worrying. The rate of acceleration of social security expenditure has been modulated, but one might have supposed that after the creation of so much prosperity, the dependency ratio would fall and social security expenditure would reflect that. That has not happened.

I fear that it will be necessary sooner or later—I hope that it will be sooner—to take a radical look at the whole social security system. I very much believe that my hon. Friend the Member for North Norfolk (Sir R. Howell) is right and that there are a number of moves that need to be made and decisions that cannot be postponed indefinitely. The social security system is, sadly, full of anomalies and unfairness of all kinds, but above all it is filled with perversities. The greatest perversity is that it contributes to the problems with which it is designed to deal—unemployment, poverty and dependency. That is not good enough, and we cannot and should not continue to accept it; not only because a lot of public money is involved—although that is, of course, an important factor—but because of the profound social implications of increasing and allowing to increase the dependency ratio in our society.

We must look at how the social security system might be altered so as to reduce the disincentive to work and the incentive to become a dependant that is inherent in any social security system. One proposal that has been often promoted is to merge the benefits and taxation systems. That is superficially appealing, because it would mean that we would be withdrawing benefits as people went back to work at the marginal rate of taxation—20 per cent. or 23 per cent. at present—rather than at rates which are penally high. These effective rates of taxation approach 100 per cent. in many cases and—in some particularly anomalous cases—more than 100 per cent. However, that solution would be expensive and extremely complicated, not least because the benefits system is based on weekly assessments and the taxation system is based on annual assessments of income.

A much better way is that indicated by my hon. Friend the Member for North Norfolk: to introduce a greater element of what is popularly known as workfare. One of the great problems at present is that if one receives income support one is expected to do nothing other than possibly take work or training that occupy a very small proportion of the hours in the week. In other words, one finds oneself condemned to compulsory leisure, and that makes no sense at all. It would be far more desirable if someone who becomes unemployed—it is always a disaster in a person's life, although one hopes it is only temporary—used that leisure to take a full-time training or education course. Or he could try to find his way back into employment, perhaps by offering himself to an employer for free for a while to see whether or not he can work his way into a job. However, those options are excluded by the availability to work rule.

[Mr. Davies]

It is an obvious anomaly that when there is socially useful work to do people are being paid to do nothing, and if a person has the prospect of returning to work full time for an amount of money which, on a net basis, is not much greater than his benefit, the rewards of returning to work can be derisively small. An unskilled person may have the prospect of receiving a relatively low income if he goes back to work. Those living on benefit—including housing benefit—of between £100 and £150 a week might have the prospect of receiving £200 a week from full-time work. With deductions, we may be asking them to give up their leisure for £20 or £30 a week. Quite reasonably and rationally, many people will say that their leisure is worth more than £20 or £30 a week. Which of us in the Chamber would not say that our leisure was worth more than that? Therefore, quite rationally, people will decide to remain on benefit if they can. Such anomalies must be removed. Workfare experiments—which have shown some interesting results in a number of states in the United States and elsewhere—should be looked at urgently with a view to introducing them in this country.

The other great challenge to which I want to draw attention—and which again stares out of the Red Book—relates to health and education, and particularly health. Health and education, as I think we all know, are positive goods and demand for them tends to increase with income. If people's incomes rise, they tend to wish, naturally, to spend a greater proportion of those incomes on education and health—as well as on other positive services such as tourism and financial services, and they spend a lesser proportion of their rising incomes on goods such as bread.

There is an additional problem with health because of the rapid innovations in technology, which are extremely expensive, so the cost of providing health care at the current level of technology rises much faster than the rate of general inflation—far faster, I would submit, than the gross domestic product deflator that is used in the Red Book to convert nominal spending projections into real ones.

There is a fundamental contradiction, over time, between the Government's correct and laudable desire to bring down public spending as a proportion of gross domestic product—of national income—and the fact that we are committed to providing, within public expenditure, services the cost of which as a proportion of national income is almost certain to rise. That anomaly will need to be addressed in the next Parliament, and I have no doubt that a Conservative Government will do that.

It is absolutely clear that such challenges can be satisfactorily faced only by an economy with a sound basis, which is competitive in the modern world and offers the prospect of rising national income—an economy in the hands of a political party with sane economic policies and some understanding of what it takes to provide the framework for economic progress. Nothing could be more disastrous than a return to the policies so eloquently set out by the right hon. Member for Ashton-under-Lyne.

6.1 pm

Mr. Malcolm Bruce (Gordon): As the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) said, the Bill deserves one cheer for being shorter than previous Finance Bills. That is a move in the right direction, although a Bill of 111 clauses, 17 schedules and 219 pages is hardly abridged, and from the consultations that I have had, I understand that it is pretty inaccessible in parts, even to experts.

My constituents have pointed out some of the effects that the Budget will have on them. The cut in spirits duty was welcome, although it merely reversed the damage of two years before. I represent a constituency that contains, on its current boundaries, three distilleries, two of which are closed, and on its new boundaries nine more distilleries, so the state of the Scotch whisky industry is of genuine concern to me.

The industry is a major exporter and an important employer of skilled men—it is mostly men—in rural areas where alternative employment does not exist, and it has experienced serious difficulties. Those involved welcome the fact that the Chancellor has acknowledged the serious damage that he did when he put 50p on a bottle of whisky two years ago. I hope that he will be able to go further and eliminate the anomaly whereby spirits are taxed much more heavily than wine. I have always regarded it as odd that we tax our home-produced spirits much more heavily than the predominantly imported wines, even as a matter of trading policy. That is remarkable discrimination against home production.

Education is an extremely live topic in my constituency. The Government have acknowledged that the tax changes will mean that local authorities face further squeezes. We have all had representations to that effect. In Scotland, education at school level is delivered almost entirely by local education authorities, despite the best endeavours of the Scottish Office Education and Industry Department to persuade schools to opt out.

It is no good for Ministers to say that they are in favour of nursery education and then to create a local government settlement that has made it impossible for us to continue to expand nursery education in the past year, despite the fact that under Liberal Democrat leadership we have substantially increased provision over the past 10 years.

The introduction of nursery vouchers has exacerbated the problem and actively penalises local authorities that have taken the greatest lead in expanding nursery education in the past few years. I shall certainly make representations against that discrimination against local authorities that have been pursuing a policy that the Government claim to support, while in fact they divert money to the expansion of private nurseries at the expense of nurseries that are already provided by the local authority.

The hon. Member for Stamford and Spalding (Mr. Davies) made much of the anomalies in our attempts to get people back to work and of the difficulties in the benefit system. The Liberal Democrats proposed a low-income benefit that would remove some of the anomalies and help people to get back to work by enabling them to take benefit with them and not to lose benefit if the job turned out to be only temporary. At the moment, there is a clear disincentive for people who are offered short-term jobs and are not prepared to take the risk of being off benefit altogether if the job does not last for more than a few weeks.

The Government may take the view that the general fall in unemployment is a justification for a substantial cut in funding for the administration of the various

unemployment benefits and jobseeking initiatives. That would be unfair. A successful job club in my constituency, in an area where, contrary to the national trend, unemployment has increased, has now been told by the Employment Service's area manager that it will be either closed or substantially cut, in spite of its handling more people and having more success in finding them work than many comparable job clubs.

The argument is that there will be a saving, because people will be encouraged to claim money to seek jobs from their homes. As an additional service for people who are unable or unwilling to travel to a centre, that would be a welcome development, but as a substitute for the support and advice and access to telephones and newspapers that are available in a job club it is in no way an improvement; it is a cost-cutting measure that will work against the Government's true interests, because at the precise moment when jobseeker's allowance is requiring more people actively to seek work to qualify for benefit, the Government are cutting the very service that people would use in those circumstances. The Government should at least take account of local circumstances, which they clearly have not done with the job club in Huntly.

Transport and the roads budget are also matters for concern. In rural areas, public transport is limited and the potential for further development is virtually non-existent, so the ownership of private cars is a necessity rather than a luxury, yet the Government have pursued policies that have unfairly discriminated against people living in the rural parts of constituencies such as mine.

The Government have increased fuel tax without any corresponding measure to switch from a tax on use to a tax on ownership. They could, as we proposed, have reduced vehicle excise duty on high-efficiency cars—perhaps those under 1500 cc with catalytic converters—to a nominal amount of £10 or £20, which would have meant that people paid the extra tax only when they used the fuel rather than paying high tax simply for the privilege of owning a car that is essential for getting about. I continue to commend that notion to the Government.

It is nothing to do with the macro-management of the economy but a blatant matter of choice that the Government have decided to invest substantial sums in motorways in central and southern Scotland which were not justified on their own traffic criteria, and have cut the promised bypass and road improvements in my constituency, despite the fact that we have had the greatest population increase and growth in traffic of any part of the United Kingdom, and certainly of any part of Scotland.

Understandably, people are extremely angry that, a week before the Budget, the Scottish Office managed to launch a public consultation on a major road improvement on the A92 between Aberdeen and Ellon in my constituency, only to announce a week after the Budget that it would not proceed. The only consolation, although the reply that I have received from the Minister is confusing, is that it would appear that he is prepared to continue the consultation about the route, while saying that there is no firm date on which money will be made available for the upgrading that has been long promised and many times postponed. That is regrettable.

Having identified matters that affect my part of the country, although they clearly similarly affect many others, I must deal with the general thrust of Government policy. No doubt we will deal with the details of the Bill in Committee, but I give Ministers notice of one or two details that will be dealt with there and to which I hope they will give some consideration.

The first is the taxation of insurance, which has already been mentioned. I am sure that the Minister will be well aware that the proposal to tax some insurance policies at 4 per cent. and others at 17.5 per cent. is creating an anomaly that many people, particularly small travel agents, regard as unfair and discriminatory, especially as Customs and Excise accepts that there is no widespread tax avoidance by travel agents. If someone buys a holiday from a travel agent and buys an insurance policy at the same time, as would be likely because the two are related, they will pay 17.5 per cent. tax on the premium but only 4 per cent. on the policy from the insurance broker next door. If consumers are wise, they will find a way of doing that and insurance brokers will no doubt take advantage.

Many small travel agencies, which have legitimately sold insurance as part of a holiday package and have not been trying to profiteer, will be discriminated against and will lose a significant and valuable part of their business. The Government should consider whether that is fair and whether it was their firm intention.

I welcome the Government's decision to bring into line the three-year rule on back payment and collection of VAT. There is no argument on the principle, but I suggest that those areas of the public sector in which unjust enrichment does not apply be exempted. As I understand it, some public sector organisations, particularly trusts and organisations in the health service and in other sectors, have been relying on this rule and may now find their hopes of recovering tax in that way removed. Again, I ask the Government to consider that matter during the passage of the Bill.

The central issue in the debate is what the Budget and the Finance Bill do. There was an extraordinary exercise in the week after the Budget. Apparently, the Chancellor of the Exchequer and the Financial Secretary each said the opposite of the other. Indeed, in spite of repeated questioning from me in the Treasury Select Committee, the Chancellor would neither admit nor deny that the net effect of all the tax changes next year will be to increase the overall level of taxation, yet that appears in black and white in the Red Book. Page 12 makes it absolutely clear that, according to Government calculations, the Budget's tax and national insurance measures will reduce taxes by £735 million, but the previously announced excise duty increases, which take effect in the same tax year, amount to £1,085 million.

Three figures are given in the Red Book—I shall take the median—and it is recognised that the Budget will increase council taxes throughout the country by about £800 million. The net effect is that people will pay tax to the tune of £1,050 million more in the current year than they did last year, which is equivalent to £41 per taxpayer. Those facts are in the Government's own book, yet the Chancellor of the Exchequer is not prepared to admit that taxes will go up next year. It seems extraordinary that he should present the information in such clear-cut terms, but then deny that that is what his publication states.

The other issue that is worth drawing to the attention of the House, for those hon. Members who have not yet read the Select Committee report, although the issues have not merely been raised there, is that one or two measures

[Mr. Malcolm Bruce]

in the Budget are effectively, as the report describes them, "a sleight of hand"—an attempt to make the figures look good without delivering any significant improvement in the budgeting.

Ministers make two contradictory speeches. Depending on the audience, they say that they are eye-wateringly tough on bringing public expenditure under control, or—to the party conference and Mr. Dimbleby—that they have increased spending on the health service, education, local authorities and anything else one cares to mention more than any previous Government. That makes the average citizen understand that there is some confusion within the Government about exactly what is happening. The Government are finding ways to massage the presentation of the figures—for example, by presenting the sale of Ministry of Defence houses as a negative spend whereas it is just a sale, a capital receipt. It is just one more tranche of the sale of the family silver. The sale of the student loan book is in exactly the same category, as is the reduction in the reserve account. We all accept that reserve accounts can reduce as one gets closer to them because the uncertainty is reduced, but the scale of the reduction is nevertheless such that it is arguable that the reserve account is not now enough to cover any unexpected contingencies that might arise.

In the circumstances, those measures amount to giving the impression of a tight spending round without applying the pain where it really matters, and evidence to the Select Committee reinforced that. It is presenting the figures in a different way.

Incidentally, the total figure is almost exactly what the French Government managed to secure by a similar mechanism from their telecommunications pensions measures. The British Government are doing exactly the same as the French Government to try to make the public sector borrowing requirement meet the Maastricht criteria.

Mr. Butterfill: I was interested that the hon. Gentleman said that the Government should apply the pain where it really matters to bring public expenditure down. It is fascinating to hear a Liberal Democrat say that there are areas in which he would reduce public expenditure. Perhaps he could tell us one or two of them.

Mr. Bruce: We have already identified certain areas. On the Government's own admission, last year they spent nearly £1 billion on consultancies to achieve virtually no economic benefit. There are a number of such examples where the Government's priorities are simply different from ours. It is not fair to say that there is no room for saving—there is.

Mr. Waldegrave: I want to correct a point that I may have misheard. There are plenty of good reasons for selling the student loan book—it transfers risk and is a sensible thing to do. It does not affect the general Government financial deficit, which is the criterion of concern in the Maastricht criteria, and so is of no relevance to that. In its origin, nature and motivation, it is completely different from what the French have done. It will affect the public sector borrowing requirement but does not affect the European measure, which is different.

Mr. Bruce: I can only draw the Chief Secretary's attention to the evidence in the Select Committee report, which he might wish to read, from Andrew Dilnot of the Institute for Fiscal Studies, who suggested that the sale of the student loan book was comparable to the France Telecom mechanism. Perhaps the Chief Secretary should take issue with the Institute for Fiscal Studies.

Mr. Legg: We raised the matter with Treasury officials when we took evidence from them after Mr. Dilnot's comments. Their evidence supports what the Chief Secretary has just said.

Mr. Bruce: Treasury officials and Treasury Ministers are happily singing from the same hymn sheet, but that does not preclude others from taking a different view. The matter is open to interpretation. Whether or not the Government are applying the same mechanism as has been applied in France, they are using the sale of capital assets to justify current expenditure. That is simply living off the family silver.

Mr. Waldegrave: The matter is not one of interpretation. It is a clear matter of definition, where the rights and wrongs are easily ascertainable. The student loan book does not affect the Maastricht criteria. That is not why the measure was taken, and even if it had been taken for the purposes of Maastricht, it would have failed.

Mr. Bruce: The student loan book does not affect the Maastricht criteria, but the MOD sale might. The point is incidental, but, as a number of commentators have pointed out, the Government's practice effectively presents the figures in a better light than they would otherwise appear.

The Select Committee report refers to the change in the policy of assuming a flat rate of unemployment, on which the cost of unemployment can be calculated. The Select Committee did not find that unreasonable, but commented that the timing was interesting, as it allowed the Government to relax the straitjacket slightly. It is odd that they are prepared to forecast unemployment changes, for example, but not exchange rate changes.

We need clarification of the circumstances that this year enabled the Treasury to make that change, which it has resisted every year previously. Did the Government need room to manoeuvre this year, in advance of a general election? No Government would ever put increased unemployment forecasts into their Red Book, as that would be an admission that their economic policies were failing.

The House will know that in our submission we stated that Government borrowing is a matter of concern and must be brought down. We need a disciplined approach. On the basis of the utterances, there is agreement among all parties that that is a problem. That explains why economic discipline is a term of art that financial spokesmen of all parties use.

We could do more. For several reasons we should introduce proposals to make our central bank independent.

Mr. Jack: Perhaps the hon. Gentleman can help me. His party, unlike the Labour party, has tried to be specific about its economic proposals. He expressed his concern about the level of borrowing and spending. In his disciplined world, what percentage of GDP would he find an acceptable level of borrowing and spending?

Mr. Bruce: I will not answer that. The Government have got themselves into a fantasy arena. The Chancellor

of the Exchequer speaks of bringing the level down below 40 per cent. and aiming to get it below 35 per cent., whereas the Red Book shows the level rising to 43, 44 and 45 per cent. The Government use a soundbite term of art, but there is no evidence of any policy, firm proposals or timetable behind it. I do not see why the Government should challenge other parties when they have no concrete proposals of their own but merely a pious, tight-lipped explanation of their aims.

There is consensus that significant variations in tax from about 40 per cent. do not carry much support. Over the cycle, however, there are occasions when taxes may have to go up, and there may be occasions when they have to go down. If we are to consider getting taxes down to 35, 33 or 32 per cent., we need far more detailed information about what that means in terms of sustainable economic growth, if that it how it is to be financed, or in terms of further privatisation of public service provision.

Does the Tory party want to ensure that people are forced to buy more private insurance for unemployment, health care and long-term care in their old age? I suspect that that is what the Government mean, so they should be more honest about it. Instead of telling us about the wonderful benefits of reducing taxes, they should explain the painful consequences of what people may have to buy. It is a legitimate subject for debate, but we need the whole story, not just an isolated focus on one percentage figure, divorced from the philosophical change in the way that services are to be provided.

We need to get borrowing under control. The time is becoming ripe for establishing an independent central bank as a means of helping to bring borrowing down, not least because it would help to reduce interest rates, which would have wider benefits.

I welcome the fact that in yesterday's *Financial Times* the Labour party indicated that it was moving in that direction. As a precondition, however, Labour wants the Governor of the Bank of England to insist publicly on an election-losing increase in the interest rate, which suggests that the ability to stand back and not to interfere is not built into Labour's thinking. That is not the role of an independent central bank.

On interest rates, the Government may be on the horns of a dilemma, as the national interest and the Conservative party interest clash. The market may resolve the dilemma for them if they insist on staying in office until May.

I have pressed Treasury officials and Ministers, including the Chief Secretary, on the GDP deflator. There is a lack of confidence that the Government's inflation forecasts are achievable. Most commentators regard the forecasts as optimistic. A GDP deflator of only 2 per cent. does not sit comfortably with that scenario. Treasury officials say that there is nothing to worry about because if the GDP deflator turns out to be wrong it will be offset by the consequential benefit in increased revenues above forecast.

Experience of the past two years tells us that there is no direct correlation, and developments could go in the wrong direction. That could make public commitments such as the funding of the health service difficult to achieve. The Government should put their intentions on record.

Windfall benefits of more than £11 billion will come through from the building societies and insurance companies. That will clearly have a potential effect on consumer spending and could have an inflationary effect. The Government calculation is that for various reasons, as a result of the lack of consumer confidence, much of that money will be saved, so it can be taken out of the reckoning. If they are right, that may be a good thing, but if people decide to spend the money, that could upset the inflation calculations.

The Chancellor has recognised that his room to manoeuvre is limited. He deserves credit, which I have given him on numerous occasions, for resisting the more strident calls for an expansionary or give-away Budget that might have created the climate for an election-winning boom, but would inevitably have led to an enormous crash later. The markets have made their position so clear that if the Chancellor had tried that, he would have had to cut and run quickly, before the markets caught up with him.

We need a thorough rethink of how we can bring borrowing under control, ensure that inflation is kept in the box, sustain growth without stoking up inflation again, and invest in education and public services at acceptable levels of taxation—the Financial Secretary dealt with only one aspect of that in his intervention. I have no doubt that those matters will be debated in the next Parliament.

The Government should be given credit for not having rushed off in a different direction, but they should not imply that they have the answers. Many questions remain that I suspect the main parties will not address until after the general election. In the circumstances, it is a cautious Budget from a defeated Government who know that they do not have much time left.

6.29 pm

Mr. John Butterfill (Bournemouth, West): The hon. Member for Gordon (Mr. Bruce) made a fascinating speech setting out the Liberal Democrats' economic policies. I was particularly interested in his response to my question about the Liberal Democrats' big ideas for reducing public expenditure in the areas that "really matter"—as the hon. Gentleman put it. The only idea that I could adduce was that the Liberals would reduce the number of consultants employed by Government as they do not represent adequate value for money.

No doubt the Liberal Democrats would forgo independent advice and instead rely on their in-house advisers: the teams in the county halls who provide wonderful advice about reducing expenditure in local government. If that is the big Liberal idea for controlling the economy, the party should make more of it throughout the country. Once again, we have seen the Liberal Democrats talk tough about holding down public expenditure. The reality is that, when they are in power in town or county halls up and down the country, they are the biggest spenders of all. They must live down that reputation before anyone will take them seriously in a general election.

The Finance Bill enacts the creditable Budget proposals that the Chancellor set out a few months ago. It is a measure of the Budget's quality that it proved such a disappointment to the Opposition parties. They claimed that it would be the great giveaway Budget—a bribe to the electorate—that would demonstrate the Government's cynicism. They claimed that we would offer anything in order to be re-elected. However, as the hon. Gentleman pointed out, the Budget contains modest fiscal tightening

[Mr. John Butterfill]

measures—hardly an election giveaway—involving sensible reforms to public expenditure, taxation and distribution of the tax burden.

I welcome the changes to income tax. My right hon. and learned Friend the Chancellor has forgone the chance of making the headlines by announcing a massive reduction in the standard rate of income tax. He has chosen instead to widen the tax bands and raise thresholds, thereby ensuring that many poorer people are removed from the tax system and that many more are in the 20 per cent. band. That was the correct thing to do, as it provided help where it was most needed. It is often a difficult decision to take, as the benefits are not perceived by the general population until they receive their pay packets some time later. The Budget will have no real effect on people until after the next general election, so the Chancellor took a courageous—but correct—decision.

The benefits that will accrue to small businesses up and down the country have led the Forum of Private Business to describe the Budget as the best in 10 years for small business. I was particularly pleased about the business rate relief. Mr. Deputy Speaker, you will remember that my amendment to local government finance legislation provided transitional relief to small business. Further relief for those businesses, which were hard hit by the recession and revaluation, is very welcome.

I also welcome the thrust of the Bill in closing several taxation loopholes. We have progressively closed them over the years, but fertile minds continually find new ones. Therefore, it is correct that each year we ensure that people are paying appropriate rates of tax.

My right hon. Friend the Chief Secretary expressed a wish to abolish allowances and said that he preferred lower rates of tax. I seek confirmation that his attack on allowances will not affect the married person's allowance. It is extremely important for tax arrangements to recognise the importance of marriage. The tax advantages accruing to married people have been eroded over the years and I should prefer to see the differentials reinstated rather than eroded further. I am interested to hear my right hon. Friend's thoughts on the matter in the context of the next Conservative Budget.

I have some specific questions about the clampdown on avoidance procedures. The changes in value added tax in so far as they relate to property investment concern the whole industry—not just property companies. The British Property Federation, which represents many institutional investors, pension funds and insurance companies, is concerned about the impact of the proposed changes. I hope that the arrangements will be flexible, so that we do not disadvantage the whole system of investment.

I must declare an interest in the debate as an adviser to the British Insurance and Investment Brokers Association. I was rather disappointed with the Government's decision to hike up insurance premium tax so soon after declaring that they would not do so. Insurance is a valuable asset to society and, if we make it too expensive, we may expose the Government to risks. People may fail to insure and thereby become a charge on the public purse. We must strike a balance between raising revenue through IPT and ensuring that there is no claim on the benefit system when people fail to insure.

I am concerned about the attack on inclusive sales. The insurance profession may benefit if people are forced to buy insurance from a broker rather than from a travel agent—unless the broker is advising the agent. However, unless we are dealing only with insurance policies that must be bought, I am worried that we may be tilting at a windmill that does not exist. For example, with some holidays, it is compulsory to purchase the insurance policy that accompanies them. In those circumstances, we could argue that the price of the holiday is being deflated by inflating the cost of the insurance. It is perfectly legitimate to attack that practice. However, when there is no compulsory link between insurance and the product being sold—when it is purely optional—the proposal represents a shift away from the Conservative doctrine of individual freedom of choice. If people choose to buy ridiculously expensive insurance, that is their decision—so long as they are not forced to do so. I urge the Government to re-examine the issue.

I received an encouraging response from my right hon. Friend to my intervention on capital allowances. There is real concern that the airlines will be disadvantaged compared with sea and rail transport. If one couples those provisions with the proposal to double air passenger duty, the combined discrimination against the airlines—and the consequent knock-on effect on the aircraft industry and the industries that supply it—is quite worrying. I ask my right hon. Friend to consider the possibility of at least having a regime for airlines that is no worse than that for shipping and trains.

I know that my hon. Friend the Member for Havant (Mr. Willetts) made this point, but it is important. The level of capital taxes in this country is a direct disincentive to invest.

There has been a welcome increase in the threshold for inheritance tax. Some Labour Members do not think that we should do that. The problem with inheritance tax is that it is not paid by the really rich. The super-rich with their multinational empires never pay it. Some of the "luvvies" and some of the billionaires who support the Labour party today do not pay it, because their money is offshore, and no doubt they will keep it there.

The people who pay inheritance tax are the modestly well-off: the middle classes, the people who cannot afford the expensive schemes to take their money offshore, the people who have built up small businesses and want to hand them on, the people who have helped to create wealth within our society. It is to them that we need to look, because the concept of passing modest wealth from one generation to another is one to which we should all aspire and not be consumed by the politics of envy. I hope that we shall do more on that.

I was particularly disappointed that there was nothing in the Finance Bill on capital gains tax, because it seems absolutely mad that someone who has spent 10 years building up a business and who then sells it will pay the same marginal rate of tax as a speculator who makes an overnight gain on the international currency markets. That does not seem to make any sense. It does not encourage people to risk their money and to invest. *[Interruption.]*

I am encouraged by noises that appear to be coming from Opposition Members, saying that they may do something about that, because although it would be difficult to abolish capital gains tax without the risk of people switching income into capital gains in the way that

we had in the past, there is a real ca[illegible] a much lower rate of capital gains tax for people wh[illegible]st for the long term in real, productive enterprise. I ve[illegible] much hope that before long we shall see a Budget that does that.

6.42 pm

Mr. Jeff Ennis (Barnsley, East): Thank you, Mr. Deputy Speaker, for allowing me to make my maiden speech so early in the debate.

I am conscious of the traditions of the House and that when one makes a maiden speech, one usually refers to one's predecessors. On this occasion, it is a great privilege and a pleasure to refer to my very good friend, Mr. Terry Patchett.

Terry was a very honest and sincere man, a true man of the people. I know that he had the respect of hon. Members on both sides of the House. I knew Terry for a very long time. It goes without saying that he felt far more comfortable at his home in Darfield, with Glenys, his wife, and his family, and in Barnsley, East in general than he did down here in the House. However, that fact did not affect his performance as a first-class constituency Member of Parliament for Barnsley, East.

I am aware from my recent personal involvement in the by-election that Terry was held in the highest esteem and with fond affection by almost all his constituents. He will be very sadly missed, both in the House and in his constituency. I say his constituency because until recently Terry was the only Member of Parliament Barnsley, East ever had, as the constituency of Barnsley, East came into being only in the 1983 general election, the year that Terry entered the House for the first time. I am sure that all our thoughts are with Glenys and Terry's family.

As someone who has lived in the Barnsley, East constituency all my life, I feel extremely proud and honoured to be its new Member of Parliament. Despite the low turnout for the by-election, with it being so close to Christmas, the result was a resounding success for new Labour and, indeed, a ringing endorsement for the leadership of the Labour party. It certainly emphasises the fact that, in my opinion, new Labour commands solid support in Barnsley, East, a constituency that is and always will be proud to be described as a traditional Labour heartland.

Just to emphasise the success of my by-election, my majority rose from 63 per cent. of the votes cast in 1992 to a majority of 68 per cent. this time. The Tory vote disintegrated and was almost halved, from 14.2 per cent. of the votes cast in 1992 to 7.3 per cent. this time. In my opinion, that result underlines the melting away of traditional Tory voters, as a direct consequence of the failure of the present Government to implement the tax cuts that they promised in their 1992 manifesto, which have so far failed to materialise.

As I said, I am proud to say that I was born and bred in the constituency. Both my wife and I were born in Grimethorpe and we both come from traditional mining family backgrounds. Both my grandfathers and my father were miners. My grandad Ennis retired from Grimethorpe pit when he was in his early 40s, with 100 per cent. pneumoconiosis. My grandad McQueen, who was an early political role model of mine, was also a miner at Grimethorpe colliery as well as being the National Union of Mineworkers treasurer at Grimethorpe and a councillor with the old Hemsworth rural district council until his untimely death at the age of 56 from lung cancer.

My grandmother was the youngest of 22 children. My dad was the oldest of 10. My wife, Margaret, also comes from a big family, so the House will probably see why I have been elected to represent Barnsley—because I am related to almost everyone in my area. I think that hon. Members will see that it is not just the aristocracy of this country who come from large families.

I have deliberately mentioned my family background to emphasise the point that Barnsley, East has always been associated with the coal mining industry, an industry that has created communities throughout the country with a strong and powerful community spirit, with a sense of caring and sharing. The people of Barnsley, East are the salt of the earth, who deserve the best, which is something that the current Government have failed to deliver in this year's and past years' Budgets.

I am proud to say that I have represented my area on Barnsley council since 1980, and in 1980 Barnsley was awash with pits, such as Grimethorpe, Houghton Main, Hickleton, Goldthorpe, Highgate and Darfield Main, to name but a few, providing almost 30,000 jobs to the local economy.

Constituencies such as Barnsley, East have contributed significantly to the national wealth since well before the industrial revolution. Now there are no pits left at all in Barnsley, East, thanks to the Government's pit closure programme. I know that this country will rue the day that the Government—who will never be forgiven—closed down pits such as Grimethorpe, which in its last six weeks of full-time production in 1992 made more than £250,000 in profit. More than 60 million tonnes of known, workable coal deposits are entombed below Grimethorpe for ever.

A study carried out by the policy and research centre at Sheffield business school in 1992, before Grimethorpe closed, revealed that if Grimethorpe and Houghton Main collieries closed, the cost to the British economy would be £330 million over 10 years, but if they remained open, they would make a profit of £48 million in that period.

Where was the economic sense and financial prudency in allowing those profitable pits to close? No wonder one of the main themes for my election campaign, "Brassed off with the Tories", was so successful. There is no doubt that the nation is brassed off with the Tories. I strongly recommend all hon. Members to see the recently released and much acclaimed film "Brassed Off", which was filmed primarily around Grimethorpe, with the co-operation and assistance of the world-famous Grimethorpe colliery band. The film captures the spirit of the times during the pit closure programme of 1992. It is also a fitting epitaph to what the Government have done to the mining industry and mining communities.

I turn my attention briefly to the Finance Bill. Once again, we have a classic example of the Government giving a little with one hand and taking away a great deal with the other. One example of what the Government are taking away is to be seen in the form of indirect taxes such as 13p on a gallon of petrol, an increase in taxation that took effect immediately, while the 1p reduction in the standard rate of income tax will not take effect until April.

As usual with the Government, we are seeing a transfer from direct to indirect taxation, especially in the form of VAT. That has the effect of transferring the burden of taxation from the very rich to the very poor in our society. It is a pity that the Government refused to accept the Opposition's proposal to reduce VAT on fuel from 8 to 5 per cent.

[Mr. Jeff Ennis]

The Budget will have an impact on schools. It is a subject that is close to my heart, because I spent more than 20 years in the teaching profession. The Government have claimed that 3.4 per cent. more money will be available for schools. They are, however, increasing their contribution to local authority spending by only about 1.5 per cent. At least the Government have had the decency to admit that their cuts in support for local authority services over the next three years will force council tax payers to cough up another £4 billion, which is the equivalent of £200 for each household. That will have to be paid to meet the differential.

Once again, local councils will have to increase council taxes to replace cuts in Government grants. They will be able to increase school budgets only if greater cuts are made in other key services such as social services, libraries, refuse collection and the like.

The Government continue to refuse to fund teacher pay awards when Ministers agree that they should be granted. Increased pupil numbers are not covered by extra finance. Since 1992-93, standard spending assessments per pupil, in real terms, have fallen across all age ranges, with secondary spending falling by 9 per cent. The number of primary pupils in classes of over 30 has increased by 40 per cent. in the past four years to 1.3 million.

The SSA formula is supposed to distribute Government resources on the basis of need. I have referred to the annihilation of coal mining—the main industry—in Barnsley, East. It has had a devastating effect on the socio-economic fabric of my constituency. Under the Government's SSA formula for next year, Barnsley will receive £691 per head of population while Tory-controlled Westminster will receive £1,272. That means that Westminster will receive 184 per cent. more grant per head of population than Barnsley, to provide the same level of education resource.

That cannot be right. I am sure that the good people of Westminster have not had to endure many of the economic hardships that my constituents have experienced, and certainly not to the tune of a 184 per cent. differential per head of population.

In conclusion, Barnsley, East is still coming to terms with the complete destruction of its traditional industrial base. I pledge myself to do my very best to work hard for the economic and social regeneration of the communities that make up Barnsley, East. I thank the House for giving me such a good hearing.

6.54 pm

Mr. Barry Legg (Milton Keynes, South-West): I congratulate the hon. Member for Barnsley, East (Mr. Ennis) on his maiden speech. Delivering a maiden speech is always a great ordeal, and I think that the hon. Gentleman coped with it admirably. I am sure that he has been much encouraged by the high turn-out of his colleagues to support him. I am sure also that hon. Members on both sides of the House fully endorse his remarks about his predecessor, Terry Patchett, a man who was held in high esteem in this place. The hon. Gentleman has told us about Terry Patchett's local reputation.

The hon. Gentleman's speech was brief and to the point. He will be well advised to remember that for the remainder of his parliamentary career. His speech displayed considerable wit, and if he speaks with the same degree of wit in subsequent speeches I am sure that he will maintain the interest of his colleagues.

This is probably the last general economic debate that we shall have in this Parliament. During our proceedings so far we have dealt with a number of general economic matters and contentions. I shall begin by welcoming some of the detailed provisions of the Bill. I am especially pleased that the amendments that I suggested in Committee last year in respect of charities are contained in clause 65. I am grateful to Treasury Ministers for taking up my suggestions and in so doing easing the tax burden on charities.

In taking evidence on the Budget and producing a report as a member of the Select Committee on the Treasury, I was conscious that we now have a much more manageable and sustainable financial position. However, the hon. Members for Edinburgh, Central (Mr. Darling) and for Gordon (Mr. Bruce) argued today that the level of national debt is too high. The hon. Member for Edinburgh, Central derided this Administration's record on the level of national debt.

There is only one sensible way to evaluate the national debt, and that is in terms of its proportion to the nation's wealth. If the hon. Gentleman had read the Red Book—especially table 4.3—he would know that net public sector debt as a percentage of gross domestic product is running at about 45.5 per cent. If he had bothered to study economic records for this century he would have learnt that no Labour Government have ever managed to reduce national debt to that level as a proportion of GDP. We have a sustainable level of debt, and one that reflects the prudent financial management that we have experienced in recent years.

The report of the Select Committee on the Treasury contained some criticisms relating only to matters of detail. The hon. Member for Gordon referred to the GDP deflator, which has been set at 2 per cent. for future years. The balance of opinion within the Select Committee was that the deflator might be on the low side. We are talking, however, about much more sustainable figures. We are considering possibly a 2 or 3 per cent. rate of inflation in future. If the projection of a 2 per cent. GDP deflator is wrong and it turns out to be 3 per cent., the magnitude of error is quite small. We would be talking about an extra £3 billion of public expenditure. Our finances are now much more manageable.

As a whole, the Select Committee agreed with the fiscal stance of the Treasury and my right hon. and learned Friend the Chancellor of the Exchequer. Most commentators have applauded that stance. As for the report of the wise men before the Budget, four out of six stated that the Chancellor should take a neutral fiscal stance, and that is what he did. There is not much scope for criticising the Chancellor on that front.

The Treasury Select Committee was concerned that present conditions may require monetary policy to be tightened. The Chancellor has told the House that he wants to stay ahead of the game on monetary policy: he has a good record of making the right judgments on monetary policy. The Chancellor will meet the Governor of the Bank of England tomorrow. Some hon. Members are concerned that he should make an upward move in interest rates.

The Chancellor may be considering an increase in interest rates in the order of magnitude of 0.25 per cent. to 0.5 per cent. That clearly shows the difference between the present economic conditions and those of the past 30 years.

Mr. Malcolm Bruce: The hon. Gentleman makes a fair point, but does he accept that we should compare ourselves with our trading partners? Long-term interest rates on government bonds in the United Kingdom are higher than those in any other country in the European Union, with the sole exception of Greece. Our inflation figure is the third worst in the European Union. Although there has been a considerable improvement compared with the past, we must be more disciplined to reach even the EU average, never mind to be at the top end.

Mr. Legg: I am grateful to the hon. Gentleman for his comments. We have the potential to achieve a much lower peak in the interest rate cycle than at any time in the past 30 years. Previous peaks in our interest rate cycle have been anything from 12 per cent. to 17 per cent. This Administration has made tremendous strides to get inflation and monetary policy well under control. The markets show that the peak of the present inflation cycle may require an interest rate of only 7 per cent. That is a considerable achievement, and it enables British business and industry to plan for the future.

There is currently a great deal of distortion in the marketplace on long-term interest rates. The reductions in long-term interest rates in some European Union countries—for example, Spain and Italy—suggest a false market in government bonds based on speculation that those countries will join the single currency and will have lower, long-term interest rates. I do not believe that those countries will be allowed to join the euro, but if they were to do so, the long-term interest rate of the euro would move up to the higher levels experienced in the Mediterranean countries. As long-term interest rates have come down in Italy and Spain, they have gone up in Germany with the prospect of monetary union between countries that do not have the same stable economic background. That is the other side of the picture.

The Government have done well on monetary policy, and the peak of the interest rate cycle looks as if it will be much lower than in recent memory. That is all to the good of the British economy.

Hon. Members may have seen *The Guardian* last week, which unusually listed some Conservative achievements on its front page. It pointed out that since 1992 unemployment has fallen from 2.7 million to 1.9 million, interest rates have come down from 10.5 per cent. to 6 per cent., inflation has come down from 3.7 per cent. to 2.7 per cent. and hospital waiting lists of over one year have come down from 155,000 to 15,000. There is an awful lot of good news on the economy, and that reflects the Government's achievements. Even *The Guardian* is prepared to put such good news on its front page.

There is a growing appreciation of the Government's soundly based economic policies. The main reason why we will not detect such a strong feel-good factor as in previous years is the changing relationships in the housing market. In 1988, the ratio of mortgage debt to the value of housing stock was 20 per cent. Today, that ratio is 34 per cent. Most people will not immediately experience the feel-good factor that they may have experienced in the late 1980s. However, the economy as a whole is now much more soundly based, and wealth in the broadest sense has extended more widely.

Mr. Miller: Given the figures that the hon. Gentleman has just cited, does he accept that there is greater pressure on housing association and local authority stock? Does he also accept that the Government have done very little—nothing, in fact—to assist that sector?

Mr. Legg: I do not agree with the hon. Gentleman's comments.

Mr. Miller: They are the Library's figures.

Mr. Legg: I do not agree with the comment about housing associations. Housing association development has been strong in my constituency and across the country, not only because of the public money that the Government have put into it, but because of the greater freedom that they have given housing associations to borrow on the markets. The hon. Gentleman's argument is not valid.

I shall return to the wider comments that I was making about the structure of wealth in this country. House values are tangible to individuals, but one of our problems is that wider wealth is not so tangible. Most people's pension assets—which will provide for them in their old age—have considerably increased in value in the past three or four years. Most of those assets are not transparent to the people who will benefit from them. Occupational pension schemes have done very well, and people have the prospect of much more wealth behind their pension entitlements and a much more prosperous old age. Many forms of institutional investment lack transparency, so individuals are not fully aware of the appreciation in their wealth.

My hon. Friend the Member for Havant (Mr. Willetts) advocated reforming capital gains tax. Hon. Members will probably recall that I tabled a series of amendments to last year's Finance Bill to achieve that. This is an important matter, because in the next Parliament we must extend the concept of a property-owning democracy into other asset categories. We should not only consider institutional investments and investments that are not transparent, but encourage people to build up investments in their own name and have a wide stock of wealth behind them. That will be one of the priorities for the next Parliament. I hope that the simplification of capital taxes advocated by my hon. Friends the Members for Havant and for Bournemouth, East (Mr. Atkinson) will be high on the Government's agenda.

My hon. Friend the Member for Havant made a number of interesting and important points about windfall taxes. It behoves the Opposition to spell out what they mean by a windfall tax, as the consequences are so considerable. What is the gross amount of revenue that they believe they can raise, and what will be the consequences for the businesses involved?

The Labour party is talking about windfall taxes—which will come back, one way or another, to the consumer—while most people are experiencing windfall gains. We have liberalised the financial system, one of the consequences of which is that many building societies have converted to public limited companies. I welcome

[Mr. Legg]

that. Individuals are benefiting from that liberalisation: they are now feeling the effect of the extra wealth that has been created. There are windfall gains under the Conservatives, and windfall taxes under Labour.

Mr. Michael Clapham (Barnsley, West and Penistone): The hon. Gentleman talks of windfall gains. Is he aware that, in the four years since 1992, 87,740 jobs have been lost in the utilities alone? Does he consider that a gain? Does he agree that a windfall tax provides a way of creating the jobs that the utilities have neglected to create, and makes possible a process similar to that taking place in America, where utilities work with Government to create jobs?

Mr. Legg: The hon. Gentleman has hit on an important factor. The Labour party criticises the fact that the utilities have increased their profits, but the reason why they have been able to increase their profits is that, like all the industries that were formerly in the public sector, they were chronically inefficiently run as nationalised concerns. The state runs businesses badly; the privatised companies now secure a reasonable return on their capital, because they have become efficient.

If the Labour party does want to reverse the current policy and return those companies to the public sector—if it believes that state ownership creates jobs and wealth—I shall be interested to hear the winding-up speech from the Opposition Front Bench, but I do not think that Labour will go that far. I think that Opposition Front Benchers realise that, once again, Conservative policies have been successful, and that privatisation has been a great success for this country.

In debates of this kind, we normally talk a great deal about macro-economic policies, GDP deflators and growth rates of 3.5 per cent. We hear a good deal of technical jargon. Let me give a few instances of what big numbers and macro-economic policies mean at local level. In the past two and a half years, an extra 8,737 jobs have been created in Milton Keynes. That is a net increase over that period. The number of people employed in Milton Keynes has risen from just over 90,000 to just under 99,000. Those are not low-quality jobs, as Opposition Members would sometimes try to make us believe; they are high-quality jobs in technology, computers and electronics—jobs that are providing good standards of living for people in Milton Keynes.

The Labour party also likes to try to paint a picture of industrial decline. Again, the local picture does not support that. Since the last general election, the total amount of factory and warehouse space in Milton Keynes has increased by more than 2.2 million sq ft. Our manufacturing capacity has expanded significantly, and our retail outlets are now doing the same. An investment programme in our city centre will run to £100 million. Since the last election, the private sector in Milton Keynes has invested over £1 billion.

That is what Conservative policies mean at local level. They mean more prosperity, more jobs and more choice, and people will not willingly put such a future at risk. Only one party really believes in genuine choice and quality, and that is the Conservative party. I hope that, in the coming months, my colleagues will be able to put across the message about what has been achieved—how successful the country's economy now is compared with those of many continental countries, the hard-won success that has been brought about by British people and the fact that they should not unnecessarily put that at risk.

7.14 pm

Mr. David Trimble (Upper Bann): When the Chancellor of the Exchequer announced the Budget, my colleagues and I gave it a general welcome—basically because, in that Budget as in the Bill, the Chancellor had been restrained in his tax cuts. We were glad that he had not given in to the urgings of some of his colleagues for radical, deep cuts. Some of my own colleagues, indeed, doubted that there was a case for any tax cuts in the current economic circumstances.

Furthermore, at the time of the Budget the Chancellor boasted that he had significantly tightened the Government's fiscal stance. Subsequent examination has shown that the picture is not quite as clear cut as it appeared then, but we agreed with what appeared to be the judgment: that a tightening of the fiscal stance was necessary at that point. We still consider that necessary, in fact, because of the prospect of undesirable upward pressures on inflation. The object must be to try to restrain any such pressures.

As the hon. Member for Milton Keynes, South-West (Mr. Legg) suggested, we can choose whether to deal with that situation by means of monetary policy or by other means. The hon. Gentleman's speech foreshadowed interest rate increases, but the problem with such increases is that they penalise industry. One of the reasons why we have found the Chancellor's conduct in office in the past few years so attractive is the fact that he has resisted regular pressures for increased rates from the Bank of England. From the point of view of industry, that is very commendable. We do not want interest rate increases, because of the burden that they would place on industry.

That is not to say that we want inflationary pressures to result in inflation. The alternative to interest rate increases is a reduction in the borrowing requirement, either through expenditure cuts or through increases on the revenue side, and, on balance, that is the course that we would have favoured. It would have been much better for industry to tighten fiscal policy in order to avoid any need for interest rate increases. We applaud the Chancellor's restrained and responsible approach, but we think that, if anything, he should have taken it more wholeheartedly, to avoid that danger.

Mr. Legg: I am interested in what the hon. Gentleman is saying. He does not want monetary policy to be tightened. Can he tell us the size of the fiscal adjustment to the public sector borrowing requirement that he thinks would be necessary to off-set any tightening of monetary policy?

Mr. Trimble: I would be delighted if I were in a position to do so, but I frankly acknowledge that I am not. There is no point in my producing figures from the top of my head—far too much of that goes on here—so I shall not give way to the temptation with which I have been presented.

The implication behind the hon. Gentleman's question, however, is that it would be uncomfortable to follow the course that I have suggested. In some respects it would

be, but I do not think that we should shy away from it for that reason. We must think of the long term. We want low inflation, and we also want our industries to be healthy, especially exporting industries.

That brings me to my next worry about the present economic situation—the steep increase in the value of sterling that has taken place in recent months. That has been mentioned during the debate, but there has been a significant increase in the value of sterling compared with other currencies. That appears already to be affecting industry. It is bound to affect it significantly. I have been told by business men in my constituency and elsewhere of the impact that the value increase is having on their businesses. Saying that they have been forced out of certain export markets is perhaps pitching it a little too high, but, even in recent months, they have faced significant difficulties with regard to some export markets.

Therefore, the economic prospects are not terribly good in terms of the likely news in the next few months. We are threatened with interest rate increases. Some of our industries will face difficulties, particularly with regard to exports. That will affect payments and so on, so the position is not encouraging, particularly because, as I have said, it appears on closer examination that the tightening of the fiscal stance is not as good as it appeared at first sight.

I notice in particular that, in paragraph 17 of its report, the Treasury Committee welcomes

"the Chancellor's determination in keeping downward pressure on the PSBR . . . However . . . part of the offset to the tax cuts comes from increased revenues from measures designed to secure the tax base and the effectiveness of these is very uncertain . . . we reserve judgment on whether the means chosen will actually succeed."

I agree with that.

In any event, as the Select Committee goes on to observe,

"the target year for the deficit to return to zero has been pushed forward by another year",

so on closer examination it is not quite as virtuous or as rosy a picture as it first appeared. None the less, we acknowledge that the Chancellor has endeavoured to act responsibly.

Like some other hon. Members who have spoken, we regret that there will not be a further opportunity to revisit the issue of value added tax on domestic fuel and heating. As hon. Members will know, some of my colleagues supported the attempt at an earlier stage to pave the way for another vote on VAT on fuel. That has not succeeded, so we do not have the opportunity to raise the issue at present, which is a pity because we feel that that measure was ill-advised. I understand that it is not now possible to return VAT on domestic fuel to zero, but, in so far as VAT on fuel can be reduced, the opportunity should have been taken.

We feel somewhat uncertain about the provision on travel insurance, which has been referred to. Again, we should consider that matter more closely. If there is significant tax evasion, the measure may be advisable, but, on the surface, it appears to penalise travel agents.

There is some uncertainty about that measure's merits, but I have no doubt about the lack of merit in the proposal to double air passenger duty. That proposal is most ill-advised. The hon. Member for Bournemouth, West (Mr. Butterfill) talked about the need to have equality as between the tax position of airline travel and that of rail travel and so on. That is a fair point, but, from the point of view of Members representing constituencies in Northern Ireland, the obvious point is that, effectively, we have no choice with regard to travel.

Mr. John D. Taylor (Strangford): There are no trains.

Mr. Trimble: No trains run between Belfast and London. It might be a good idea if some did. It would certainly involve significant works and public expenditure, and the construction would generate much employment in certain regions in Scotland and Northern Ireland. We might learn from the lessons of other tunnels that have been constructed, but, realistically, all such travel must be by air.

Obviously, therefore, hon. Members will realise that a doubling of the air passenger tax has a significant impact on us. The Government may have thought that the tax simply creams a little off the holiday market, that people who go away on holiday will not mind paying an extra £5 or £10—or whatever it happens to be—and that they are so happy to go on holiday that they will not bother about the duty. Perhaps that lay behind the Government's thinking, but many people must travel within the United Kingdom by air and much of that travel is outside the holiday period and is connected with business. Like all taxes, it comes back to their effect on businesses.

This tax, particularly because of its discriminatory effect on Northern Ireland, should be opposed. According to the motion on the Order Paper, we will not have the opportunity, I am sorry to say, to debate that particular clause on the Floor of the House, or at least the Committee stage will not be taken on the Floor of the House. None the less, we shall see what opportunity there is to oppose the air passenger duty and we will do so. That should be done not just because of the special reasons in Northern Ireland, but for more general reasons.

Incidentally, I note that one of the amendments that was not selected—that in the name of the members of the Scottish National party—referred to the air passenger duty and to VAT on fuel, but, for some reason, went on to conclude that the Budget was particularly anti-Scottish. The argument that the Budget might be anti-Ulster is stronger than the argument that it is anti-Scottish, but we do not take such narrow nationalist views on the matter. Our objection to the air passenger duty is more general.

One other matter of local interest relates to corporation tax. It is pressed on us regularly at home by business men and people in Government agencies that are concerned with the attraction of inward investment. The matter is raised with us because the corporation tax rate in the Republic of Ireland is 10 per cent. Consequently, it has an effect, so we are told, on the attraction of inward investment to Northern Ireland.

We are told that people who are engaged in investment and in creating new businesses have, in some cases, gone to the Republic of Ireland to take advantage of the 10 per cent. corporation tax, rather than located in Northern Ireland or elsewhere. Business men and Government servants involved in the attraction of inward investment urge us to press on the Government the need for a 10 per cent. corporation tax in Northern Ireland.

I am not minded to do so because I recognise the strong arguments for maintaining uniform rates through the United Kingdom. Having uniform tax rates was the

[Mr. Trimble]

cornerstone of the argument of Sir James Craig, the Prime Minister of Northern Ireland in the 1920s, who said that, in return for paying the same tax rates as the rest of kingdom, we were entitled to the same rates of benefit and public expenditure as the rest of the kingdom—an argument which, at that time, the Treasury was reluctant and slow to accept but did accept. We recognise therefore that uniformity of tax rates is essential to maintain uniformity of public expenditure and benefit rates. Opposition Members who represent Scottish constituencies and who try to disconnect tax and benefits might like to consider that point.

We are not minded, therefore, to argue for a 10 per cent. corporation tax rate. In any event, if there were special treatment for Northern Ireland, the same arguments would apply to other objective 1 areas, such as Merseyside and the western islands, but it should be recognised that there is competition for inward investment, and that Northern Ireland and, to a lesser extent, Wales and Scotland are in competition with the Republic of Ireland, so that consideration should be given to the effect of the Republic of Ireland's competitive advantage. That could result in us considering the possibility of reducing the UK corporation tax rate generally or it may be possible to raise the issue elsewhere through Europe, in a way that would benefit us. I hope that the Treasury will consider doing that.

Some of the income tax reductions were in the main rate and some were in allowances. I agree with the comment, reported in paragraph 16 of the Treasury Committee's report, by Professor Congdon who said:

"the main problem with the tax system was to be found at the low end of the income scale where people could face 100 per cent. marginal tax rates because of the interaction of the social security system and the tax system."

That is the so-called poverty trap. That problem is more acute in Northern Ireland than elsewhere. In percentage terms, more people in the Province are caught in the poverty trap than elsewhere. One of the reasons for that is the comparatively lower wages in the public sector where wages generally are 10 to 15 per cent. lower in Northern Ireland than in the rest of the United Kingdom. Benefits, although nominally the same, are higher for some people in Northern Ireland, especially for those with large families. That means that more people are caught in the poverty trap.

One of the ways to ease that trap is to raise allowances significantly by introducing tax at higher incomes. I appreciate that in raising basic allowances the Government have gone further than they were obliged to go, but they should have gone even further. They should not have bothered reducing the basic rate of tax but should have put the benefit towards increasing allowances. That would have helped people at that end of the tax system.

I should like to deal with two other matters from a local angle. Increased revenue is expected to accrue from measures to cut fraud, especially social security fraud. That is a necessary approach and I hope that it is successful to the extent of the Government's hopes.

One of the interesting aspects of the introduction of the jobseeker's allowance was that it resulted in a decline in the number of people claiming benefit. Interestingly, in Northern Ireland that decline was not even. Figures are available only for travel-to-work areas and while there was a general percentage reduction in the number of people claiming benefit in Northern Ireland as a whole, in some travel-to-work areas the reduction doubled. The travel-to-work areas so affected are Newry and Strabane. That is not surprising because those areas are on the border and there is an opportunity, which no doubt many people have taken over the years, to work in one jurisdiction and claim benefit in another. It is two-way traffic. One effect of the introduction of the jobseeker's allowance was a sharp reduction in the number of people claiming benefit in Newry and Strabane, and that is a clear sign of what could be done by these anti-fraud measures.

The Financial Secretary spoke about provision for rates on businesses. In his Budget speech, the Chancellor spoke specifically about the Government's recent provision to reduce the rates on village shops. That is an interesting measure but it does not apply to Northern Ireland and I hope that that will be rectified. It is quite inappropriate that a measure which gives rate relief to people in Great Britain should be deliberately withheld from the people of Northern Ireland. That is a fundamental mistake. The excuse that has been proffered is that there is a different structure of local government in Northern Ireland. The Province is already penalised through having no effective local government and it is doubly unfair, the Government having deliberately withheld from us a decent system of local government, that they should use its absence as an argument for withholding the rates benefit that has been granted elsewhere in Great Britain. The injustice—it is not an exaggeration to use that term—ought to be remedied and I hope that it will be.

The Government claim that while holding down public expenditure they have managed to find extra money for education and health. We heard much in debate on the Budget and on the Bill about that additional expenditure. Unfortunately, those who speak about that do not finish the sentence because they should refer to the extra money for education and health in England. It certainly does not apply in Northern Ireland, nor do I think that it applies in Scotland and Wales. That matter should be reconsidered.

There has not been a general increase in the money for schools in Northern Ireland, which are supposed to operate on what is called level funding. But it is not level because of discriminatory expenditure. There is increased expenditure in the maintained sector and cuts in the controlled sector. The terminology is relevant only in Northern Ireland. The controlled sector consists of state schools while those in the maintained sector are private church schools. Expenditure on state schools is reducing.

An acquaintance who is the headmaster of a primary school in my constituency told me that for this educational year he has an increase in enrolment of 20 and has been advised by the education authority that he must reduce the number of teachers by one. That is because of cuts in what is nominally level funding but in reality is not. The same general picture applies to health. There are increases in health expenditure in England but not in Northern Ireland. There is no general increase there and, given the pressures, the net effect is a reduction with consequent closures, including the recent closure of a hospital in my constituency. Such matters closely affect us.

One other inappropriate expenditure measure in Northern Ireland is the reduction in the action for community employment, or ACE programme. That scheme was targeted particularly at the long-term

unemployed and reductions are particularly inappropriate and will undermine the continued existence of a range of valuable community programmes. The private finance initiative is a significant source of capital but in Northern Ireland the amount of PFI money is extremely low. The Red Book gives a projection of some £20 million for 1997-98, trebling, it is hoped, to £60 million in 1998-99. But I think that I am right in saying that so far only one PFI project has been mooted in Northern Ireland. The Select Committee report refers to the sluggishness of the programme. If it is sluggish in England it is virtually immobile in Northern Ireland.

Mr. Barry Jones (Alyn and Deeside): It is moribund.

Mr. Trimble: The hon. Gentleman says that it is moribund, but that is not quite the right term because it implies that it once had some vigour which it has lost. The measure has not managed to move significantly in Northern Ireland but the projected public capital spending from it is £20 million in the next financial year and £60 million in the following year.

Mr. Roy Beggs (East Antrim): Does my hon. Friend agree that the £20 million projected for the PFI represents no more than two, or at most three, small projects and is quite insignificant?

Mr. Trimble: I take my hon. Friend's point. The Select Committee report states that conventional capital expenditure is being reduced because of plans for the PFI without the compensating PFI investment necessarily materialising. Hon. Members will appreciate that I have added a few words to that extract from the report to adapt it to the circumstances, but it shows one of the problems. PFI investment has been so sluggish in coming forward that it may not materialise, and ordinary capital expenditure plans have been curtailed because such investment is expected—resulting in what is sometimes called a "double-whammy".

As I said, the Government are proud of their economic record. We concede that, in many respects, the Chancellor has been more responsible than we had expected. However, the success of the Government's policies, certainly over the past few years, has flowed not from the Government's original chosen policies but from policies that were thrust upon them, five years ago, after they were forced to leave the exchange rate mechanism. The Government's original policies, prior to leaving the ERM, were bad. I recall that the Prime Minister, who was then Chancellor of the Exchequer, took us into the exchange rate mechanism at the wrong rate.

Although the Government have been much more sensible since 1992, many of us are concerned that some of those in the Government again want to place our economic policy within a European straitjacket. We believe that a single currency would be bad for the United Kingdom and, therefore, we hope that the United Kingdom will not join it. However, we also think that a single currency will be bad for Europe, even for the countries that join it. We will, therefore, be affected by a single currency, even if we are outside it, because of the damage that it will do to the European economy. Even if we stay out of it, our economy will suffer from it. That is why—like many hon. Members, not all of whom are Opposition Members—we wish that the Government had a clearer policy on the issue and were more effective in persuading our European partners not to take that route.

Although we have some disagreements and doubts about the Budget, which can be pursued in Committee and elsewhere, we welcome the basic approach to formulating the Budget. It would therefore not be right to vote against the Finance Bill's Second Reading.

7.41 pm

Mr. Douglas French (Gloucester): I add my congratulations to those already given to the hon. Member for Barnsley, East (Mr. Ennis) on his maiden speech. Getting a laugh from the House on a maiden speech is a rare achievement, and I felt that he did extremely well.

The hon. Gentleman's speech, however, was not quite as riveting as that made earlier in the debate by the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). I have always recognised the right hon. Gentleman's long experience in the House, particularly his great experience in financial and fiscal policy. Nevertheless, like my hon. Friend the Member for Stamford and Spalding (Mr. Davies), I found his speech extremely interesting, if not somewhat alarming, because of the specific recipe that he advocated. The right hon. Gentleman, to give him credit, has for many years been consistent in those views, although it is rather surprising now to hear him advocate the merits of an apparently deliberate weakening of the exchange rate. One can only speculate whether that represents official Opposition policy or whether he is in a minority within his party.

I should like to link those comments with those made on capital taxation by my hon. Friend the Member for Milton Keynes, South-West (Mr. Legg). When my hon. Friend made the arguments—with which I very much agree—for a reduction in the burden of capital taxation, and particularly for a revision of capital gains tax, little enthusiasm was detectable on the faces of Opposition Members. I think that it is reasonable to assume that, were they to form the next Government, some modification of capital taxation and particularly of capital gains tax would not be very high on their agenda.

Earlier in this debate, my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) made a similar point on capital taxation, which elicited from Opposition Members a response best described as a jeer. Therefore, we have the combination, as two building blocks of Opposition financial policy, of a deliberate weakening of the currency and an apparently clear determination to continue a stringent capital tax regime. Those are hardly two good ingredients to sustain the very strong economic recovery achieved by the Government.

I fully support the Budget judgment made by my right hon. and learned Friend the Chancellor. It was a correct combination of measures to sustain the firm recovery that we need to keep inflation down, increase new job opportunities and reduce the percentage of gross domestic product devoted to Government expenditure. That combination of measures is highly likely to continue to deliver the good economic progress that we have been experiencing. I have no reservations about the Budget judgment itself.

A good Budget requires a good Finance Bill to go with it, and by "good" I mean one that is technically polished. This Bill will, of course, be more polished technically

[Mr. Douglas French]

after it has gone through its Committee stage. As with any Finance Bill, there may be rough edges that must be smoothed over, so that we can put solid, reliable and accurate legislation on to the statute book. Just as this Bill contains proposals that refine the rough edges of previous Finance Bills, future Finance Bills will undoubtedly revisit some of the issues dealt with by this Bill. Every Finance Bill is the same: each includes revision of previous measures and attempts to tackle new matters that are thought to require introduction or change.

The common characteristic of all Finance Bills—certainly in the past 20 years—is that they have been more complex than is desirable. The complexity is often borne of a desire to achieve, particularly in fiscal measures, as much fairness as possible and to recognise special cases; a need to make a particular concession for one specific interest group; the Treasury's desire for some symmetry in proposals; or a desire to make special provision in anticipation of a theoretical situation which may arise but, in practice, often does not.

A good example of the point that I am trying to make is provided by value added tax. When VAT was introduced 25 or so years ago, it was acclaimed as a very simple tax; the principle of VAT is very simple. In reality, however, the practice has proved to be extremely complicated. I think that my hon. Friend the Member for Havant (Mr. Willetts) referred to the 1980 and 1981 Budgets. I, too, cast my mind back to those Budgets, and recall that professional advisers and politicians were wrestling with some of the early difficulties with VAT. Some of those difficulties involved very technical matters, and some were so technical that it is astonishing to think of the time devoted to them.

A classic example of the difficulties was in the application of VAT to Jaffa cakes. Today, at a distance, that may sound like a ridiculous and trite example, but at the time it exercised minds. Should a Jaffa cake be zero or standard rated? It all depended on whether it was regarded as food, which would make it zero rated, or as a chocolate, sweet confection, which would make it a snack food and standard rated. There was a similar experience with peanuts, depending on whether they were salted, roasted or plain. Their VAT treatment depended on the category to which they belonged.

For many years, we had debates on VAT demarcation lines in the construction industry. When was an alteration to be considered as new work, and when was it maintenance? We had similar problems with landing dues on small aircraft and with children's clothes. All those are very technical matters. I would argue that they are far too detailed and technical to justify the time spent on them in the past.

In more recent Finance Bills, I have seen the seeds of the same complexity. My plea is that when dealing with new Finance Bills, particularly those that introduce new fiscal measures, strenuous efforts should be made to ensure that we do not build in more complexity than is necessary to ensure a reasonable degree of fairness. There will be occasions when it would be more desirable to accept a degree of rough justice on a particular measure rather than make it so complicated that those who are required to comply with it simply cannot understand on which side of the line they fall.

I had hoped that the current Bill would show the results of the quest for simplification which I know my right hon. and learned Friend the Chancellor, my hon. Friend the Financial Secretary and the other Treasury Ministers would, in theory, all like to see. However, I fear that some measures in the Bill are much more complicated than they should be.

Early in the debate, my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) referred to the proposals for VAT on property. I think that all hon. Members know that there has been a significant lobby in respect of the proposal to curtail what is known as the option to tax. The property industry can make a good case—it is doing so—on the adverse effects of withdrawal of that option. An equally strong case can be made on the grounds that that proposal is unnecessarily complicated and, in practice, will be extremely difficult to implement. It can also be argued that it is not well targeted.

It has to be accepted that there have been examples of exploitation of arrangements whereby a landlord of a commercial property can opt to charge VAT on a letting. However, generally, that exploitation has not been by the landlords themselves. It has tended to be by financial institutions that are not delivering VAT-subject services and goods, sometimes aided and abetted by intermediate associated property companies.

Enormous practical difficulties are posed by introducing a measure that requires an assessment to be made of whether the VAT-able supplies of a particular tenant are greater or less than 80 per cent. of his total supplies. The property company doing the developing—the development may take two, three or four years, depending on the size—cannot reasonably be expected to take a view on what is likely to be the VAT position of the tenant who eventually occupies the property. That is what will determine the method of disposal by the property company and will be the way in which the property company strikes the profit that it hopes to secure from the transaction.

I cannot think of another example where the status of the tenant determines what view the property developer should take on the likely proceeds from the development. It implies that, once a tenant has occupied the property, the landlord will have to monitor any change in the tenant's VAT position. Perhaps the Minister can tell me whether that will be necessary. If it is necessary, it presents a complexity that we could do without.

I have no doubt that within Customs and Excise there are many people working on this matter, but if such a measure goes forward, we will need to have regimes relating to the VAT position of buildings that are let to different tenants and to sub-tenants.

The solution proposed is not well targeted on those who currently exploit the loophole. It hits the wrong category. I urge Treasury Ministers to re-examine this subject. This is not intended as a plea on behalf of the property industry, which is well able to make its own pleas, but it is a plea for simplicity. We should not introduce complexities that will absorb an enormous amount of time to get it right. A company may feel that it has got it right and then find that its interpretation is not shared by Customs and Excise and is, therefore, unacceptable.

I find some common ground between that point and the proposals for the refund of overpaid VAT. I was pleased when Treasury Ministers decided to equalise to three

years the capacity to go back for reclaims and to refund overpayments. Three years is a reasonable period. However, there have been many complaints from those who feel, quite legitimately, that imposing that new time limit from 18 July last year represents an element of retrospection. I know that retrospection can attach to it a large number of different interpretations and I expect that I shall be told that that is not genuine retrospection. In spite of that, I see it as retrospection, and those who complain about it have a legitimate point. I urge Treasury Ministers to look at that matter again.

Unjust enrichment is a subject that has been raised outside the House on many occasions, but I do not think that it has been mentioned in the debate other than in passing. I believe that when it is not possible for the supplier of goods or services to make a repayment to the original customer—perhaps when VAT has been charged when it should not have been—there are no grounds for the VAT to be returned. It is unjust enrichment for the supplier of the goods and services to sit on the returned money and not pass it on to the person against whom he charged it.

Also on VAT overpayment, a distinction has to be made between correcting errors when the wrong amount has been paid and a deliberate recalculation. Recalculations can often occur as a result of the different schemes relating to retailers. When it becomes obvious that an alternative retail scheme would be more beneficial, it is perfectly legitimate for retailers to recalculate over a period. That is quite different from correcting an error and we should make certain that the two are not confused.

There is another category from which I have heard a great deal—sports clubs and opticians. I have no idea why they fall into the same category, but in the representations that I have received they are grouped together. This matter also relates to an element of retrospection: those VAT payers are saying that, before last July, they had been advised by their individual customs officers—this covers a wide geographical area—that there was no time limit for putting in claims because matters had to be resolved in relation to European legislation and United Kingdom case law. They did not therefore go ahead with claims, and the now applied date of 18 July intervened, excluding them from exercising the opportunity that they might have taken, but for the advice that they were given. That is an unsatisfactory situation that I hope Treasury Ministers can address to the satisfaction of VAT payers and Customs and Excise.

I have some reservations about the VAT disaggregation proposals, dealing with what is seen to be the artificial splitting of a business to ensure that as many parts as possible do not reach the VAT threshold. As I understand the proposals, Customs and Excise will no longer have to show that the reason for the splitting of a business was to avoid the VAT registration threshold. If customs announces that that is its interpretation, there is no opportunity for appeal. That is not satisfactory and needs attention.

I agree with some of the remarks made earlier about insurance premium tax and the comments of my hon. Friend the Member for Bournemouth, West. The insurance industry will obviously dislike such a tax. It is an increase on the industry's costs and insurance companies realise that it is likely to rise. It is a thoroughly unwelcome burden.

The tax is likely to prove impractical when applied to warranties. Hon. Members have already mentioned attempts to increase artificially the cost of a warranty, which has so far attracted the 2.5 per cent. insurance premium tax, and decrease the cost of the product, which is subject to VAT at 17.5 per cent., thereby making the global figure more competitive.

My hon. Friend the Member for Bournemouth, West said that he did not think that happened very often. I take a different view—I think that it happens a great deal. It certainly happens in the sale of domestic electrical appliances and computers. The practice amounts to evasion, which ought not to go on.

The proposed solution is that the lot should be subject to 17.5 per cent. That would create an unfair distinction between those who buy a warranty in the same purchase as the equipment and those who buy it separately. That would clearly create great difficulties. There can hardly be a precedent for the level of tax on a product varying according to where it is bought.

Experts will be working on how to overcome those difficulties. I can envisage a television salesman, for example, saying, "I can't sell you the warranty, but if you go around the corner, there's a little booth in the same shop just to sell insurance. If you go there you can get it with insurance premium tax at 4 per cent. instead of paying the full amount." That cannot be practical. What about salesmen recommending that customers go to the shop next door or recommending such and such an outlet for the best deal on insurance? The proposals are thoroughly unsatisfactory and have to be rethought.

A similar argument applies to travel insurance. It cannot be right that the man who sells the travel service must apply 17.5 per cent. to the accompanying insurance while someone selling insurance separately does not have to do so. That would encourage direct selling of travel insurance, to the detriment of the industry.

That view was strongly put to me by my constituent Mr. Millard of Starline Travel, Clarence street, Gloucester. In a letter to me, he urges a reconsideration of the Government's position. He says:

> "If the Government is not prepared to reconsider its position, it should at least allow the industry to compete fairly with the insurance sector by taxing all travel insurance at the same rate regardless of by whom it is sold."

That must be a sound principle. Varying the rate of tax applied according to where the product is bought will lead to problems similar to the VAT demarcation problems which I mentioned at the outset, with the issue being debated for years and a satisfactory solution never being found. That must be resisted.

8.5 pm

Mr. Barry Jones (Alyn and Deeside): I am glad to follow the informed speech of the hon. Member for the great city of Gloucester (Mr. French), particularly in view of his generous remarks about my hon. Friend the Member for Barnsley, East (Mr. Ennis) and his maiden speech. My hon. Friend paid a nice tribute to Terry Patchett, whom we all miss. His speech was humorous. It was a strong speech, a caring speech and an informed speech. I appreciated his remarks about education and health. He brings a great deal of experience to this place and will be a member of this honourable House for many years.

[Mr. Barry Jones]

I heard the Chief Secretary to the Treasury refer to the national health service. Last week I visited the district general hospital in Wrexham that serves my constituents. It is a good hospital and has received the honour of a charter mark. However, when I visited that excellent and successful hospital, I found it stretched to the limit of its human and financial resources. The dedicated staff were coping with intense pressure. During the week, that great hospital had to abandon its programme of operations to cope with the massive influx of those who had fallen prey to the epidemic of influenza, or whatever it is, in north-east Wales. I do not recognise the picture of the national health service given by the Chief Secretary.

I am more than glad to support the amendment tabled by Her Majesty's Opposition, because there is insufficient investment and employment and the Government have no strategy to tackle long-term unemployment or the scandal of widespread youth unemployment. The latter is connected to drugs-related crime. Many pensioners in my constituency are afraid of burglaries and are scandalised by vandalism and graffiti. Their fears are the consequence of widespread youth unemployment. There is certainly a connection. There is no strategy in the Bill with regard to those evils. I therefore believe that the policy of the Shadow Chancellor, my right hon. Friend the Member for Dunfermline, East (Mr. Brown), to train 250,000 young people is very good. His policies will bring some hope to Wales and the community that I represent on industrial Deeside.

I had hoped that the Finance Bill would include a reduction in fuel bills as a result of a cut in value added tax, a boost to energy conservation and the release of moneys from the sale of council houses so that funding for repairs and modernisation of houses could be made available. I make my views known following assessment of the terrible impact that the recent very severe arctic weather, especially the wind chill, had on tenants. The strong wind that blew and blew for several weeks made houses very cold.

In my constituency, far too many homes still have rotting windows, draughty doors and rooms without radiators or any form of central heating. I want to speak up for tenants in such houses for they have experienced severe conditions as a consequence of the frighteningly cold weather that gripped our country for weeks. The House should consider the consequences for young families of those freezing temperatures. It became an ordeal. It was a misery for them and pointed to unhappiness and the onset of ill health.

The severe weather impacted greatly on the domestic budgets of people who do not earn a large wage or are on benefits. One example from my constituency surgery that comes to mind is of a young mother whose four-week old baby had been born, I believe, nine weeks prematurely. The home in which she sheltered with her husband and baby during the terrifyingly cold weather had no radiators; there was but a gas fire. Consequently, that young family, with the responsibility for that young child, decided in the end to decamp, leave the house and take shelter in the young mother's mother's home five miles away. They simply locked up their house and went to a warmer one because their home had not been modernised; it did not have modern window frames or the modicum of central heating that it deserved.

The second example that I would cite is of a very old council house that is tenanted by a respectable man, aged 60, who has been an exemplary tenant for 40 years. He came to my surgery to tell me of his family's distress in the arctic weather owing to window and door frames simply failing to keep out the cold. As an unskilled council worker on a low wage, he had very little spare money to cope with the demands on his heating budget.

A number of my constituents have told me that during the very cold weather they had icicles near windows and mould grew on walls. They told me of their need for coal at £6.50 a bag and that their wages and benefits were insufficient. The consequence was that many families—tens of thousands across Wales and many hundreds in my constituency—were at a very severe disadvantage during that arctic spell. I wish that the Finance Bill had included measures pointing to some relief for such people. Pensioners who came to see me told me that they needed cold weather payments urgently and that they have to wait too long for the extra relief. They asked me to request urgent payments rather than relatively laggardly ones.

I emphasise the fact that when there is no insulation, fuel taxes are high and modernisation schemes falter due to the lack of Government policy, young families suffer. I ask the House to consider the dilemma faced by many young mothers who have asthmatic or bronchitic young children. Such youngsters cannot be put to bed in freezing cold bedrooms that have no radiators. The House should consider the predicament of such young families and the consequential effect on the health of the children who live in such homes. Many young mothers and fathers and others were at their wits end during the frighteningly cold arctic spell, and the House should consider how it can attempt to prevent such unhappiness recurring. Clearly, such arctic weather could return.

Although no Government can be blamed for arctic weather, the present Government must accept blame for the destruction of the energy conservation programme. Such destruction has been their policy; that is where they have cut. They must face the fact that they have implemented a major hike in fuel bills by imposing tax. Despite that, they still stubbornly refuse to release more receipts from council house sales. Our local authorities are anxious for the release of such receipts so that money can be made available for new building and modernisation.

If such policies were implemented and the Government were to relent, there would be an increase in the happiness and the warmth of tenants whose predicament I have described. There would also be more work, as those who are unemployed could be the very people to repair and modernise the homes in which so many families still live. We should move to end the distress of families such as those who live in my constituency.

For poorer people, the savage, continuous and brutal arctic weather made life a misery, destroyed domestic budgets and pre-empted all household expenditure. Keeping warm was a constant and expensive struggle. Not keeping warm destroyed morale and health. Children suffered, school budgets suffered, yet the Finance Bill for certain contains nothing that might prevent such miserable happenings from recurring. Deficiencies and omissions in Government policy put pressure on our vulnerable families during the terrible cold weather.

The House should realise that the arctic weather could return. I am anxious that families such as those whom I have described do not suffer such misery and indignity again. The Finance Bill is riddled with inconsistencies and is highly deficient.

8.18 pm

Mr. Nicholas Budgen (Wolverhampton, South–West): The hon. Member for Alyn and Deeside (Mr. Jones) is, of course, entirely justified in this general debate in referring to what he believes to be a grave omission from the Finance Bill.

I wish to start by saying how much I enjoyed the maiden speech of the hon. Member for Barnsley, East (Mr. Ennis). I enjoyed his wit, his attachment to his constituency and his elegant and amusing reference to his many relatives. The House warmed to him and much enjoyed his speech, which was delivered with great self-confidence. Let us hope that we hear him many times in such good form.

We crawl over every minute detail of the Finance Bill—indeed, my hon. Friend the Member for Gloucester (Mr. French) did some minute crawling when he gave us the details of the Bill's effect on individual citizens, and it was proper for him to do so. The Finance Bill and the Budget are tremendously important to people who are affected by it, especially, as my hon. Friend pointed out, to those who are not sure whether they fall on one side or the other of a line. It is entirely right that the House of Commons should spend much time trying to ensure that the details of the legislation are, at least, no worse than usual. We recognise that most legislation does not have entirely the desired effect. It is often rough and ready and sometimes creates injustices, but we try to do something with it.

It is strange and ironic, however, that when we have finished talking about all the details, the Budget is usually fairly insignificant in its effect on the general health of the economy. Wise men argue about whether the Budget will be mildly contractionary, will put a bit more money into the economy or will be broadly neutral. We can all argue about how the figures have been fiddled and make clever points about whether the fiddling is worse this year than it was last year or whether this year the clever people in the Treasury have used words slightly differently to enable them to put favourable assumptions into the Budget. Such debates are all very clever and interesting, but the Budget does not have an enormous general effect on the economy.

That fact brings me to the only point that I wish to make in what I fear may be an embarrassingly short speech. Monetary policy is far more important in its overall effect on the economy than are the minutiae of fiscal policy. Why does the average citizen now feel more comfortable in his job and about being able to sell his house or look for another job, and why has negative equity diminished so much? It is not because we have had three or four clever Budgets in the past three or four years: it is because of the relaxation of monetary policy.

Page 47 of the Red Book shows the extraordinary way in which monetary growth slumped dramatically between 1990 and 1992, how monetary growth was minimal in the six or nine months before we came out of the exchange rate mechanism and how this country was squeezed dramatically and dreadfully in an over-tight monetary policy before we finally burst free from the exchange rate mechanism. For all the talk about how clever Budgets have been in recent years, they have nothing to do with the improvement in the economy.

What has happened—chart 3.24 in the Red Book shows this—is that, after a gross and excessive squeeze, there has been a progressive relaxation of monetary policy. That is why house prices are now going up 10 or 15 per cent.; why the ripple effect is moving from London into the outer suburbs and the shire counties; why people are able to borrow against their houses for their small businesses or whatever else they want to do; and why economic activity, employment and consumer demand are generally increasing.

It is curious that while we properly crawl over every detail of the incidence of taxation, we do not often discuss monetary policy. Monetary policy can be conducted and changed without any control by the House of Commons. It is extraordinary that there can be a cumulative rise in interest rates from, let us say, 7 per cent. up to 15 per cent. without any specific control or inquiry by the House. Therefore, when we consider the Labour party's proposals for taxation and for increased public expenditure, we are surely entitled to suggest that those proposals are weapons of relatively small effect. What is important is how the Labour party will manage monetary policy, because that will be the unknown residual.

Mr. Tony Marlow (Northampton, North): It will be controlled by Frankfurt.

Mr. Budgen: I will come to that subject as I am nearly as preoccupied by it as my hon. Friend is. I will make the domestic point first.

The Labour party says that it will not raise taxation generally and that it will be able to stick to that. I think that will be difficult. Clever young men in Tory central office have added up the commitments made by Labour for increased expenditure and they amount to £30 billion a year. Before any Labour Member starts complaining, I may say that I do not pretend to understand what new Labour is about other than trying to be an alternative Tory Administration with different people.

I imagine that some people from old Labour have not been weeded out, even if they are now allowed only to deliver leaflets. There must be some people from the old Labour party who believed in high public expenditure on, for example, fuel conservation schemes, as suggested by the hon. Member for Alyn and Deeside, but such initiatives cost money. It is probable that the people who have fought so long and hard for the Labour victory that they hope for at the next general election would want higher public expenditure. That would mean a public sector borrowing requirement of £40 billion to £50 billion, which would have to be financed somehow. The extra financial pressure would give rise to higher interest rates than would apply if we had a lower public sector borrowing requirement. It is extraordinary, but no one from the Labour party has explained its attitude to interest rates, monetary policy and the Bank of England.

One of the best things that the Government have done—if I may, for a moment, deeply admire the Government—is to introduce a new relationship between the Governor of the Bank of England and the Chancellor of the Exchequer. It is an extremely good system by

[Mr. Budgen]

which the constructive tension between those two high functionaries is made public so that the markets may exercise their discipline if they take a view that differs from that of the Chancellor or the Governor. The ultimate responsibility remains with the Chancellor of the Exchequer, and that is important. Some of my hon. Friends say that the Chancellor has done well to resist interest rate rises, but no one can tell yet and we shall not know for a couple of years. The Chancellor may be right; the Governor of the Bank may be right. It is much too early to congratulate either side in this struggle.

Yesterday's *Financial Times*—with, I am sure, a good deal of guidance from the Labour party—reported that Labour is to introduce a new monetary policy committee that, it seems, will be more or less independent of the Chancellor of the Exchequer. It would be entirely wrong under our constitution to allow any monetary policy committee to have complete operational independence from politicians. We in this House of Commons have little enough control over monetary policy anyway, and we do not debate it enough. It is half-adequately discussed in the Treasury Select Committee, but it is wholly inadequately discussed in the Chamber. The most important weapon of economic management being controlled by a monetary policy committee that is not held responsible by the Chancellor and for which the Chancellor is not responsible either to the Cabinet or to the House of Commons is, I suggest, a constitutional monstrosity.

It is no good Labour saying that it wants the committee because it wants to move part of the way towards a single currency in Europe, and therefore wants to be able to say that it is in favour of an independent central bank for domestic reasons as well as for what I would call European reasons. It is the essence of the way in which we control the economy that the Chancellor takes decisions on monetary policy, and these cannot be shuffled off to a new committee.

Although the story may or may not be true, a handout from the Tory party suggests that the committee will have union leaders and stakeholders on it. Let us assume, for the sake of argument, that that is completely untrue. It does not really matter in principle who is on the monetary committee, but for it to exercise unsupervised control over interest rates in some independent role is, I repeat, a constitutional monstrosity. It is made worse by the fact that the committee will be given completely inconsistent and conflicting instructions, as it will be told to control inflation and to have growth targets. This is nonsense.

The economy is not perfect, but it is very satisfactory and that is a result of the freedom that we obtained after 16 September 1992 and of the proper and necessary relaxation of monetary policy since then. That was a result of properly exercised political decisions by successive Chancellors of the Exchequer. These decisions cannot be shuffled off to a new-style monetary committee or to an independent European central bank. If Labour thinks that it can shuffle off those important decisions over our most important weapon of economic management, it is deeply wrong and it will come to learn that it has made a terrible mistake.

8.34 pm

Mr. Andrew Miller (Ellesmere Port and Neston): I want to pick up a theme that was started by my hon. Friend the Member for Barnsley, East (Mr. Ennis) in an extremely interesting and witty maiden speech. I also wish to respond to some of the critics, including the hon. Member for Wolverhampton, South–West (Mr. Budgen), who have asked about the difference between new Labour and old Labour. My hon. Friend the Member for Barnsley, East made it clear that he represents the Labour heartlands, and he reflected the views of those heartlands extremely well. He will be here representing the good folk of Barnsley, East for a long time to come.

My hon. Friend the Member for Barnsley, East introduced the theme of the buck-passing Budget, and referred to education. My hon. Friend the Member for Alyn and Deeside (Mr. Jones) then referred to housing, and that is an area on which I wish to concentrate. It is a pity that the hon. Member for Milton Keynes, South–West (Mr. Legg) has just left his place, because we had an exchange earlier in which he developed an interesting theme and then chose to ignore the facts. That seems to be prevalent among Conservative Members.

In my constituency, there are currently 4,500 families on the local authority housing waiting list, of whom I estimate that between 1,200 and 1,500 are in dire need of housing because of overcrowding or deteriorating accommodation. Ten years ago, that same local authority could on average house a couple with one child in one month. That same couple could now wait four years. A number of major factors have influenced the housing stock in that local authority, all of which are outside its control and most of which are in the control of the Government. This is a buck-passing Budget par excellence.

Library research paper 108 of 15 November 1996 contains an interesting table that shows the number of housing starts from 1975 to 1995. It is interesting that in only one year of the Government's tenure have they managed to surpass the number of total housing starts—the combination of private sector, housing association and local authority starts—achieved by Labour in 1979. In other years, the data show that the Government have come nowhere near the figures achieved by Labour. Overall starts in 1995 were 26 per cent. below the 1979 level, and the 1994 figure was 16 per cent. lower than 1979.

Local authorities started only 1,000 dwellings in 1995, which is a mere 0.6 per cent. of the total. In that year, housing association starts fell by 22 per cent. and private starts by 15 per cent. The hon. Member for Milton Keynes, South–West made it clear that housing debt had risen. That in turn put pressure on the providers of low-cost housing, which means that the Government have once again passed one of their responsibilities on to local authorities and housing associations while savaging their available capital.

The effect spins off to a wide range of other services, and pressure is put on the health service—the correlation between poor housing and poor health is well understood—on social services and, through housing benefit, on the social security budget. As a direct result of the Government's policy of passing the buck, a string of budgets is affected.

We in the Labour party have made it clear that we intend to address some of those issues. Even in some of the smaller areas of local authority responsibility, cuts knock on into youth service provision, for example, and cause problems for—

Mr. Deputy Speaker (Mr. Michael Morris): Order. The hon. Gentleman should relate his remarks to the Finance Bill.

Mr. Miller: I am within one sentence of a point relating to several clauses in the Bill.

There is a close relationship between the burden borne by local authorities and the Government's taxation policy, which is well established in the Bill. The Government said that if we elected them on Thursday, the recovery would begin on Friday, but the Library research paper setting out the trend of public sector borrowing requirement as a percentage of gross domestic product shows that in the run-up to the 1992 election, it was on a steeply rising curve, and it is therefore my contention that they knew that their assertion was an impossibility. There has been continual manipulation of the data and we know that the Government's figures have been totally and utterly inaccurate.

The Chief Secretary was challenged about whether he would serve on the Committee and seemed to indicate dissent. I hope to see him campaigning in Wirral, South, where I shall be spending some time in the next few weeks, and telling people about the facts that I have described, especially in relation to housing in all its aspects.

We heard earlier a comparison of the tax imposed by the Government on the banking sector in 1981 and Labour's proposed windfall tax on the utilities. I said in an earlier intervention that there was nothing about that banking tax in the Conservatives' 1979 manifesto, which could virtually have been written on a postage stamp, yet the Government considered it acceptable to introduce it in a Finance Bill—in 1980, as I recall.

We have been challenged several times on the details of the proposed windfall tax. Quite properly, my right hon. and hon. Friends will introduce it in the very next Finance Bill to come before the House, and that will be sooner rather than later.

Mr. Marlow: The windfall tax is an interesting concept. The hon. Gentleman is probably well aware of the fact that companies were privatised and people bought shares. Some of those companies were subsequently taken over at a higher price; that is what happens with shares and share ownership. The hon. Gentleman might say that the increase in value was a windfall and that the shareholder should be taxed on it, but the reality is that those shares now belong to somebody else and were bought at the full market price. The second owner paid the full market price for the shares and there is therefore no windfall. Is it the intention of the Labour party to tax such shareholders?

Mr. Miller: The hon. Gentleman makes an interesting point. Our policy has been known for several years, so prices have been discounted to take into account that possibility—or, rather, probability or certainty. The hon. Gentleman should logically apply his theory to the tax on the banking sector that I mentioned earlier, but of course he will not do that, because he happily acquiesced in it in the early 1980s as an acceptable way for the then Chancellor to raise revenue.

The notion that changing the threshold in inheritance tax is perfectly fair and proper and is to the advantage of the vast majority of people is another example of buck passing. It is absolute hypocrisy for the Government to make that assertion while at the same time forcing elderly people in residential homes to sell their houses to pay for such a buck-passing exercise.

There is a powerful argument for periodically changing the thresholds and it is reasonable to say that, if people have received a large tax relief on the cost of a mortgage, some of the money should subsequently be returned to the state, if the state is paying for their care, but it is absolutely inhuman to take it when people are, in many cases, literally on their death beds and to put such enormous pressure on couples.

Surely it would be right to push all that nonsense out of the social security arena and to deal with the matter through inheritance tax. I appreciate that that does not give the immediate tax flow, but there is a logical relationship. The Government's attitude is once again of passing the buck in terms of budgetary responsibility.

I have a detailed and varied interest in hydrocarbon taxes—an interesting concept, developed over a number of years—which extends from my constituency responsibilities. On the one hand we have Vauxhall Motors, which is part of the General Motors Corporation and is a highly successful motor manufacturer. Ellesmere Port is the home of the Astra and the V6 engine, 95 per cent. of which are exported to continental Europe. Also, the constituency contains a large petrochemical complex that includes Associated Octel, which somewhat controversially manufactures tetraethyl lead—the anti-knock compound for petrol. Again, that company is a £200 million export earner for this country.

The combination has made me consider hydrocarbon taxes carefully. While I appreciate that the Government's move on low-sulphur diesel is well intentioned and I do not deny that a huge problem is associated with diesel particulates, which has to be dealt with, I plead with the Government and my colleagues who will be taking over responsibility in the not too distant future to undertake a serious scientific review of the changing information available to us. Before long, we shall certainly have to penalise users of high-sulphur diesels by raising duties in relative terms, perhaps bringing them closer to those on petroleum.

In years gone by, it was generally accepted on both sides of the House that, because of the additional mileages that vehicles would run on diesel, it was more logical to assist the diesel user. Without wanting to be drawn into the argument about penalising the transport industry, I believe that in terms of the purely environmental considerations it is high time that we had a wide-ranging review of the scientific evidence, some of which is highly controversial and which is still changing very fast.

I have heard a detailed presentation by one fuel manufacturer expressing one point of view in an all-party committee of the House, the major petrol companies expressing another and companies such as Associated Octel yet another. A lot of weighty scientific evidence ought to be evaluated before we commit ourselves to associating a permanent pattern with the fuels. That we should use the differential as a means of encouraging people to use the right vehicles is an area of common ground and I would encourage colleagues to consider carefully some of the more recently published evidence and to press for a wide-ranging review of it.

[Mr. Miller]

Finally, as colleagues want to speak, I must return to my original theme. This has been a disappointing, buck-passing Budget and I look forward to having the opportunity of talking about it, not only on the streets of Wirral, South, but during the forthcoming general election.

8.53 pm

Mr. Stephen Timms (Newham, North–East): I begin by adding my congratulations to those that have already been expressed to my hon. Friend the Member for Barnsley, East (Mr. Ennis) on his speech. It is not long since I was in his position after a by-election. I enjoyed his speech and the film "Brassed Off".

At this late stage in the debate I will confine my remarks to three areas: first, the increase in duty on fuel contained in clause 6 of the Bill; secondly, the time limit for reclaiming overpaid value added tax, in clause 47; and, lastly, the wider impact of the Bill and Government policy on investment.

The Chancellor announced an increase of 3p a litre in fuel duty in his Budget speech, which took effect on the evening of that day and is documented in the Bill. Apparently, that is all quite straightforward, just like every other measure in the Budget—except that it is not. The Chancellor tells us that the overall effect of the Budget and the Bill on taxation—the Chief Secretary to the Treasury repeated it in his opening speech—is a reduction of £735 million. It turns out, however, that that widely quoted figure completely ignores the 3p increase in fuel duty and also the increase in tobacco duties. The 3p on fuel and the associated increases in other fuel duties alone raise an extra £850 million—a fact to which the hon. Member for Gordon (Mr. Bruce) referred—and singly more than cancel out the overall reduction claimed by the Chancellor and the Chief Secretary. If fuel and tobacco duties are taken into account, that claimed £735 million reduction becomes a £350 million increase in the level of taxation.

So, how can the Chancellor ignore those two items when making his statement? His reasoning was that it was announced a few years ago that fuel duty would increase by 5 per cent. a year in real terms and tobacco duty by 3 per cent. a year, which means that they do not count in assessing this Budget. That is preposterous—it is "Alice in Wonderland". The fact that the increase was announced a few years ago does not mean that it did not happen. In fact, it was the most visible change of all those announced in the Budget, because it appeared immediately on illuminated signs on petrol forecourts the length and breadth of the country. Petrol prices went up by 3p within a couple of hours of the Chancellor announcing it. Of course, it was part of the Budget. If the Chancellor had omitted it from the Budget speech, the 3p increase on fuel would not have been imposed. If it was not in the Bill, it would not have happened. There is no inexorable process by which, because an announcement was made a few years ago, fuel duty rises. It happened only because the Chancellor decided this year that it should. It is part of the Budget.

I am not arguing against the 3p hike in fuel duty, but merely asking that the Government tell us the truth about what they are doing. It is no wonder that the Tories are not trusted on tax. Why not tell us the truth? Why go to such trouble to hide it? Come clean. Tell us the truth that taxes are going up with the Bill, as the small print in the Red Book makes plain, and let us have no more dissembling. Dissembling along those lines does the Government no good. It may be too late for this Government to learn that honesty and frankness are in their long-term interest, but the next Government must heed that lesson. It is part of the change that the country wants in the way that the nation's economy is run.

When it was announced in 1993 that fuel duty would be increased by 5 per cent. a year, the relief on fuel duty for local bus operators was frozen. It has not increased since 1993. As a result, the price paid per litre for fuel used in local bus services has doubled since 1993. That plainly undermines the stated objective of the annual increase in fuel duty, which is to discourage people from using their own cars.

The system for applying for relief works fine. Bus operators apply for it and it is paid back, but if the relief continues to be frozen at the 1993 level, the economics of public transport by buses will be seriously undermined. As the Confederation of British Road Passenger Transport UK says, it is a new tax on bus transport and on people who travel by bus.

In its submission to the Treasury, the confederation proposed various ways in which the problem could be addressed. For example, there is red diesel, which is used in agriculture and for maritime purposes, and on which there is no duty. Alternatively, the Government could announce that they do not propose to increase the level of duty payable by local bus operators in future, and that this year's increase was the last. I urge the Minister to announce that.

On the repayment of overpaid VAT, widespread concern has been expressed about clauses 44 to 49 which deal with VAT. The provision, which sets a three-year time limit for claims for VAT refunds, has alarmed many small and large businesses. There are four principal concerns about the provision. First, it is retrospective law, which is unfair. Secondly, it greatly increases the chance of businesses being unable to claim back tax that has been overpaid through no fault of theirs. Thirdly, there is a real prospect of the new provision being successfully challenged under British and European law. Fourthly, it does nothing to tackle those who deliberately try to defraud the commissioners, but concentrates on those who co-operate honestly.

We shall discuss the matter in detail in Committee, but it is worth drawing the attention of the House to the opinion obtained by Deloitte and Touche from Professor Waelbroeck and his colleagues on the position in European law. He states:

> "Case law has established that the limitation period must correspond to the periods normally applicable for similar claims under UK law viz. direct taxes which usually attract six year periods."

In other words, introducing a different period—three years for indirect taxes, as opposed to six years for direct taxes—is challengeable. There is a growing view that it will swiftly be challenged if the Government press ahead with their proposal. The issue has been raised with me by Tate and Lyle in my area and by several small companies as well.

As the amendment tabled by my right hon. and hon. Friends points out, the most serious failure in the Bill is the failure to address the downward spiral in investment.

Figures released by the Government to my hon. Friend the Member for Darlington (Mr. Milburn) on 11 December 1996 show just how low investment has fallen since 1979, and it is still falling. The figures give the average ratios of investment to GDP since 1979 for all the G7 and EU countries. Britain is in 18th position out of 18—lower than every one of our European and G7 counterparts.

Even more disturbing is what has happened over the past two years. Our position in the league has not changed: we are still 18th, but in those two years, as global economic recovery has allowed many countries to improve their ratio of investment to GDP, ours has slumped further, from 17.4 per cent to 17.1 per cent., pushing us even further behind our competitors.

That failure is the key to our long-term economic failure. The relatively large proportion of investment that we have attracted from outside Europe cannot make up for our failure to invest in ourselves. The Government are part of that failure. Table 5.4 in the Red Book shows publicly sponsored investment falling from £21 billion last year to £20.8 billion this year and £20.5 billion next year.

Those figures are bad enough, but they do not tell the whole story. They are based on estimates for the private finance initiative, which include not only signed deals and agreed deals, but every other vaguely feasible PFI project that the unit in the Treasury has been able to come up with. They are departmental wish lists. That is the basis for the PFI figures in the Red Book. If we consider the investment expected from PFI projects that have been signed, publicly sponsored investment looks set to fall every year until the turn of the century.

The Treasury Select Committee recognised that in its report on the 1996 Budget, as the hon. Member for Upper Bann (Mr. Trimble) mentioned. The report points out that sluggish growth of PFI expenditure means a reduction in conventional capital expenditure without compensating PFI investment materialising. The private finance initiative is not delivering and that failure is contributing to a wider failure in the economy on investment.

The PFI is a square peg that is being pushed into too many round holes. Despite the announcement the day before the Budget that, at long last, a major hospital contract under PFI had been signed, it turned out that the finance was not agreed. There is still no financial deal for any of the major hospitals due to be built under the private finance initiative. The National Health Service (Residual Liabilities) Act 1996, which was rushed through Parliament last summer, was supposed to solve the problem but did not. The Secretary of State has promised to write letters of guarantee for individual PFI deals on health, but that has not solved the problem either. There are serious difficulties in other areas also.

We should narrow the scope of the private finance initiative—being much clearer about its intended use—and scrap the insistence that everything must undergo PFI assessment, however inappropriate it may be. At present, public sector agencies and private sector contractors and financial sources are sent on endless wild goose chases, in many cases becoming increasingly frustrated by the amount of time that is wasted. The PFI is not delivering because the Government have not yet devised a credible account of how private finance can support public services. That must be done.

The Government must start to recognise the limits of the PFI. They are trying to use the initiative to cover up the way in which investment is being choked out of the British economy. That approach will leave a gaping hole in investment which the Bill does nothing to address and which the next Government must fill.

9.6 pm

Mr. Tony Marlow (Northampton, North): The Prime Minister has said that he has three themes for the election: first, Europe, renegotiation and how we can regain control over our affairs; secondly, devolution and how we can ensure that the United Kingdom remains united when the Opposition would split us asunder; and, thirdly, taxation, which is the subject of today's debate. The Prime Minister and the Conservative party agree that taxation levels would be higher under a Labour Government than under a Conservative Government. I shall explain why.

My hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) described new Labour as the Conservative party in drag, trying to be more conservative than the Conservatives. The reality is that, first, if it is a Conservative party in drag, it is an inexperienced Conservative party in drag and it will make a hell of a lot of mistakes. Secondly, there are many unreconstituted, unreformed old socialists in the Labour party whose taxation motto is: tax until the pips squeak.

The Conservative Government have reluctantly increased taxes from time to time, but in our hearts we want low levels of taxation because we know that is how the economy works best. The money belongs to the people, not to Parliament or to the Government. According to Opposition psychology, the money belongs to the Government, who will let the people have some every so often. The instinct of a Labour Government—even under new Labour—is for higher taxation levels.

We all want to care for our elderly and infirm and to provide good standards of education. There is no argument about that and there is little argument about how it will be achieved. Under a Labour Government, there will be pressure to increase public expenditure. That pressure will be applied by Labour constituents, the paymasters and clients of the Labour party and by the trade unions which have influence with the Labour party. Whatever the intentions of the new Labour leaders, that pressure will force them to do more. We have a duty to ensure that public money is spent efficiently. That means that there have to be reforms, as there have been in the past 17 years of government. We have had privatisations. Many industries, institutions and establishments that used to be a large financial burden on the taxpayer have now been reformed, and we get more product for less payment by the taxpayer. No Labour Government could or would reform the institutions that still require to be reformed.

We heard from the Labour Front Bench a great new initiative on education: to give back all the powers to local authorities, and to do everything that the National Upion of Teachers wants. More and better education is not achieved by feeding the appetites of the producer groups. It is not achieved by looking after the clients, bosses and managers of the Labour party. If there is a Labour Government, one will get less for more money. Therefore, there will be more taxation and probably even more expenditure, which means more borrowing. The sad fact is that whatever is said at the moment by Opposition Front Benchers, whatever their good intentions, they will not be able to deliver.

[Mr. Tony Marlow]

The Labour party has a sauce in tabling its amendment. Labour wants higher investment. If there are high levels of taxation and expenditure and high levels of Government borrowing, there will be high interest rates. Will that encourage people to invest?

The hon. Member for Newham, North-East (Mr. Timms) had some concocted figures. His sounded like a research assistant-type speech, as though he had looked it up in a book and that it had been decided this way, that he had this table and that table. He said that Britain is 18th out of 18 in terms of investment. Does anybody really believe from the results, from the strength of the British economy at the moment, that we are 18th out of 18 in terms of investment?

The vast majority of European investment outside other European countries is in the United Kingdom. The vast majority of German investment is in the United Kingdom. The vast majority of Japanese investment in Europe is in the United Kingdom. The vast majority of United States investment in Europe is in the United Kingdom.

Labour talks about investment, but it has to be effective investment. Perhaps other countries are spending more, but they are not getting the results. We are. We have the strongest economy in Europe. We have the highest growth rates in Europe. We have the best increases in productivity in Europe. Labour criticises investment, but we are getting the results. What is Labour criticising?

Then Labour Members have the gall, the audacity, the cheek, to complain about the Conservative Government's employment record, yet they are the people who would embrace the social chapter. They are the people who want the 48-hour week. They are on their knees for the 48-hour week. They are the people who talk about a minimum wage. They would hamstring our economy. What will that do to employment?

Mr. Legg: Hear, hear.

Mr. Marlow: I am grateful to my hon. Friend for his support.

Labour Members talk about the scandal of youth and long-term unemployment. The way to overcome that is through good education, good skills and a strong economy. For every three who went into higher education when we came into Government there are now eight. Our economy is the strongest in Europe. We are creating and generating jobs that would be destroyed and thrown away if we were to lose the election and be replaced by a Labour Government.

Then we heard the complaint about the increasing tax burden. The Labour party is complaining about the Conservative Government increasing the tax burden. Is that not the pot calling the kettle black? The Labour party lives for increasing the tax burden. What does it have in mind? It has a brand new tax worked out, or half worked out, possibly worked out—hardly thought about at all. I understand that it will not be introduced because it will be illegal. If it is not illegal, at least it will be challenged in court. It will take two years before the Labour party can discover whether it is legal, so it will not be able to raise the money.

The Labour party will not have the money to carry out all its promises, so it will have to raise the tax in other ways. Supposing Labour were allowed to introduce the windfall tax—there would be additional taxes on top of the taxes that it would have to raise because it is a Labour party rather than a Conservative party, because there would be a Labour Government rather than a Conservative Government—what would be its effect? The money has to come from somewhere. I do not know whether I have an interest to declare, but I have shares in privatised utilities, as, I expect, do many of my hon. Friends, and probably Opposition Members. Which companies will be taxed? Perhaps the water authorities will be taxed. Will British Gas be taxed? Will British Gas suddenly be subjected to an entirely different level of regulation? Will the dividends of the shareholders in British Gas be halved, or cut even further than that? Will the electricity companies be taxed which have been taken over and bought at full market price? Were not the shares sold at full market price in the first place?

Was it not the main objective of the Labour party to ensure that flotations did not succeed? Did it not do all that it could to depress share prices when utilities were sold and floated to the public? If undertakings were sold too cheaply given the uncertainty that existed at the time, which meant that prices had to be realistic to encourage people to buy, we know the guilty party. It was the Labour party which chose to put the frighteners on people who wished to buy the shares. If money has been lost to the Exchequer—money that could have been gained by the Exchequer—we know where the fault lies.

The Labour party now has the gall to talk about a windfall tax. From whom will it get the money? Will it get it from shareholders—perhaps? What else will happen? What will happen to the price of the output of the services that are provided by utilities? What will happen to those who are employed in these undertakings? Their jobs will be put on the line again. Who will the Labour party help by means of an illegal tax that it will not be allowed to introduce? Let us know more about what a Labour Government will do. Let the Labour party not tell us that we are the party that is increasing taxation when it has an illicit, bogus, inefficient and ridiculous tax up its sleeve.

The state of the Labour party worries me, and it should worry the country. If the public are ill advised, misled and duped, and if they are bored with the Conservative party and naive enough to seek to have a change, I can only say that it will all end in tears.

9.16 pm

Ms Dawn Primarolo (Bristol, South): Given the speech by the hon. Member for Northampton, North (Mr. Marlow) I am not sure whether he is the secret weapon for the Government in the next general election campaign or whether he is the Labour party's secret weapon in bringing down the Government. The hon. Gentleman is fervently anti-Europe and spends his time criticising the Government. He called for the Prime Minister's resignation in the House. He has the nerve to talk about inconsistency yet he sings the praises of the very Government who he is doing so much good work to assist in bringing down.

Even when the hon. Gentleman was struggling to sing the Government's praises he had to admit that they had increased taxes. Apparently in their heart of hearts they did not want to do that, but they did. That will make interesting reading in the hon. Gentleman's election

address at the next general election, whenever it is called. "In my heart of hearts", it will read: "I meant to tell you the truth but unfortunately the wicked Government of whom I hoped to be a member apparently do not seem able to tell the truth."

The Government say that they want to reduce taxes. They campaigned on that policy and then increased taxes, both indirect taxes and direct, as the wicked lies in the Red Book demonstrate and as the report of the Select Committee on the Treasury confirmed, the Committee having considered the details of the 1996 Budget. This is the world turned upside down. Perhaps we might now return to what is in the Bill and the propositions advanced by the Government.

I understand that it is in order to congratulate the Financial Secretary—it will be the only time that I do so this evening—on being appointed a Privy Councillor in the new year's honours. I am happy that he is now a right hon. Gentleman, and I hope that that means that he will tell us the truth in his reply to the debate.

The Chief Secretary to the Treasury was rather coy at the beginning of the debate when my hon. Friend the Member for Edinburgh, Central (Mr. Darling) asked him whether he will be a member of the Finance Bill Committee. You, Mr. Deputy Speaker, would have expected, as we did, that he would confirm that he will take responsibility for the Finance Bill and will be on the Committee that will enable the Government's tax-raising proposals to be enacted. Unfortunately, he could not tell us whether he will be on the Committee: he told us to wait and see. We are not sure whether he will not be on the Committee because he is defending his marginal seat in Bristol, or because he does not want to take responsibility for the Bill.

The argument that the Chief Secretary tried to advance presented a selective picture of the Government's so-called achievements. He referred to the measures in the Bill, especially the significant action to protect the tax base. He said that the Government would not tolerate tax abuse. We are pleased to hear that: hon. Members on both sides of the House unanimously agree with that and do not support tax abuse. He said that the Government will now make available extra resources to deal with tax abuse. That is a bit rich, given that they cut them in the first place.

We are entitled to judge the Government on their entire record, and not just on the selective picture that they want to paint so as to create a happier image for the electorate. They are not prepared to face the electorate, because they are terrified that people will see through the smokescreens and illusions.

We are familiar with the litany of claims that the Government always trot out. They tell us that we have low inflation, falling unemployment and stable, long-term growth. The Chief Secretary said that we have the best prospects for a generation. I wondered what generation he was talking about. Was he talking about the 14 million people—4 million of whom are children—who live in poverty? That is almost three times as many as in 1979. Perhaps he was talking about the poorest 10 per cent., whose weekly income the Government have cut since 1979, while at the same time the incomes of the richest have increased. Perhaps he was talking about the generation that would eventually benefit from the Government's so-called great theory of trickle down. Apparently, the rich will spend so much money that even the poor will benefit. That could be many generations from now.

Mr. Marlow: Given the hon. Lady's remarks, do I take it that it is her intention that the incomes of the bottom 10 per cent. should increase, and that a Labour Government would provide the money? Would they get the money from the people whom she referred to as the rich? If not, from where would she get the money?

Ms Primarolo: The Labour Government, who will be elected quite soon, will narrow the inequalities in wealth by providing people with work. One in five households have no one in work, and 62 per cent. of families have only one person working. The children of those families have lost out under this Tory Government. Those people, 9.1 million of them—the number has doubled since the present Government were elected—are the people who will benefit from the stable, sustainable growth in the economy over which the Labour Government will preside.

Mr. Butterfill: I am fascinated to learn that the hon. Lady is going to prove that a Labour Government—if that ever comes to pass—will provide such people with work, but what will they be doing? Will they be working for her leader's office, along with all the others?

Ms Primarolo: That was unworthy of the hon. Gentleman, who has made some interesting and important points this evening, as he often does in debates on Finance Bills. I hope that we shall have his company again, but he knows full well that, by using a number of mechanisms, the Labour Government will ensure that work is created for those whom we shall represent.

The Government tell us that they have done wonders in regard to investment. Apparently, they have presided over spectacular investment in the economy. That is why so many people are unemployed: it appears that the investment has not been in them. In 1978-79, the then Labour Government's gross capital spending accounted for 3.8 per cent. of gross domestic product; this year, the Government's spending is expected to be no more than 2.5 per cent. of GDP.

As my hon. Friends have pointed out, we need to build on our best resources. We need to invest in our manufacturing, and in our people's skills. That is the way in which to establish a secure future. The Government, however, want none of that; they want to play around with fears of job insecurity, pressurising people in the workplace to fear for their jobs and forcing them to work for low wages. They tell us that that will make us the enterprise centre of Europe, but it is difficult to see how.

The hon. Member for Havant (Mr. Willetts)—but I am not sure that I can call him an honourable Member. The Member for Havant—

Mr. Deputy Speaker: Order. The hon. Lady should know that all Members elected to the House are honourable.

Ms Primarolo: Thank you, Mr. Deputy Speaker. I am grateful for that correction. I am sure that, when the hon. Member for Havant was telling us that the Government had not increased taxes and that we were wrong in our

[Ms Primarolo]

assertion, he was not "dissembling" in regard to the facts in the Red Book. What he said certainly was not based on an exchange of notes, and it certainly was not based on the sophistry in which the Chief Secretary apparently engages.

As always, my right hon. Friend the Member for Ashton–under–Lyne (Mr. Sheldon) made a speech that hon. Members on both sides of the House found thoughtful and challenging. He made clear the importance of monitoring, and of a proper structure in the House to ensure that tax and expenditure plans could be properly assessed. There was no substitute for proper parliamentary scrutiny. He went on to knock down the Government's allegations that, somehow, a splendid inheritance existed, and reminded us again that the danger to our manufacturing base was acute.

The hon. Member for Stamford and Spalding (Mr. Davies) made his usual well-informed, pro-Europe speech. Unfortunately the hon. Member for Havant did not stay to hear it, probably because they had already exchanged notes.

My hon. Friend the Member for Barnsley, East (Mr. Ennis) has been widely complimented by hon. Members on both sides of the House for the good humour and ability of his maiden speech. I think in particular of his comments about Terry Patchett, a well-respected, sincere and honourable man in the House, who was not always at ease with House procedures, but who was an excellent constituency Member of Parliament, defending mining communities. I look forward to hearing my hon. Friend the Member for Barnsley, East continue that tradition in future debates, which he clearly has this evening.

The hon. Member for Upper Bann (Mr. Trimble) made some points about anti-avoidance measures, which I hope he will allow me to pick up later. The hon. Member for Gloucester (Mr. French) made some detailed scrutiny points about that section of the Bill. Other hon. Friends have ensured that we have had a thorough investigation and exposure of the Government's plans.

Treasury press statements tell us that the Treasury is to invest and to "spend to save". They say:

"£800 million will be spent by a number of departments over the next three years to save an estimated £6.7 billion."

In particular, there will be work in Customs and Excise to pursue the continuing problems of failing VAT receipts.

On page 69 of the Red Book, there is an attempt to explain the missing VAT receipts, which will interest all hon. Members as that revenue is not reaching its true destination: the Treasury. In a debate on 3 December, at column 854, the hon. Member for Fulham (Mr. Carrington) specifically referred to the table and its unconvincing explanation, and the evidence to the Treasury Select Committee, which shows that, of the £6 billion that is missing, Customs and Excise officials can explain only why up to a maximum of £2.5 billion is missing. They still do not know where the rest is.

It seems that there is increased consumer spending, but there is a shift in the connection with the tax—the tax is not being collected quickly enough. The desire to find that money seems to be based more on shadow boxing than on a proper assessment of where the revenue has gone.

We were promised that the Treasury had undertaken a thorough review and that we would be informed where the money was going—whether it was missing because of avoidance, inefficiency, growth in the shadow economy, a fundamental problem with the tax base or, as the hon. Member for Fulham suggested, a cyclical problem. No such report is being made available.

The Government's problem is that, in pursuing anti-avoidance measures, they are in danger of creating more opportunities for avoidance to take place. The whole nature of avoidance is that we do not know where the money is because, if we did, we would have the legislation to ensure that that was not exploited.

Without a proper assessment of where that almost £3.5 billion has gone, the dangers mentioned by the hon. Member for Gloucester about the inefficiencies of the system are likely to cause greater problems. Clause 37 is the second attempt to deal with the abuse of lease and leaseback arrangements. A statutory instrument on that in 1994 seems to have been totally inaccurate and did not properly target the issue. There is also a problem about clause 31 on the aggregation of businesses.

I shall not state what the Chief Secretary said I would, that the ideas in this section of the Bill were ours. Columns 694-96 of the Committee *Hansards* of 9 and 14 March 1995 show that we warned the Government that if they persisted in cuts imposed by a fundamental expenditure review on the Inland Revenue and especially on Customs and Excise there would not be enough properly trained staff to ensure that revenue was collected. The then Paymaster General, the right hon. Member for Wells (Mr. Heathcoat–Amory), said:

"Customs and Excise can maintain—indeed, improve—its output, even with fewer staff."—[*Official Report, Standing Committee D*, 14 March 1995; c. 699.]

In our debates on the Bill we have discovered that that is not the case but that we need more staff who will be charged with the responsibility of finding the revenue. That is another example of the Government's sheer incompetence.

A Government who cannot even defend their own tax base and who do not understand that they need the staff to protect that base must realise that they are in serious trouble. They cannot create jobs or give people security or address the problem of the decline in our manufacturing base. They cannot even run the departments that are central to the structure of government—those that collect the taxes. The Government have the cheek to tell us that we are inconsistent. They should stop bickering with us in the House and put their record to the electorate. We shall also put ours and I am confident that when the challenge comes the electorate will choose a Labour Government for security, jobs, investment and hope for the future of their families and their grandchildren.

9.37 pm

The Financial Secretary to the Treasury (Mr. Michael Jack): I thank the hon. Member for Bristol, South (Ms Primarolo) for her kind remarks about my being made a Privy Councillor. She was right when she said that that would be the only nice thing that she would say about the Government. The debate has confirmed that Labour can only criticise, has no serious constructive ideas and is not prepared in the fierce heat of debate in the Chamber to put any of their policies or ideas to the test. That shows that the Opposition are frightened to expose their thoughts to public view and debate.

This useful debate has enabled us to cover the principal themes of the Budget and the Bill. We have demonstrated that we have clear aims for the economy and the tax

system and that we are achieving them. The principal Budget themes with which the debate and the Finance Bill deal are about sustaining an economy that is regarded by international commentators and by our commercial rivals as a Rolls-Royce economy. My right hon. and learned Friend the Chancellor recently returned from Japan with news of the envy with which the British economy and our performance are viewed from the other side of the world.

The debate has also touched on the matter of keeping public borrowing on a firmly downward trend. However, the theme of living standards has been the common denominator in all the talk of tax and criticism of the Budget that we have heard from Opposition Members. In this debate, no hon. Member has successfully challenged our assertion that, in this Budget, we have achieved rising living standards—which will continue to rise, year after year. This Budget brings the basic rate of income tax to its lowest level for 60 years, increases personal allowances, freezes wine and beer duty and cuts spirits duty for the second consecutive year—a point made by the hon. Member for Gordon (Mr. Bruce) in his remarks on the benefits realised by the whisky industry. The hon. Member for Bristol, South mentioned, although in rather carping terms, that we have introduced further measures to secure the tax base by closing loopholes and ending reliefs that we now believe are inappropriate.

Most importantly, the Budget demonstrates the continuation of our tax-cutting agenda, in which our clearly stated aim is to achieve a basic income tax rate of 20p for all, while not taking any risks with the economy. Tax cuts and rising incomes mean that a family on average earnings will be £20 a week better off next year than at the time of the most recent general election. Prudent management of the public finances backs up that agenda, because we have achieved decreasing borrowing with an overall tax burden that is no higher than at the time of that election. It is a Budget, and now a Finance Bill, that is built for lasting prosperity.

Mr. MacShane: Will the Financial Secretary confirm that the burden of taxation is higher now than in 1992?

Mr. Jack: I can confirm that the burden of taxation in the next financial year will be no greater than it was at the beginning of the most recent general election. The hon. Gentleman—who claims to be an economic literate—fails to understand that further figures in the Red Book demonstrate the simple proposition that as people earn more, they pay more tax.

I should now like to reply to the speeches made by my right hon. and hon. Friends in this debate. In the telling speech of my hon. Friend the Member for Havant (Mr. Willetts), he rightly drew our attention to the Labour party's £30 billion of spending pledges. The hon. Member for Edinburgh, Central (Mr. Darling) seemed to wriggle very hard when he said that Labour's pledges were not pledges but something else—perhaps an eternal wish list. However, some people who claim to be supporters of the Opposition see matters rather differently. On the matter of Labour's pledge on teacher's sabbaticals, for example, Doug McAvoy said:

> "Well I think it's been a commitment of David Blunkett's for some time and he sees it as a means by which teachers can be updated, they can be retrained and reinvigorated into the job."

Ms Primarolo: Will the Minister give way?

Mr. Jack: Not at this point; I am making an important point about the matter of a pledge. The point underpins the argument made by my hon. Friend the Member for Havant, and it makes it very clear to the House and the public that, despite what the Opposition say, one would have to pay a £30 billion bill to meet the pledges of the Labour party.

Ms Primarolo: On the issue of pledges, could the Financial Secretary explain to us why, on page 88 of the Red Book, under "Total taxes and NICs", it states that, for 1992-93, the total take was 34¼ per cent., but that, for 1997-98, it will be 36¼ per cent.? Is that not a rise?

Mr. Jack: It is remarkable that, as soon as we hit home with the cost of a Labour Government, Labour Members change their line of attack.

Ms Primarolo: Answer the question.

Mr. Jack: I will deal with the point. As the hon. Lady said, I pointed out a moment ago, as have all my right hon. and hon. Friends, that as people earn more, the amount of tax taken in the economy increases.

Ms Primarolo *rose—*

Mr. Jack: I will not give way on that point because I want to make some progress.

The percentage of tax burden in this financial year will be the same as it was in the year of the last general election.

We have seen the way in which the Opposition reacted to the points on public expenditure raised by my hon. Friend the Member for Havant. If that causes them so many problems, let me turn to another point raised in the debate by my hon. Friend the Member for Havant—the windfall tax.

None of what the Opposition said gave us any insight into how much people will pay, who will pay and how the tax will be levied. On the central question of the legal opinion obtained by the organisation Aims for Industry we got no satisfaction from the Opposition. They did not tell us about the basis on which they say that the tax could be sustained. The Opposition may not have had a chance to see that advice, although it is in the public domain. I will do a deal with the right hon. Member for Dunfermline, East (Mr. Brown) and his hon. Friends. For greater accuracy I have obtained a copy of the advice and I am prepared to make it available to them with the proviso that they make public the advice in which they put so much confidence. If they do not make that advice available, we will know that it is wanting, that the tax will be non-existent and that there will be a considerable hole in Labour's finances.

My hon. Friend the Member for Havant went on to tell us about the strengths of the British economy and he was absolutely right. All we heard from the Opposition were

[Mr. Jack]

carping and negative comments about the performance of the British economy. I want to pick one example of an article in the *Financial Times*. The—

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Deputy Speaker. Is it appropriate for a Minister to refer to a document that he says he will make conditionally available and not put in the Library of the House as is the normal procedure?

Mr. Deputy Speaker: That is a matter for debate.

Mr. Jack: I am prepared to make it available to the hon. Member for Banff and Buchan (Mr. Salmond). I was trying to elicit some facts from the Opposition for the benefit of the House, but they have remained totally silent. We can draw our own conclusions from that.

The Bosch-Siemens company made clear its view on the competitiveness and excellence of the British economy when it pointed out that it was the company's wish to increase the purchases of white goods from this country because of our

"low wage costs and flexible working record."

That is a simple testament to the excellence of the supply-side reforms that the Government have introduced, our tax policies, the competitiveness of the British economy and the high regard in which we are held by the rest of Europe. The Finance Bill delivers more of that.

My hon. Friend the Member for Stamford and Spalding (Mr. Davies) unmasked the true spirit of the Labour party. He pointed out that it is a party of taxers which still believes in devaluation and can see nothing but state investment. He made those points tellingly. I can tell him that we have contained the growth in social security, to which he also referred, to a level that we can afford. One of the themes that underpins this Finance Bill and the Budget is the control of our public finances.

My hon. Friend the Member for Milton Keynes, South–West (Mr. Legg) made some telling points about the real economy about which we have heard so little from the Opposition. I was delighted that he welcomed that part of the Bill which enacts his suggestion from last year's consideration on the subject of charities and their receipts from their trading enterprises. I am glad that we have been able to incorporate that into the Bill. I was also grateful for his support on borrowing and inflation.

My hon. Friend the Member for Bournemouth, West (Mr. Butterfill) made some important points about small businesses. I was grateful to him for pointing out why this was the best Budget for small businesses for a decade. He was entirely right.

I should like to take up my hon. Friend's point about long-life assets and the aircraft industry. We consider that case to be different from the need to encourage the burgeoning railway industry and we recognise some of the real problems for commercial shipping. I cannot offer my hon. Friend the comfort that he sought, but I am grateful to him for making that point.

My right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) and my hon. Friend the Member for Gloucester (Mr. French), as well as my hon. Friend the Member for Bournemouth, West, raised concerns about value added tax and property. I confirm that Customs and Excise has already had several meetings with interested parties on that point. My hon. Friend the Exchequer Secretary will have further meetings on that next week. I also congratulate my hon. Friend the Member for Gloucester on his detailed analysis of the Bill. We shall study carefully his comments on several issues relating to VAT.

My hon. Friend the Member for Wolverhampton, South–West (Mr. Budgen) made a characteristic speech, drawing the attention of the House to important aspects of monetary policy, pointing out that the Opposition's monetary committee-type proposals were not worth the paper that they were printed on. My hon. Friend the Member for Northampton, North (Mr. Marlow) reminded us clearly that at the heart of every Labour Member is a desire to raise taxes and spend more. As the Bill confirms, we Conservatives are intuitively tax cutters. [*Interruption.*] Labour Members may laugh, but while they have chastised the Conservatives for what they call 22 tax increases, I remind the House of the 25 tax decreases, among others, that we have made.

In dealing with the contributions from Opposition Members, I pay public tribute to the hon. Member for Barnsley, East (Mr. Ennis), who made his maiden speech in what I believe will be a characteristically direct fashion. He talked about the traditions and needs of his community in Barnsley and rightly paid tribute to our former colleague, Terry Patchett. When the hon. Gentleman talked about the Grimethorpe band, one could almost hear it playing in the background. We now know the secret of his success, which was to keep it in the family. However, there is a clear message from the Budget and the Finance Bill that I want him to take back to all the members of his family and all his new constituents: a family on average earnings will be £370 better off this year as a result of the Budget. That is an incorruptible message coming out of our considerations.

I remember thanking the hon. Member for Gordon for his contribution on the reductions that we have made to spirit duty. I remind him, too, of the rising living standards to which I have attested.

The hon. Member for Upper Bann (Mr. Trimble) made some important points about the Northern Ireland economy and I shall certainly draw to the attention of my right hon. and learned Friend the Secretary of State for Northern Ireland some of the local points that he made, particularly about education. We shall give careful consideration to his comments on the air passenger duty and the insurance premium tax. I shall also look into some of his concerns about the private finance initiative because, as he knows, I went to Belfast specifically to encourage developments in that respect. I am grateful to him for mentioning that point.

The shadow Chief Secretary spoke in support of the Opposition amendment. At no point in that speech did we hear any rebuttal of the central point at the heart of the Finance Bill: the increase in this country's living standards. Living standards have not just increased this year. Let us look at the Government's record. Since the last general election, the average family on average earnings is £100 a week better off in real terms as a result of the Government's stewardship of the economy.

The right hon. Member for Dunfermline, East needs to refresh his memory about some of the 25 tax decreases. Personal allowances rose by £240 in the 1995 Budget and

the basic limit was raised by £1,200. In the 1996 Budget, the basic rate of income tax was cut to 23p. I could go on. We have fulfilled our pledges to resume a downward path concerning taxation.

The right hon. Member for Dunfermline, East started out by trying to criticise the Government over matters connected with the council tax, insurance premium tax, airport duty and profit-related pay, but shied right away from telling the House the truth about his party's real policy. In debates on the Finance Bill, he must come clean with the House of Commons and the wider public instead of just criticising and tell us about his alternatives ideas. It is easy to criticise but much more difficult to be constructive.

I remind the right hon. Member for Dunfermline, East that the total net wealth of the personal sector has doubled in real terms and net financial wealth has risen almost fourfold in real terms since 1979. I remind the hon. Member for Bristol, South that research by the independent Institute of Fiscal Studies shows that the spending of the poorest 10th of households, to which she referred, has increased by 14 per cent. since 1979. That rebuts some of the claims that she made.

On investing in skills, the Bill contains some important measures that deal with training. One in three school leavers go on to university in this country—one of the highest rates in Europe. Last year, business spent £10.5 billion on training, and 95 per cent. of businesses forecast that they will increase or maintain the present amount spent on training. That would not be possible if we were not able through our stewardship of the economy to have competitive industry.

If Opposition Members want to know the facts about the support that we are giving people to get back to work, I urge them to look at the 46th edition of "The UK at Work: Key Facts," which lists programme after programme designed to get people back to work. Such programmes have returned 768,000 people to the labour force over the past four years. That figure is from the labour force survey.

The hon. Member for Edinburgh, Central mentioned profit-related pay. Perhaps I might refresh his memory on what his right hon. Friend the Member for Sedgefield (Mr. Blair) said—*[Interruption.]*

Madam Speaker: Order. The House must come to order. I cannot hear the Minister.

Mr. Jack: The right hon. Member for Sedgefield said:

"We intend to vote against the general principle of profit-related pay".—[*Official Report*, 14 July 1987; Vol. 119, c. 981.]

The hon. Member for Edinburgh, Central had better re-examine very carefully what he said to the House earlier in the light of what his now leader said in 1987.

The amendment that the Opposition ask the House to support can have been produced only on a bad Sunday in Islington over an equally bad bottle of wine. It bears no relation to this country's economy, which is now the fastest growing major economy in western Europe. That growth is

"set to continue next year and the year after."

Those are not my words; they are the words of the Organisation for Economic Co-operation and Development.

The Labour party does not see the reality of rising growth, falling inflation, reduced unemployment, tight control over public spending and an economy that has been well managed. Our public finances are in excellent order. Whole economy investment is forecast to go up by 6 per cent. We remain the number one site for inward investment in Europe and people are showing great confidence in our economy. The Finance Bill, with the work that it will do to secure the tax base, is a proper basis on which to go forward and to put to the British people the proposition that the Government have the measure of the British economy and will continue to deliver rising living standards and that the Labour party presents a threat to that picture.

Question put, That the amendment be made:—

The House divided: Ayes 287, Noes 322.

Division No. 37] **[9.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Mrs Margaret
Beith, A J
Bell, Stuart
Benn, Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Ms Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter

Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd-on-A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Johnston, Sir Russell
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretf'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'ld)*
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Ms Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Shore, Peter
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Wallace, James
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Dennis Turner.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel G)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John

Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Sir Edward
Heathcoat–Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett–Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox–Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair–Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riddick, Graham
Rifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple–Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesf'ld)*
Wolfson, Mark
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Gyles Brandreth.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading):—

The House divided: Ayes 314, Noes 30.

Division No. 38] **[10.16 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel G)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen

Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riddick, Graham
Rifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesf'ld)*
Wolfson, Mark
Yeo, Tim
Young, Sir George

Tellers for the Ayes:
Mr. Timothy Wood and
Mr. Gyles Brandreth.

NOES

Alton, David
Ashdown, Paddy
Beith, A J
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Chidgey, David
Davies, Chris *(Littleborough)*
Ewing, Mrs Margaret
Foster, Don *(Bath)*
Harvey, Nick
Hughes, Simon *(Southwark)*
Johnston, Sir Russell
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross C & S)*
Kirkwood, Archy
Llwyd, Elfyn
Lynne, Ms Liz
Maclennan, Robert
Maddock, Mrs Diana
Michie, Mrs Ray *(Argyll Bute)*
Nicholson, Miss Emma *(W Devon)*
Rendel, David
Salmond, Alex
Skinner, Dennis
Taylor, Matthew *(Truro)*
Thurnham, Peter
Tyler, Paul
Wallace, James
Wigley, Dafydd

Tellers for the Noes:
Mr. Andrew Welsh and
Mr. Cynog Dafis.

Question accordingly agreed to.

Bill read a Second time.

Motion made, and Question put, pursuant to Standing Order No. 61 (Committal of Bills),

That—

(1) Clauses 40, 62, 68, 82 and 92 and Schedules 7 and 13 be committed to a Committee of the whole House;

(2) the remainder of the Bill be committed to a Standing Committee; and

(3) when the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Standing Committee have been reported to the House, the Bill be proceeded with as if the Bill had been reported as a whole to the House from the Standing Committee.—[*Mr. Jack.*]

Question agreed to.

Committee tomorrow.

Business of the House

10.31 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, Madam Speaker, I should like to make a short business statement.

Following discussions through the usual channels, the business for tomorrow afternoon will now be as follows:

Conclusion of remaining stages of the Crime (Sentences) Bill.

The business previously announced for tomorrow will be taken on a later occasion.

I shall, of course, make an announcement of forthcoming business, as usual, on Thursday.

Mrs. Ann Taylor (Dewsbury): I thank the Leader of the House for that announcement. Some of us on the Opposition Benches are somewhat surprised that the Bill could not be completed last night, but we shall endeavour to ensure that it reaches the statute book at the earliest possible time, although, of course, it is the responsibility of every Member of the House to scrutinise legislation as fully as is necessary.

Mr. Newton: I merely express surprise at the hon. Lady's surprise.

Mr. Andrew Miller (Ellesmere Port and Neston): Has the Leader of the House, recognising the importance of the change of business tomorrow, had the opportunity to raise with the Secretary of State for Health the questions that have been asked about cuts in acute services?

Madam Speaker: Order. This is a narrow business statement.

EUROPEAN COMMUNITY DOCUMENTS

Madam Speaker: With permission, I shall put together the motions relating to European Community documents.

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees),

THE INFORMATION SOCIETY: PRIORITIES AND IMPLICATIONS

That this House takes note of European Community Document Nos. 9795/96 ADD1 relating to Commission Communications on The Information Society: from Corfu to Dublin—the new emerging priorities and The Implications of the Information Society for European Union Policies—Preparing the Next Steps, and 9795/96 ADD2, the Commission Green Paper, Living and Working in the Information Society: People First; shares the Commission's assessment of the importance of the development of the Information Society; welcomes the Commission's recognition that the development of new technologies provides substantial opportunities for new employment; and endorses the Government's view that the Information Society should be allowed to develop flexibly and without unnecessary and potentially burdensome legislation, believing that Government has a positive role in providing vision, direction and leadership to unlock the full potential of the Information Society.

DEVELOPMENT OF THE SOCIAL DIALOGUE

That this House takes note of European Community Document No. 10305/96, relating to the development of the social dialogue at Community level; supports the Government's view that the dialogue must remain a voluntary process which does not in any way bind those who do not participate; and considers that the provisions in the Agreement on Social Policy which give the social dialogue a role in the legislative process for other Member States would be entirely inappropriate for the United Kingdom.—*[Mr. Wells.]*

Question agreed to.

SCOTTISH GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 94H (Scottish Grand Committee (Sittings)),

That the Order of the House [6th November] shall be amended in paragraph (5), by leaving out the word 'Scotland' and inserting the words 'the Victoria Hall, Selkirk'.—*[Mr. Wells.]*

Question agreed to.

Local Government Finance (Buckinghamshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

10.33 pm

Mr. David Lidington (Aylesbury): I am grateful for this opportunity to raise the subject of the local government settlement, as it affects Buckinghamshire county council, for the financial year 1997-98. I welcome in particular the fact that my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) is in her place. She is, within the inevitable limitations imposed by her ministerial duties, assiduous in representing the interests of her constituents and the wider interests of the county to the appropriate authorities.

Buckinghamshire county council is an efficient and well-run local authority. It now faces difficult decisions about priorities, which are in large part the result of the creation of a separate unitary authority for the new city of Milton Keynes. The county council's record is a good one which combines good public services with prudent financial management. In terms of services, examination results in Buckinghamshire's schools are consistently among the best in the country. No fewer than nine schools in the county are figured in the chief inspector's published list of 200 which he singled out as the schools representing the best practice in the nation.

As for social services, the number of home care hours provided by the county council has risen by a fifth over the past three years. The county has established a close partnership with the voluntary sector. For example, the Buckingham association for the blind and the Royal National Institute for Deaf People provide services for visually and hearing impaired people on behalf of the county's social services. The county museum at Aylesbury was named as the national heritage museum of the year in 1996.

As one would expect, the county council has concentrated its expenditure on key services. Spending on schools over the past three financial years has risen from £148.8 million in 1994-95 to an estimated £155 million in the current financial year. Spending on social services follows a comparable pattern, increasing from £68 million in 1994-95 to an estimated £80 million in the present financial year.

Such a record requires rigorous attention to priorities. Buckingham has found £4 million of efficiency savings in the current year and identified an additional £4 million for the next financial year, partly through contracting out services to the private sector. Its aim is to cut administration and management more than will be made necessary in any event as a consequence of local government reform and the establishment of a separate unitary authority in Milton Keynes.

To take one department by way of example, a social services management review has cut £400,000 from administration costs over a full financial year. The library service secures no less than a fifth of its budget through income generation.

The county council has struck a sensible balance between the interests of the service user and those of the council tax payer. The council tax level in

Buckinghamshire is less than that of every neighbouring authority. For example, the council tax for a band D home is £464.21, whereas in neighbouring Oxfordshire, controlled by the Labour party, the comparable council tax is £510.45. Buckinghamshire, through prudent housekeeping, has managed to retain money for balances and reserves when many other more profligate authorities have found themselves with extremely shallow pockets.

The proposed local government reform will have a severe impact on this well-run authority. The same good principles that I have described will, of course, govern the setting of next year's budget. There is no denying, however, that reform of the local government structure will make life significantly more difficult for my constituents and those, for example, of my hon. Friend the Member for Beaconsfield (Mr. Smith), who I am pleased to see in his place and who represents areas in mid Bucks and south Bucks.

Milton Keynes has about 29 per cent. of the population of Buckinghamshire at present, but on the provisional figures from the Department of the Environment it is being awarded 34 per cent. of the standard spending assessment and 37 per cent. of support from central Government via business rates and revenue support grant. Those simple facts knock a hole in the county council's finances.

Those of us who represent areas outside Milton Keynes must acknowledge that there is huge support within that city—it extends across party political boundaries—for its own city government with a unitary council. We accept, too, that Ministers cannot pick and choose their favourite local authorities. They must apply the same distribution formula to every local authority in the country. Under that formula, Milton Keynes benefits because it is poorer than the rest of Buckinghamshire. There are more children in Milton Keynes than elsewhere in the county and more single parents. Therefore, in terms of needs factors identified in the distribution formula, it receives a disproportionately large share of the available money. In the rest of the county, that is seen as rough justice for Buckinghamshire, which has pursued a prudent financial course for many years.

If the county council spent to its cap next year without using balances, it would mean a council tax increase of 12.5 per cent. If Milton Keynes did the same, it would mean a council tax cut of 7 per cent. It is true that the provisional settlement will allow the continuing Buckinghamshire county council to spend more in 1997-98 than in the current year. Having talked to the council's leadership, I know that its priorities will again be schools and social services. The county is looking hard at how to use its balances to improve the situation, and at how to cut back on lower priorities to save money for key services.

Despite those principles, the council will have to make tough decisions, especially as rising school rolls and a growing number of elderly people place additional demands on service provision. I should add in passing that for Buckinghamshire, as for many other local authorities, an increase in teachers' pay, following the review body's decision, of much more than the rate of inflation would cause grave difficulties in planning the budget for the forthcoming financial year.

Sensible people realise that the Government have no secret crock of gold from which to dispense extra largesse on demand. In 1997-98, the Government intend to pay out to local councils more than £35 billion via the business rate income and revenue support grant. That sum is roughly equal to the entire budget of the national health service, and it is about one and a half times what we spent on defence. I accept that we cannot isolate local government spending from overall decisions about public finances.

To increase central Government support for local councils by only 1 per cent. would, by my reckoning, cost more than £350 million. To set that in context, it is about the same as the cost of 10 new hospital building schemes, such as those presently planned for the South Buckinghamshire NHS trust and for Stoke Mandeville hospital. Unless the distribution formula is changed, there is no guarantee that Buckinghamshire will receive its fair share of any overall increase in spending next year or in subsequent years.

I hope that my right hon. Friend—sorry, I am jumping the gun—I hope that my hon. Friend the Minister, before making his final decision, will consider carefully the division of money between Milton Keynes and the continuing county council in Buckinghamshire. On a specific and detailed point, I hope that he will impress on his colleagues in the Department for Education and Employment the case for including in the calculations the four schools that provide for more than 600 pupils, because those figures have somehow gone missing from the Department's official listing. In the absence of that data, the SSA calculation for Buckinghamshire assumed that there were no pupils at those schools. Getting that calculation right will be worth £1.5 million to the county council.

I hope that my hon. Friend will encourage the shadow unitary authority in Milton Keynes to work with Buckinghamshire county council to dispose of surplus land and other capital assets as quickly as possible, so that some of the proceeds from such sales can be used to fund services in the forthcoming financial year. Until the change of heart that was signalled in the past week or two, Milton Keynes had proved reluctant to act in that respect, and any persuasive powers that my hon. Friend can bring to bear will be most welcome.

In the medium term, I ask Environment Ministers to reconsider the composition of the SSA formula—I accept that it is too late for these points to be considered in the context of the 1997-98 financial year.

Two factors in particular deserve attention. The first is sparsity. Not only Buckinghamshire but other continuing counties affected by the creation of new unitary authorities have been hit in the provisional calculations by the weight given in the distribution formula to urban needs rather than factors specific to rural areas, and giving more weight to that sparsity factor would be one way of addressing the disparity.

Perhaps even more important is the need for the Government to implement the recommendations of Professor Elliot's independent inquiry into the area costs adjustment, which the Department commissioned. Had those proposals been in force, Buckinghamshire county council would have had an extra £7.5 million in 1997-98, which is equivalent to about 2.6 per cent. of the county's budget. Implementation of the report would also have benefited the Thames Valley police authority and Aylesbury Vale, Wycombe and Chiltern district councils, all of which provide services in my constituency.

I hope that, with his characteristic robustness, my hon. Friend the Minister will not allow himself and his colleagues to be seduced by the blandishments of the

[Mr. David Lidington]

Labour and Liberal councillors who dominate the local authority associations, but will take the Elliot report—which the Government commissioned—off the back burner and press ahead with its implementation as soon as possible. I look forward to his reply, and hope that he will find ways to support a council that provides excellent value for money.

10.46 pm

Mr. Tim Smith (Beaconsfield): I am grateful to my hon. Friend the Member for Aylesbury (Mr. Lidington) for allowing me to say a few words in the important debate that he has secured.

I felt that, in the context of a pretty tough spending round, we had a very fair settlement in Buckinghamshire, particularly in regard to education. I think that we all attach the highest importance to the education budget. As my hon. Friend said, we have an extremely well-managed county council, and as long as it ensures that as much money as possible is pushed down to the schools, I believe that there will be sufficient cash for those schools to run effectively during the next financial year.

I congratulate my hon. Friend on obtaining the debate.

10.47 pm

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): I congratulate my hon. Friends the Members for Aylesbury (Mr. Lidington) and for Beaconsfield (Mr. Smith) on their contributions to the debate. I shall reply to my hon. Friend the Member for Beaconsfield first, as that is simplest. I thank him for his recognition of the efforts that have been made. On the basis of past evenings, I waited for a "but", but it did not come, which was bound to be rather pleasant.

I think that we all recognise that Buckinghamshire—with a Conservative county council—has a well-established reputation for tight and effective budgeting. In setting its budget it has taken an even-handed approach, responding to the priorities highlighted most frequently by its electorate and favouring education and social services. Spending has been well targeted, and services have been delivered effectively and efficiently.

I recognise the challenge that the county faces as it approaches reorganisation. Milton Keynes's move to unitary status later this year, and the disaggregation of the county's budget that that has necessitated, have brought their own difficulties. Recently—this, I think, is accepted by my hon. Friend the Member for Aylesbury—it has been a credit to both authorities that they have been able to reach a considerable measure of agreement on disaggregation. They are proceeding with encouragement from some of my right hon. and hon. Friends in the Department.

The authorities are, I think, recognising that the time has come when they must act, and do so by agreement, because if they do not we will have to step in and have a say. It is much better if the matter is sorted out simply and straightforwardly between them, and that is happening. I am sure that Buckinghamshire will continue to meet the challenges of reorganisation in the same constructive manner.

My hon. Friend raises a point about some of the data. If he could imagine the volume of data that has to be gone through for each local authority and for all the standard spending assessment needs and calculations, he would recognise that, occasionally, the data are a little awry. We will consider not only his points and those of both local authorities in their representations to the Department, but, in particular, the data anomalies.

My hon. Friend recognises the need to control public expenditure. Local government accounts for about a quarter of general government expenditure and authorities must play their part. That was spelt out to them when it was explained that the public, in effect, expect lower expenditure, lower taxation and lower council taxation but better services. The phrase, "More and better for less" has been used.

We have responded to frequent requests from local authority associations that they should be allowed to raise a greater proportion of their expenditure locally. However, the moment we offer them that opportunity, they scream, as the Labour Front-Bench team has, that that moves taxation from central to local government. The setting of it is, however, largely down to local authorities and they have the opportunity to reduce expenditure if they are willing—many are.

Although this is a tight settlement, we have ensured that the authorities will again be able to concentrate their increases in education, personal social services, the fire service and the police. Every year, there are shifts and changes. This year, as was mentioned, the review of the area cost adjustment, and research on the effects of sparsity and density of population on the costs of local authorities were again considered. Research was carried out by the Department of Health into social services for children and residential social services for the elderly. All research and the review of the area cost adjustment were discussed fully with individual authorities and the local authority associations.

On the sparsity factor, we finally came to a decision that was accepted fairly well by both local authority associations and the Government side of the discussion. If my hon. Friend's authority wishes to continue that discussion, I hope that it will move to do so because I am certainly willing to listen.

On the area cost adjustment, the only unanimous thing on which the local authority associations agreed was to disagree. That happened across the local associations and it is the same in the House, so we have accepted that the position is difficult and that we must consider it. We are conducting a review and we will consult and discuss further on the matter.

We need to accept—there is good reason for this—that forward-thinking authorities such as Buckinghamshire county council will continue not only to deliver the best value for money to their local residents and council tax payers, but to look for new and better ways of providing services and reducing expenditure. In particular they will accept that disaggregation offers a chance to move forward towards the millennium, with a Conservative council showing us the way throughout Britain.

Question put and agreed to.

Adjourned accordingly at eight minutes to Eleven o'clock.

House of Commons

Wednesday 15 January 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

British Prisoners of War

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

9.34 am

Sir Michael Marshall (Arundel): I am grateful for the opportunity to raise this important subject and I appreciate the support of many hon. Members who have been active in the matter.

My concern about deductions from British prisoners of war in Germany and Italy between 1939 and 1945 arises from the evidence that I have received over many years from my constituent, a former Royal Air Force officer, Group Captain Alec Ingle. His complaint to the Secretary of State for Defence was put in formal terms in December 1995 and is based on the experience of RAF officers who were prisoners of war.

Group Captain Ingle also reflects the views of the Justice for Prisoners of War campaign, known as JPOW, which, having started with 30 members in the early 1980s, has now spread to cover the interests of several thousand British ex-prisoners of war in all three services in all parts of the United Kingdom.

I am drawing most especially on evidence from Group Captain Ingle and from several others in the campaign, including most notably Captain Hugo Bracken RN (retd.), a constituent of my right hon. and learned Friend the Member for Tunbridge Wells (Sir P. Mayhew).

The scale of the officers' complaints can perhaps best be related to the number of prisoners of war in German hands in May 1945: 6,000 Army, 2,500 Royal Air Force and 400 Royal Navy and Royal Marines. I am also aware of the parallel complaints relating to more than 4,000 protected personnel, including officers and men of the Royal Army Medical Corps, chaplains, ambulance drivers, stretcher bearers and others who were protected under the terms of the 1929 Geneva International Red Cross convention.

The activities of Mr. G. W. King have been especially notable in the protected personnel lobby. His correspondence with Lord Freyberg has provided the most useful up-to-date assessment of the current Government actions to handle the complaints. In a letter to Mr. King dated 3 December 1996, the Minister's assistant private secretary said:

"The review which is now in hand is considering the whole matter again, re-visiting all aspects of the subject, re-examining the conclusions of the 1980s work and examining the points and evidence submitted then and since. You and others have raised many points of considerable detail and these are being considered afresh both in respect of Officer Prisoners of War and of protected personnel."

Naturally, I welcome the commitment to a fundamental review that I believe is suggested by the terms of that letter, but it is right to remind the House of some of the difficulties and unfairnesses that have led to the Secretary of State's decision to reopen those matters.

The main research efforts in the early 1980s, referred to in the letter, relate to the report prepared under the chairmanship of my right hon. Friend the Member for Chertsey and Walton (Sir G. Pattie), in his then capacity as Under-Secretary of State for Defence, for the Royal Air Force. My right hon. Friend outlined the Ministry's findings in a statement and a report laid before the House on 31 October 1980—and I am glad to see him here today.

I need not dwell on the report at this stage, because it is currently the subject of a wholesale review, and I recognise that there were genuine difficulties at the time at which it was prepared, in the lack of complete information and in the nature of a report prepared in only six weeks, which obviously imposed limitations. I am also aware of the evidence that has been produced since that time and that has led my right hon. Friend the Member for Chertsey and Walton to make submissions to Ministers.

There are, however, one or two aspects of the Pattie report that usefully summarise the nature of the problem. It was correct in identifying the central complaint as relating to the money withheld in the United Kingdom on account of pay that former British prisoners of war were supposed to have received from the detaining authorities in Germany and Italy when, for long periods, they either received nothing or were paid in effectively worthless currency.

Moreover, many former prisoners of war contended that they had not been given an opportunity to reclaim those moneys on repatriation. Perhaps the unkindest cut of all was the fact that the vast majority of them had to pay income tax on money that was never received.

In rejecting the case for further repayments of deductions, the Pattie report concluded:

"On the basis of the evidence before it, the Study Group had little alternative but to reach the conclusions it did. That is not to say, however, the Government are in any way unsympathetic to the problems of former POWs. The Government feel, therefore, that rather than continue to rake over the remaining evidence from 1945, a more constructive response would be to consider whether additional assistance could be made available. These possibilities are now being studied and will be the subject of a further statement."

That was the 1980 statement. That brings me the nub of the argument that I believe it is right to deploy today.

Since that statement and the publication of the report, substantial detailed evidence has been submitted to the Ministry of Defence and to others—to whom I shall refer—which shows the scale of the deductions and the limited nature of refunds. Global figures are available for the amounts deducted and the amounts refunded. The scale of those deductions came as a surprise to me as I began to examine these matters. For those in Germany, the average deduction was about 30 per cent. of net pay, and for those in Italy 65 per cent.

Years of wrangling following the publication of the Pattie report ensued before the MOD accepted that only

"approaching two-thirds of the deductions had been refunded".

I must add that my constituent and others in the JPOW campaign believe that a more realistic estimate would be between 50 per cent. and 60 per cent.

Even accepting the MOD's one third estimate, that puts the shortfall at more than £1 million in 1945 money, which would be more than £20 million today—a sum which,

[Sir Michael Marshall]

incidentally, does not include interest. The additional assistance referred to in the Pattie report has not been forthcoming, other than to a limited extent in respect of hospital facilities.

It was against that background that I and other Members of both Houses of Parliament took up these issues on behalf of the JPOW campaign. Given the lack of progress in dealings with the Ministry of Defence, I approached the Parliamentary Commissioner for Administration, who ruled that he was unable to consider these matters because his remit excluded Her Majesty's forces. Similarly, approaches to the Select Committee on the Parliamentary Commissioner for Administration produced the response that it was unable to pursue this anomaly, despite what was being put about at that time in the report on the civil service and in the Bett report. On the detail of the arguments about deductions and repayments, the Select Committee for Defence felt unable to make this problem a subject for inquiry.

In pursuing some method of appeal, I eventually approached the Prime Minister, who advised me and my constituent that the only way in which an ex-service man could effectively pursue such matters was by formal request for redress of grievance to the Air Force Board of the Defence Council. Accordingly, on 11 December 1995, my constituent wrote to my right hon. Friend the Secretary of State for Defence, who is the head of the Air Force Board, asking him to authorise the setting up of an inquiry. With that letter, he submitted considerable detail on behalf of the JPOW campaign. The evidence submitted not only highlighted some of the shortcomings of previous studies, but went into great detail. It covered matters such as the relevance of the Geneva convention, arrangements for receiving returning prisoners of war, communal funding—which was gathered voluntarily, although it was, in effect, compulsory—within prisoner of war camps, rates of reimbursement of pay, MOD gifts to relevant charities, rates of exchange used to calculate pay deductions and many other matters. I take it—indeed, I earnestly hope—that these matters will be covered in the full review promised in the letter to the National Ex-Prisoner of War Association last December.

I must, however, voice my concern about the time taken to complete the present inquiry. Following my constituent's formal complaint in December 1995, it was not until spring last year that the general inquiry was authorised. Since then, inquiries by written parliamentary question and informal contact have given little indication of how long the current inquiry will take. Naturally, I fully support the need for a thorough inquiry. I know of the personal interest of the Minister of State for the Armed Forces, with his background as an ex-regular Army officer. I know, too, of the personal interest of my noble Friend Lord Howe, who chairs the current inquiry. However, I must repeat my concern about a process that looks likely to take the best part of a year. I am sure that my hon. Friend the Minister understands the feelings of all the prisoners of war who have pursued these matters since 1945, and in detail since the Pattie report was published more than 16 years ago.

I ask my hon. Friend the Minister for assurances on a number of points. Will he confirm that sufficient resources have been made available to ensure the early completion of the review? My understanding is that two senior civil servants have been charged with this task under the general direction of Lord Howe, and that they are undertaking the work part time while carrying out other duties as part of their responsibilities for historical research. The Minister's assurances on that point are of the utmost importance.

May I also ask my hon. Friend to tell us whether the working party intends to take up the repeated offers from some of those involved in the JPOW group, who have carried out detailed research on the records at Kew and elsewhere? They have offered to meet officials. Surely their input could help to expedite the completion of this work.

Will my hon. Friend give some hope and reassurance regarding the future arrangements for handling the complaints of ex-service men? He will be aware that this matter runs wider than the problems of former prisoners of war, and he must realise that in the current climate of opinion—in which strong cases are advanced for an independent mechanism to review the affairs of public officials—it is difficult, in cases such as the one that I am raising today, to justify the activities of a Department acting as judge and jury in its own court. I acknowledge the special needs of serving personnel, but these cases of ex-service men require urgent attention.

I shall let the last part of my appeal to the Minister rest with my constituent, Group Captain Ingle. He and others have taken a generous approach, and he speaks for the vast majority of former prisoners of war. They recognise the difficulties—the absence of detailed records in every case, tracing the next of kin, and dealing with cases of ex-prisoners of war who have sadly died. They suggest that the Government should—indeed, could—make a generous contribution to service charities, so that money could be made available to the most deserving ex-prisoners of war and their families.

I urge my hon. Friend, in what little time remains in this extended season of good will, to give his assurance that this matter will be given sympathetic and detailed consideration. I also urge him to confirm that the findings of his Department's review will be made available to the House and to Parliament as a whole in the very near future.

9.48 am

Mr. David Rendel (Newbury): I am delighted to have this opportunity to support the hon. Member for Arundel (Sir M. Marshall) in his efforts to ensure that something is done about the injustice that appears to have been perpetrated. I congratulate him on his struggle to bring the matter to the attention of the House and of a wider public, and I hope that his efforts will be successful in the near future. I am happy to say that although this is by no means a party political matter, I am supported by my hon. Friends and certainly by my right hon. Friend the Member for Yeovil (Mr. Ashdown), the leader of my party, who takes particular interest in such matters because of his background in defence.

It appears that there has been an injustice. I freely confess that I knew little of the matter until recently when I was approached by a constituent, of whom more later, who is himself affected and who has been involved in the Justice for Prisoners of War campaign for some time. He provided me with a considerable file on what has gone before but, not least because we heard much about it in the previous speech, I shall not repeat it. The points have been well made already. One point that has not yet been brought out is that it is hard to find another country that has treated its ex-prisoners of war, at least in respect of deductions from pay, as poorly as we have. That should be reversed.

It was rightly said that the delays are far too long. The original working party took about six weeks. Perhaps that was too rapid, as some of its conclusions were not fully justified, but it was much quicker than the 15 months that the present inquiry looks like taking. I hope that the Minister will take due note of what the hon. Member for Arundel said about the need to ensure that the matter is brought to a conclusion as rapidly as possible in the best interests of justice. Justice should not be delayed; for the people involved, it has been delayed already for some 50 years. It is never too late to right a wrong, but the wrong should be righted as quickly as possible.

Will the Minister say how much the investigation has cost in terms of time and civil service resources? I imagine that the total costs so far must be considerable, given the time involved. Perhaps it would have been more sensible, and even cheaper, for the Government to have pressed ahead earlier with a fair donation to service charities rather than worrying too much about the degree of investigation necessary to prove the case.

The problem of escaping prisoners of war has not been fully brought out and involves an even greater injustice than those so far mentioned. It is the duty of all officers who are captured to try to escape. Many did so very bravely and some, sadly, lost their lives in the attempt. However, some officers who were recaptured, or who never got away but who had made attempts to escape, were fined for so doing. They never received the pay that was deducted in Britain in return for the pay that they were supposed to have received in their POW camps because they were fined equivalent amounts for trying to escape.

My constituent, Captain Freddie Harris, has a particularly interesting story. He had 832 days of deductions from his pay. During that period, he was a POW in Italy for 588 days. At the end of his time in a POW camp, the Italian Government fell, Italy came out of the war and he escaped. Many of those who escaped with him were recaptured by the Germans and put into other POW camps. Not unnaturally, their deductions continued. My constituent escaped and became a partisan and spent the rest of the war fighting on behalf of the allies. He was no longer a POW. Not unexpectedly, the British Government and his family did not know the full facts at the time. Communications were understandably not fully maintained between partisans and our Government. Fighting as a partisan, he was no longer being paid by enemy forces in the way that POWs were. In spite of that, the deductions in this country continued. He suffered a particular injustice, as did anyone who suffered a similar fate. I suspect that few others are involved; his case may even be unique. The injustice was that the deductions went on when he could not have been paid by the enemy because he was not in their hands and was seeking to evade capture during the whole of that time. Captain Harris is not aware of any return of deductions having been made to him since the war.

Mr. Steve Norris (Epping Forest): As the hon. Gentleman knows, I have many friends in his constituency. I am happy to say that Freddie Harris is one of my oldest friends. I have known him for a great many years. I cannot stay until the end of the debate; I hope that the hon. Gentleman and my hon. Friends will forgive me. I want to place on record the extent to which I agree with the hon. Gentleman. I knew little of the matter until it was brought to my attention by Freddie Harris. I associate myself with the hon. Gentleman's concern that a matter involving natural justice for some brave people who endured much on behalf of succeeding generations should be brought to an honourable and equitable conclusion as soon as possible.

Mr. Rendel: I am grateful to the hon. Gentleman for that intervention. I was about to expand on my remark that this was not a party political matter and he has demonstrated that. It is best illustrated by paying tribute to my predecessor but one, Sir Michael McNair-Wilson, who was for many years Member of Parliament for Newbury. He raised the matter in an Adjournment debate in 1982 and pressed the point on behalf of Freddie Harris and others. I am delighted to pay tribute to his efforts. Sadly, he died a few years ago. I end by quoting what he said in the House of Commons in that debate. I entirely agree with it and it illustrates that this is not a party political matter, as he was, in other times, an election opponent of mine. He said:

> "I believe that there is a debt of honour that a Government one day must pay to those brave men."—[*Official Report*, 9 February 1992; Vol. 17, c. 949.]

That debt should now be paid.

9.57 am

Mr. Patrick Nicholls (Teignbridge): I, too, am grateful for the opportunity to bring to the House my experience in learning about an issue that many people of my generation could not have begun to imagine would still exist: that 50 years after their service, British service men still have not had their wages and salaries paid. That idea would not occur to one unless one was told the tale in a constituency surgery. It says something about the apolitical nature of the process that hon. Members have come to the House today because of our experiences talking to our constituents.

I was approached by Graham King of the National Ex-Prisoner of War Association. I pay tribute to him for being remorseless in following up the concerns of people in his position. I had no idea that we were dealing with the tip of an iceberg. Numerous issues, specifically those concerning the pay of ex-prisoners of war, could have been brought before the House today.

It is probably helpful if I concentrate on one matter of particular concern to the National Ex-Prisoner of War Association, whose parliamentary representative I am. The position of "normal" officers and non-commissioned officers is relatively straightforward and does not cause a great deal of difficulty in practice. The difficulties arise in the case of protected personnel, whose history and status are strange.

As I understand it, under the Geneva convention, protected personnel were not imprisoned, but detained and, as a result, they were paid the salary of the equivalent rank of somebody working for the detaining power. For example, a corporal in the RAMC would be paid the same as his German equivalent if he was imprisoned in Germany.

The position seems to have changed towards the end of 1940, when the various powers agreed that their obligation under the Geneva convention to repatriate protected personnel would not work in the context of warfare. An agreement was reached that such personnel should no longer be detained, but imprisoned. While they were being detained, deductions were made—because, under the Geneva convention, they were detained personnel. It would seem logical that, when it was agreed that repatriation could not take place and that they would be imprisoned as

[Mr. Patrick Nicholls]

ordinary prisoners, the British Government should again assume responsibility for paying them—as if they were normal prisoners of war.

In practice, however, the Germans sometimes, but not always, continued to pay protected personnel. Clearly, the British Government of the day never appreciated the distinction; they did not understand that if the status of protected personnel was changed so that they were no longer being temporarily detained before repatriation, but imprisoned for the duration of the war, certain consequences would follow. The consequence that followed was that those personnel should be dealt with under the normal arrangements, but that never happened. I suspect that the position in relation to protected personnel is relatively clear—it is well worth having clarity on the issue. The details of POWs and their pay are labyrinthine, but the position in relation to protected personnel is pretty clear.

Given the personality of my hon. Friend the Minister of State for the Armed Forces, I know that he will want to be helpful. I am also grateful to Lord Howe for the letters that he has been writing to me. To their credit, Ministers now seem to have a grip on the situation and want to bring about a successful conclusion. I have a little experience of the way in which Whitehall works and I did not always detect that sense of urgency or a commitment to producing a sensible result.

Some years ago, when I was a newly appointed Minister, I turned to my immediate superior for assistance because I could not resolve a certain conundrum. He said, "Let me put it this way: your job in this case is to render as much assistance as possible short of actual help." That principle sometimes serves one well in Government—it certainly did on that occasion—but it does not apply in the case that we are discussing. We must accept that, however the situation arose, however complicated it may be, however many years have passed since the event, it is straightforward: people serving in Her Majesty's armed forces were not paid the money due to them. However it came about. that is the position and it must be resolved.

I have no doubt that if the civil servants who are applying themselves to the task 50 years later wanted to find reasons to justify the status quo, they could easily do so. But those in Whitehall should not approach the issue in that way. However the problem arose and whatever its different complexities, British service men—both commissioned and non-commissioned—were shortchanged. Once that conclusion has been reached, how the problem arose is almost irrelevant to the task of sorting it out. Given the commitment of Ministers to deal with the matter properly, I have no doubt that it can be resolved.

When I first began my correspondence with Lord Howe, the timing of the review's result was open-ended. It was said that it was a difficult and complex matter and it was hard to say when the report would be made. It is a credit to Ministers that that nonsense has now stopped: we have been told that the review will be announced at the end of November. I was slightly nervous when I heard my hon. Friend the Member for Arundel (Sir M. Marshall) say that the work was being carried out by two part-timers who doubtless had previously had other duties, but perhaps we need not worry too much about that.

The review has been a long time coming and a timetable for it has only recently been announced. We now know that the review must take place by the end of March. We must come up with the right answer—Ministers must commit themselves to saying that British service men were shortchanged and that the problem must be resolved. We do not want to hear red herrings such as the suggestion that the occupying—the detaining—powers should have taken action, but did not, and that all happened a long time ago. Whatever arrangements were established by the German Government of the day—and whether or not they defaulted on their responsibility—it is ultimately the responsibility of Her Majesty's Government of the day to look after service men and ex-service men. I have no doubt that if the problem is approached in that way we can achieve a sensible resolution.

I do not want to spread discord, but it is worth placing on record one other issue. My hon. Friend and the hon. Member for Newbury (Mr. Rendel) said that one way of honouring the obligation would be to make a grant to a service charity. The National Ex-Prisoner of War Association does not believe that that approach is appropriate. I shall not detain the House today, but I see no insuperable difficulties in identifying which living service men—or conceivably their widows—were shortchanged and recompensing them accordingly. Our obligation is to individual serving officers and non-commissioned officers and cannot be discharged by giving a sum to a service charity. That detail can be decided in due course, once the principle has been dealt with.

Mr. Roger Gale (North Thanet): My hon. Friend will know—as do those of us with constituencies where organisations such as the Burma Star Association, the SSAFA Forces Help and the legions are represented—that they feel strongly about the subject. I think that the suggestion has been put forward simply because those involved wanted a way out of the problem. They feel—as we all feel—that the problem has existed for far too long and must be resolved. It is that sense of frustration that has led to the suggestion.

Mr. Nicholls: I understand the sense of frustration highlighted by my hon. Friend. It would be all too easy for the system to say that there was a difficulty, but it all happened a long time ago—we shall fix on a relatively modest sum and distribute it to service charities. The first point of principle that must be understood is that service men were shortchanged. Those service men still exist and have some remarkably clear recollections; many of them own better documents than those on the shelves of Whitehall. While I understand how the frustration highlighted by my hon. Friend has come about, I do not think that we can turn to someone who is still living and who has a clear recollection of the fact that he was shortchanged and say, "It doesn't matter, old fruit—we shall give a sum of money to a service charity." That is not the answer, but it is important that we do not become overly exercised about that in today's debate as we must deal with the point of principle.

We are dealing with people who are very much in the twilight of their years and to whom the obligation of the Government of the day is total. We are dealing with people who, beyond a shadow of doubt, were shortchanged. The fact that that may have occurred owing to an historical accident, defaulting Germans or circumstances that existed

before many of us were born does not matter one jot. For the good image of the Government, of the system, of the way in which we all operate, it is essential that the obligation—which the House finally discharges—is not once again pushed under the carpet. The formula of providing all assistance short of actual help cannot be applied here.

10.8 am

Mr. Rod Richards (Clwyd, North–West): I represent the interests of my constituent Captain Frank Kernan, who was a prisoner of war during the last war. I support my hon. Friend the Member for Arundel (Sir M. Marshall) and congratulate him on the vigour with which he has pursued the case for Justice for Prisoners of War and on the lucid and cogent arguments that he has advanced on their behalf in this morning's debate.

No one here would dispute the fact that this is, for many reasons, an immensely complicated matter. In 1945, Europe was devastated by the war. Fifty years have passed, and it is natural that many of the records that existed then no longer exist, especially those connected with the Army and the Royal Air Force. We understand that.

The matter is also complicated because many of the records were not complete in the first place. They were not complete because many of the prisoners of war who were repatriated in 1945 had forms thrust upon them within a day or so of their return from having spent many years in prison. Many of those people spent four or five years as prisoners of war, and we understand that that was a very long time to be a prisoner, not knowing that the period of imprisonment was going to be four or five years—it could have been six, eight or 10 years. They faced an indefinite period of imprisonment and, having suffered that anxiety for such a long time, the state of mind of those young men on their return to this country must have been quite awesome.

As the hon. Member for Newbury (Mr. Rendel) rightly said, we must also bear in mind the fact that officers have a duty to escape or to attempt to escape and to aid their fellow officers in their attempts to escape. Military personnel who were prisoners of war were very much operational and active throughout that time and their lives were in danger—there can be no doubt about that.

In replying to the debate, I want my hon. Friend the Minister to recognise, as does every hon. Member who has spoken in this debate, that an injustice has been done. As the hon. Member for Newbury said, we owe those people a debt of honour, and my hon. Friend should, first, acknowledge that injustice has been done and, secondly, that compensation is due.

We all understand the difficulties involved in quantifying that compensation and in the repatriation of funds that were either not paid to or unfairly taken away from prisoners of war, but it is an important matter of principle that the Government should accept that an injustice has been done and that a sum of money is owed. How that sum of money is calculated and, indeed, what should be done with it is problematic, but it would be a first step if Her Majesty's Government were to acknowledge that payment in some form was due, either directly to former prisoners of war or, as my hon. Friend the Member for Arundel said, indirectly in the form of a generous payment to charities that support service personnel and their widows. As my hon. Friend said, payments to such charities might not be universally acceptable; nevertheless, it is important that the Government should accept that some payment is owed to those honourable people, who fought for us and who lost their liberty during the war.

People always look for a villain of the piece in Whitehall, so it may offer some comfort and succour to my hon. Friend the Minister if I say that I am not suggesting that the sum of money, when quantified, should be deducted from the current Ministry of Defence budget. The moneys were held by Her Majesty's Treasury, so when the sum has been calculated and my hon. Friend takes up the battle it is for the Treasury to repay what is owed because, in a sense, the money has been held on deposit and the Treasury has benefited from the interest over the past 50 years.

I understand the difficulties facing my hon. Friend and I know that there is a review going on, but it would be a step forward and it would offer some comfort to ex-prisoners of war and their families and friends and to Justice for Prisoners of War if Her Majesty's Government were to acknowledge that an injustice has been done and that a debt of honour is due.

10.14 am

Mr. Denis MacShane (Rotherham): I, too, want to congratulate the hon. Member for Arundel (Sir M. Marshall) on obtaining this debate. As you might recall, Madam Deputy Speaker, we had a debate of my calling just before December on reparations for prisoners of war who were held in the far east, so I have some interest in this matter.

My interest extends further than the technical question of moneys owed that should now be paid back, either by our Government to our prisoners of war or, as I believe, by the Japanese Government or the Japanese companies that used our prisoners of war as slave labourers. Unfortunately, the issue can get bogged down in legal niceties, which is I why I am delighted that it is the Minister of State for the Armed Forces who is to reply to the debate. He is certainly no lawyer—neither a barrack-room lawyer, nor a Whips' lawyer nor a parliamentary lawyer—and I am sure that he will give as generous a response as he is allowed to give. Perhaps, as a former officer, he will even break free from the conventions of his civil service brief and, as urged by the hon. Member for Clwyd, North–West (Mr. Richards), offer an apology and announce that the Government—if not his, perhaps a future one—will be generous in this respect.

The issue goes further than the points raised in the debate. At the annual Remembrance day celebrations, I am conscious of the fact that British fighting men and women have been in service constantly since 1945, so the issue is relevant not just to those who served in the second world war, although they are the subject of our debate. Since 1945, we have been involved in a seemingly endless list of armed engagements: Korea, the various decolonisation conflicts of the 1950s, the constantly running sore that is Northern Ireland, the Falklands war and the Gulf war, to name but a few.

The Minister will recall that he gave me an hour of his time to discuss the issue of those killed in the friendly fire incident in the Gulf war, which is still a sore for the nine British families who lost their young ones in that tragedy. In addition, the Minister—very decently—came to the

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House not long ago to tell us that the line on the effect of chemical agents on soldiers in the Gulf war had had to be changed. Campaigns and pressure can work—the Ministry of Defence is not a monolith and we must continue to press such issues on an all-party basis.

Consideration may need to be given to the possibility of our having a Minister who has responsibility for veterans, such as there is in the United States and France—someone who has special regard for the needs of former soldiers, sailors and airmen, including those who were held in prisoner of war camps and those who, although they may not have received the honourable wounds of war, suffer now from illnesses as a result of what they were obliged to do without fully understanding what was at stake.

Those are the deeper issues involved. Next week, with other hon. Members, I shall meet survivors of Japanese prisoner of war camps to press their case further. The issue will not go away—it is a matter of honour. I urge the Minister to lift his eyes from the lawyers' brief in his folder, remember what it was like when he was in his own mess with his fellow officers and think of the honour of our country.

10.19 am

Mr. Roger Gale (North Thanet): I had not intended to participate in the debate, because other hon. Members have made the case much more effectively than I could. I have listened with great interest to the arguments, and I should like to reinforce a point that I made in an earlier intervention.

I listened with interest to my hon. Friend the Member for Arundel (Sir M. Marshall) suggesting that a sum of money should be given to the service charities to disburse among the claimants and causes which they feel should be the beneficiaries of the settlement of what is undoubtedly a debt of honour. I also listened with interest to the alternative argument, advanced by my hon. Friend the Member for Teignbridge (Mr. Nicholls). I can appreciate that prisoners of war who are still alive would feel a tremendous sense of injustice if they were not allowed to press their claims. As we all know, their numbers must be very small by now.

I wonder, therefore, whether the Minister might like to consider a halfway house solution. The reason behind the service charities suggestion—I know that this is true in my constituency—is that service organisations believe that, if each individual case is to be pursued, whatever the decision arrived at after the review there will still be interminable delay before the families entitled to the money actually get it.

My halfway house proposal is to allow the few who are still alive and wish to press their cases individually to make their claims accordingly; but the overriding and outstanding debt of honour to the many who are now dead should be paid via the service charities. If the Minister will examine this possibility, we may be able to have our cake and eat it.

10.20 am

Mr. Winston Churchill (Davyhulme): I join in the congratulations already offered to my hon. Friend the Member for Arundel (Sir M. Marshall) on bringing this matter before the House and giving us the opportunity to debate it. I am particularly delighted that the Minister for the Armed Forces is here to respond, because I know of his instinctive sympathy for those who serve their country in circumstances of difficulty and danger—and who do so, as these prisoners of war did, with the highest distinction.

I fear, however, that before the debate my hon. Friend the Minister may have been to the Treasury tailors to be fitted up with a Treasury straitjacket. Still, like the hon. Member for Geneva—or, rather, the hon. Member for Rotherham (Mr. MacShane)—I hope that he may yet break free from such Treasury bondage.

I start from the premise that it is never too late to rectify an injustice—and this is clearly a case of a demonstrable injustice. One of the proudest roles and traditions of this honourable House is the redress of grievances. Despite the passage of time, it is therefore entirely right that we should deal with this matter today. I hope that the Minister, on behalf of the Government, will respond positively to the compelling case made by several hon. Members today.

We are talking about tens of thousands of men who were taken prisoner and often held in intolerable conditions for periods between a matter of months and four years. They have, in effect, been cheated by the Government whom they served with such distinction and loyalty. I agree with those who have talked of a debt of honour; it is high time the House of Commons took steps to acquit it.

10.23 am

Dr. John Reid (Motherwell, North): I need not detain the House long on this issue. Adjournment debates are generally occasions for Back Benchers, but I should like to make one or two remarks.

Some people say that the House is at its best when it is packed and exhibits the theatricality of the circus, but I often find that it is at its best during Adjournment debates when it is not packed. We certainly learn more and discuss more. I have learnt a great deal today and in recent weeks from the cases that have been raised by Members on both sides of the House. I therefore congratulate the hon. Member for Arundel (Sir M. Marshall) on his dogged pursuit of the issue and on his success in obtaining this morning's debate.

A matter of principle is at stake. There is a compact between the British Government and forces of the Crown which underlies every operation, every strategic decision and the whole relationship between the armed forces and civilian society. When we ask men and women who serve in the forces of the Crown to undertake certain risks, an obligation is placed on Governments of any political persuasion to provide them not just with the resources to complete their tasks and to minimise their risks but to take care of them should they suffer as a result of their activities.

In this case, the obligation—60 years after some of these events took place—appears never to have been discharged. I fully understand the Government's difficulty in handling the matter—the Minister will face the usual difficulties of legality and bureaucracy. Moreover, there is the additional problem that, over decades, the evidence on which to base any judgment has become fragmented. What is more, many of the pieces of evidence will have been affected by the fog of war. The hon. Member for

Newbury (Mr. Rendel) cited a constituent who joined the partisans and who was therefore not in contact with the British Government during the relevant period—a perfect illustration of what I mean. This Minister has the reputation of occasionally swathing through the conventions of bureaucracy and firing from the substantial hip; I hope that he will apply himself on this occasion to following up the issue with gusto.

As for the charities suggestion, I make no comment except to say that this is certainly not a question of "charity", however the decision is ultimately reached. It is a question of justice and of honour. Every Member who has spoken has mentioned a debt of honour. That becomes all the more true when we realise that we live in an age of compensation and litigation. These people made tremendous sacrifices for their country and suffered all sorts of stress, often to the detriment of their health and quality of life. In an age when compensation seems to be claimed by everyone for everything, we are especially indebted to these people. It is not as if they voluntarily undertook these hardships: they were under orders to do what they did. It would therefore be a tragic irony if it were subsequently discovered that they were penalised for discharging their obligations under orders.

This is not a party political issue, as several hon. Members have pointed out. We may have our differences over how to approach veterans' affairs. As my hon. Friend the Member for Rotherham said, we believe there is a case for a veterans unit under a Minister; but there is no reason why this should not be a House of Commons matter. After all, the whole country owes the debt to the people involved. I therefore urge and, knowing him, expect the Minister to give the matter the speediest and most sympathetic consideration, so that, even after half a century, not one more day is lost than need be in resolving what appears to be both a tragic omission over the past six decades and a major debt of honour in the present circumstances.

10.29 am

The Minister of State for the Armed Forces (Mr. Nicholas Soames): I congratulate my hon. Friend the Member for Arundel (Sir M. Marshall) on expertly and clearly articulating this difficult case. I thank him for raising again an issue that is of great concern, which has been well expressed by hon. Members on both sides of the House. I also thank my hon. Friend for his usual courtesy and consideration in keeping us thoroughly informed of the way in which the campaign was developing and for allowing us to come to the debate properly prepared to try to satisfy—although I fear that I shall not be able to do so—some of the points that have been made.

It is good that that concern is felt broadly throughout the House. The hon. Member for Rotherham (Mr. MacShane), whose concern for veterans is well known and who is playing an important role in the issue of Japan and reparations—on which I do not propose to touch this morning—made some important points.

The hon. Member for Newbury (Mr. Rendel) spoke extremely well of his constituent, Freddie Harris. As a young officer in the Coldstream Guards, my father was involved in trying to convey arms to the partisans in Italy and in trying to enable as many British prisoners of war who had been released by the Italians as possible to be guided back to our lines before the Germans could get them, so I have an added interest in the matter. I am anxious and interested to know more of Captain Harris's case, which I understand was raised in an Adjournment debate, but I have not had the privilege of reading that. I should be grateful if the hon. Gentleman would make those papers available to me.

The hon. Member for Newbury said that Captain Harris had escaped and fought with the partisans, and the hon. Gentleman raised the interesting question of what quasi-legal situation that put Captain Harris in. I have no doubt that the Army, having a rule for everything, will find that it has a definition for that, but I am anxious to find out more.

My hon. Friend the Member for Teignbridge (Mr. Nicholls), who has been interested in this matter for some time, made a powerful speech. I am grateful for the contributions from my hon. Friends the Members for North Thanet (Mr. Gale) and for Clwyd, North-West (Mr. Richards), and for the contribution from my hon. Friend and kinsman the Member for Davyhulme (Mr. Churchill), who spoke, as always, with such distinction and feeling for the cause and interests of people who served their country a few years ago, in the last war or before that. It is good, therefore, that this concern covers the spectrum of opinion not only in the House, but widely outside it. Some well-informed people take a close interest in this and I hope that they will follow our debate carefully.

We are concerned with people who were officer prisoners of war or protected personnel in German and Italian hands during the second world war—individuals who, under the international convention for the amelioration of the condition of the wounded and sick in armies in the field, signed in Geneva in 1929, were not to be deemed prisoners of war if they fell into enemy hands. The status of "protected person" was granted not only to those engaged exclusively in the treatment of the wounded and sick and to chaplains, but to auxiliary nurses and stretcher bearers who were carrying out their duties when captured.

Thanks in part to the assiduous way in which my hon. Friend the Member for Arundel has pursued the issue, I am aware of the profound sense of grievance felt by some ex-officer prisoners of war and protected personnel about decisions taken during the war and in the immediate aftermath and about Defence Ministers' consideration of their concern in the early 1980s.

Those service men spent, in some cases, most of the war in captivity. Only last week, I met a young private soldier who was in the Gordon Highlanders and who was captured at Dunkirk. He went into a prisoner of war camp two days after he was captured and stayed locked up until 1945. What a terrible price to be paid by a young man in the prime and flower of his youth. There were many like him, although their experiences and hardships inevitably differed. Each has a different story to tell, depending on where they were held, whether they were repatriated during the war—as some of the sick and injured and some protected personnel were—whether they made successful escapes, whether they simply had to face endless hours of tedium, waiting for liberation by allied troops, or whether they faced the great uncertainty attached to capture.

For some of those men, the last months of the war were particularly turbulent. Moved on foot ahead of the advancing allied armies by the Germans, short of food,

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sometimes badly or brutally treated and even mistakenly attacked by our own aeroplanes, some of them were liberated by Soviet forces and moved far behind enemy lines into Russia before being sent home. Although most could do little directly to affect the war's outcome, they continued to serve with dignity, to behave with courage and to face hardship and uncertainty with courage and fortitude.

Those captured early in the war had been taken while facing great odds. The protected personnel played a vital role in caring for our sick and wounded prisoners of war, and all played their part on the road to eventual victory. Therefore, as all hon. Members have said, we are concerned with not only personnel's military service, but their conduct and behaviour while prisoners of war.

We are debating the money deducted from the pay accounts in Britain of officer prisoners of war and of protected personnel. I have specifically mentioned officer prisoners of war and protected personnel in German and Italian hands because those held by the Japanese were refunded with all the deductions made in respect of payments that they should have received from the Japanese. This is not at issue, although the reasons for those refunds have been questioned.

The pay deductions that concern us today were made on the basis of the terms of two conventions signed in Geneva in 1929: that covering the care of the wounded and sick, to which I referred earlier, and the international convention on the treatment of prisoners of war. Those set out the principles for the treatment of prisoners of war and captured non-combatants, which were developed into practical arrangements by various agreements made subsequently between the British Government and their German and Italian counterparts.

The deductions were made to offset payments that the officer prisoners of war and protected personnel were supposed to receive from the detaining power. Officers' payments were made because officers were not permitted to work in captivity and therefore to earn what could be used as "pocket money" to meet certain living expenses in the camps. Protected personnel received money from the detaining power because, under further agreements between the belligerent Governments, they had not been repatriated after capture, but stayed with our sick and wounded to care for them. For that work, they were to receive their pay from the detaining power at the equivalent rate for that power's own medical staff.

That was the theory. During the war, however, it became apparent from information from the camps that, although deductions were being made in Britain on the basis that the arrangements for payment by the detaining power were working, in some cases the reality was rather different. Arrangements with the detaining power were not always working as they should have been.

It was therefore decided to implement a policy of refunding some of the deductions when officer prisoners of war and protected personnel returned to Britain. The aim was to put the individual back in the position of having received, overall, his due pay, adding up what had been received or credited from the detaining power and what had been credited and paid in Britain.

A major element of the case put by those who have so cogently made representations to us—including, in lengthy submissions, Group Captain Ingle and Captain Bracken, RN (retd.), of Justice for Prisoners of War, and Mr. King of the National Ex-Prisoner of War Association—questions the fairness of the deductions having been made in the first place. That is the general tenor of the anxiety expressed by my hon. Friends.

The representatives also question the exchange rates used to calculate the actual amounts deducted and refunded in respect of camp payments. They consider that they did not receive the overall value of their pay, and question the implementation and efficacy of the scheme to refund deductions. These are clearly serious matters.

A further issue, which prompted much of the concern expressed in 1980, relates to the arrangements for repayment between countries. It was originally intended that certain payments made by the detaining power to individuals would be reimbursed to that power by their own country at the end of the war. After the refunds that I have described, an element of the deductions remained, but, in the circumstances that prevailed at the end of the war, the money was not transferred to Germany and Italy, but was retained by the Treasury. It is argued that it should have been repaid to the service men involved at the time, and should be repaid now.

There are further concerns about the handling of communal funds that were operated in some camps, and about money that was subsequently given to service charities in respect of those funds.

This is a tremendously complex cocktail of issues, and the situation is further complicated by the apparent lack of consensus among the different groups and individuals concerned. The Justice for Prisoners of War group has pointed out the difficulties involved in working out individual claims and making individual payments—difficulties that undoubtedly exist. It seeks the payment of a substantial sum to service charities for the benefit of former prisoners of war and their dependants. The National Ex-Prisoner of War Association representative, however, wants to see the settlement of individual claims from former protected personnel.

As I said, my Department did a huge amount of work in the early 1980s to address the points that were raised then. Moreover, recognising the criticism with which the original working group report was received, it continued to study further questions, and to discuss many additional points with representatives for the former prisoners of war. Indeed, as recent submissions to my Department acknowledge, a number of the criticisms of the original report have been accepted.

At the end of the deliberations of the early 1980s, however, the Government took the view that, although it would be possible to continue to refine points of detail, there was no case for reconsidering the original policies and decisions of previous Administrations of both parties and trying to reopen the matter. Those decisions were not reached lightly, or without profound concern for the strong views of those involved.

A number of the former officer prisoners of war and protected personnel have, however, continued to investigate the matter, and in 1995 they sought to reopen it. At the end of that year, Group Captain Ingle made a detailed submission for redress of grievance to the Air Force board. That submission was similar to one that had already been prepared by Captain Bracken, and the two were considered to see whether they raised any new

issues, or included any details, that had not previously been considered and which, had they been considered, could have changed Ministers' previous views.

While that work was in hand early last year—during which time a further detailed submission was received from Group Captain Ingle—the National Ex-Prisoner of War Association also raised issues relating to protected personnel, and wished to make its own detailed submissions. Those submissions were eventually received last summer. On the basis of all those approaches, it was decided that the whole subject should be re-examined in detail, and a new review was announced, to be headed by my noble Friend the Under-Secretary of State for Defence.

That review is in progress. Its aim is to re-examine the principles that underlay decisions made by successive Governments and agreements between the belligerent powers, those decisions and agreements themselves and the implementation of the various policies concerned. We wish to set all those matters in their wider context, and to see whether the policy decisions were properly made, promulgated and implemented, as far as can now be discovered. I hope that the work will be satisfactory.

I appreciate that the two groups concerned have done a great deal of detailed research, and I congratulate them on the tenacious way in which they have gone about their presentation. They have presented what they feel to be an overwhelming and clear-cut case, and I understand the strength of their feelings and their concern about the time that our review is taking. I appreciate the strictures of my hon. Friend the Member for Arundel and the concern that he has expressed. I hope that, by the end of the debate, he will have been reassured.

It is a fact that many of the arguments of the two groups have been advanced and considered before. The decisions that they wish to be overturned were considered and made by previous Administrations of both parties over a number of years, in the context of the time and with contemporary knowledge. Many of them were questioned and discussed during and after the war, and reconsidered in the 1980s. Because of lasting dissatisfaction, we have agreed to review them again, but, in doing so, we must re-examine the whole matter with great care. That is why I say to my hon. Friend the Member for Davyhulme, and to the hon. Member for Motherwell, North (Dr. Reid), that although my natural instinct would be to try to resolve the matter now, I cannot do so in the light of the decisions made by previous Administrations of all parties, the immensely detailed work that has been done and the work that remains to be done. We must conduct the re-examination with the greatest possible care, and settle the matter once and for all.

Let me reassure my hon. Friend the Member for Arundel that I believe that proper resources have been made available for the work. On this occasion, we have been anxious to use specialist staff, experienced in historical research and with knowledge of the archives and the procedures of the second world war and the period immediately after it. Let me take this opportunity to congratulate those staff on the work that they have done: they are extremely busy, and are taking an enormous amount of detailed care to ensure that we get this right. I hope that my hon. Friend will accept my assurance that the work is proceeding at the best possible speed. We have no interest in not concluding the matter one way or the other as soon as we can.

As my hon. Friend the Member for Arundel said, two excellent officials are leading the work on behalf of my noble Friend the Under-Secretary of State, but others are contributing in specific areas. It has been found that, for very good reasons, work of this kind should not be fragmented. My hon. Friend will appreciate that down that path lies the possibility of evidence being missed or misinterpreted, and I know that he would want the work to be as thorough and complete as possible.

I understand that Captain Ingle's submission is a detailed and thorough piece of work, which should be dignified by a proper and detailed response. We are grateful for the offers of meetings with the Justice for Prisoners of War group and the National Ex-Prisoner of War Association, which have been acknowledged and which can only help us to reach a conclusion.

My noble Friend the Under-Secretary of State has said that he hopes our work will be complete by the end of March. It follows that, as the work is not yet finished and as he has not yet reached his conclusions, it would be improper for me to comment further on the many detailed and complex issues that have been raised, but I will draw all today's contributions to my noble Friend's attention, and I will personally follow these matters extremely closely.

Finally, let me add my voice to those of hon. Members who have paid lasting tribute to all who fought and were captured by the enemy in battle. There is nothing trite about such tributes in the House. The sacrifice and the hardships of those people cannot be overstated, and the awfulness of being locked up must have been truly dreadful not only for the young men involved but for their families. I know from the time that my grandfather spent in captivity during the Boer war of the lasting impression that is made on those who are unfortunate enough to be taken prisoner of war. My grandfather was lucky to be able to escape quickly, but he recorded that the experience of capture was

"the greatest indignity of my life".

I want all those who are concerned with the outcome of our review to know that those feelings are truly understood.

I acknowledge the sense of what has been said by all who have spoken today, and the admirable way in which hon. Members on both sides of the House have expressed the feeling that this is a debt of honour that must be resolved, that the work must be finished and that there must be a satisfactory outcome. I cannot forecast the outcome of the work because it is not yet completed, but I assure my hon. Friend the Member for Arundel that our review is being conducted in the greatest possible detail and with an open mind, and that our findings will be made available to the House at the earliest opportunity.

Bus Employees' Pensions

10.49 am

Mr. Kevin McNamara (Kingston upon Hull, North): I should first declare an interest as a member of the Transport and General Workers Union and as secretary of the parliamentary group of Labour Members associated with that union.

Two factors are critically important for those who consider participating in a pension scheme. The first is that they view pensions as wages deferred for the future, after they have retired and must rely on what they have put aside or invested for their golden years. The second is that a pension scheme is held in trust by a company for those who have chosen to pay into it, for the benefit of its members and beneficiaries—not for the benefit of the company or the directors, and certainly not for the benefit of the Government.

In no circumstances should the fate of employees who have invested a portion of their hard-earned wages in such a scheme be abused. In no circumstances should money held in trust by a company on behalf of pension scheme members be hijacked for the company's use or to facilitate gain for anyone other than legitimate members of the pension scheme. It should certainly not be used as a sweetener for privatisation—a bribe for bids for public sector assets based on the principle, "Just look at the pension scheme surplus."

After privatisation, approximately £1 billion has been taken from pension schemes, affecting approximately 1 million past and current public sector workers in various industries. After the 1990 theft from the bus employees' superannuation trust—BEST—pension scheme, as many as 80,000 retired bus workers are losing up to £20 a week of their pension entitlement.

On 6 September 1996, the pensions ombudsman ruled that the Government had unlawfully taken money, to the value of £168 million, out of the BEST pension scheme after privatisation of the National Bus Company. That scheme's rules stated that if the scheme were ever wound up any surplus should be divided among employees, up to the limit allowed by the Inland Revenue. The employer could receive a share only after employees had received the maximum to which they were entitled.

Prior to 14 November 1989, the scheme's original rule—rule 49(b)—stated that if a surplus were available on winding up:

"The excess shall be applied in providing additional amounts of annuities . . . for the benefit of all or any of the Beneficiaries."

Many people joined the fund on that basis. They did not subscribe on the basis of providing the Government with a surplus to use for whatever ends they deemed fit, which is what has happened. The surplus was to be used for the benefit of those who had invested in the scheme—a point that the Government have ignored. Instead, the Government have used the funds as a sweetener for privatisation.

The manner in which the Government were able to achieve such a windfall—the history of which can be found in the ombudsman's report—was due to the amendment of rule 49(b). The BEST trustee was put under pressure to alter the rule by National Bus Company management, who told the trustee that unless the rule was altered the company would suspend its contributions to the fund.

In paragraph 72 of his decision, the ombudsman stated:

"The threat to exercise the power to suspend contributions was intended to persuade the Trustee to surrender powers which it held under the Scheme's winding up rules, powers which it was required to exercise in the best interests of the Scheme's members."

In the face of such pressure, the BEST pensions committee had no alternative but to recommend that rule 49(b) should be amended so that the surplus would go to the employer. The amended rule stated:

"If any balance remains, the same shall be repaid to the company, except to the extent that the company agrees that part or all of the same may be applied in increasing benefits."

After amendment of the scheme's rules, the Government and their allies launched a campaign of disinformation. Scheme members and Members of Parliament such as my hon. Friend the Member for Warrington, South (Mr. Hall), who questioned what had occurred, were told by the management, by Allen and Overy—solicitors for the pension fund—and by the Minister that the pension fund surplus had to be paid to the company. They were not told of the company's discretion in the matter, or that—in the fortuitous way in which these matters work out—any surplus would go to the Government when the company was wound up.

The information provided by the Government was incorrect, however, because the rules had been unlawfully amended and the surplus should have been used primarily for the beneficiaries' advantage. In my recitation of the facts, some people may think that I have understated the case and feel that events were more like daylight robbery. Many people believe the latter, and I share that view.

Paragraph 107 of the ombudsman's decision states that the amendment was unlawful and that

"the agreement to amend the winding up clause was obtained through a breach of the Company's duty of good faith and through a threat to commit a fraud on power".

The Secretary of State has acquired all the company's liabilities and rights following the dissolution order and must therefore take responsibility for that breach of good faith and that threat to commit a fraud.

As rule 49(b) was unlawfully amended, questions must be asked about the accuracy of information provided to the Public Accounts Committee when it was considering bus privatisation. Did the figures provided to the Committee include the £168 million that the Government had unlawfully taken from the pension fund, and was the Committee informed that the Government had taken the money? As the money never belonged to the Government, was information on it included in their deposition to the Committee?

Another interesting aspect of the débâcle is that after the scheme was wound up two trustees were appointed, both of whom were civil servants employed by the Department of Transport—the Department which had taken the money from the pension fund. Those civil servants were supposed to act in the members' best interests in recovering the £168 million—which, with interest, now totals about £200 million—from the Department of Transport. That was a very difficult situation to put them in as they were civil servants in that very Department.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): It is called insider trading.

Mr. McNamara: Or lack of trading in this case.

When requested to reveal information on any negotiations that had taken place to recover members' money, the trustees—on the instructions of their lawyer—refused to reveal any information, despite the fact that it is a breach of trust law not to supply such information to a pension scheme member who properly requests it. They were thus not only failing to pursue recovery of the money but withholding information from scheme members.

It is worthy of note that following a company search undertaken by my union's legal advisers, it was discovered that the trustee company, which was supposedly independent, was in fact owned by the Secretary of State for Transport. Since then, new trustees have been appointed within the Office of the Official Solicitor. Again, however, one might question their degree of independence from the Government and the speed with which they are advancing the interests of trust members.

The Minister for Railways and Roads (Mr. John Watts): I must ask the hon. Gentleman to put it on record that he is not suggesting any impropriety on the part of the officials appointed as trustees. He will know that when the appointment was made, as the benefits had been insured, it was assumed that the company would have little or no business to transact. We asked the Official Solicitor to replace as quickly as possible those officials who, as the hon. Gentleman acknowledged, were in a somewhat invidious position, with trustees whom everyone can accept are independent. While the hon. Gentleman may wish to make allegations against me and my right hon. Friend the Secretary of State, I hope that he is not impugning the integrity of officials who, as he said, were placed in an invidious position.

Mr. McNamara: No, but I think I am entitled to question the speed with which they are processing the matter.

As matters now stand, members of the scheme have not received any of the pension fund surplus and many may die before their entitlement becomes available. Meanwhile, the Government have taken all the surplus and used it to subsidise the privatisation process.

In the case of the BEST pension scheme, the law is very clear: where a scheme states that a surplus must be distributed to the employees, that must be done. There is no question of the money being distributed elsewhere until employees have received the maximum entitlement under Inland Revenue rules. Altering the rules so that the employees no longer receive the surplus, following pressure from the company—and, thereby, from the Government—was unlawful. The ombudsman directed the trustee to

"recover the monies paid to the company on winding up, with interest at an equitable rate".

Regrettably, the BEST scheme is not an isolated instance of Government fingers in the till. The ombudsman's decision on the National Bus pension fund is expected in a few months. It is also expected that the ombudsman will find that £30 million was unlawfully taken from that fund. The National Grid has already been ordered to pay £55 million—a very modest estimate as some commentators believe that the true figure may be as much as £500 million—to the employees' pension fund after similar complaints from members. The Government have threatened to use a £55 million surplus in the Rosyth dock workers pension fund as a sweetener for privatisation. Rail companies plan to use a £500 million surplus in the British Rail pension fund, which existed prior to privatisation, for their own benefit.

Meanwhile, the TGWU, which is my own union, the National Union of Rail, Maritime and Transport Workers, the GMB, the Manufacturing, Science and Finance Union and others are investigating a series of complaints from members about what happened to pension funds when their industries were privatised. There are therefore a number of questions that I should like to put to the Minister.

It is most surprising that although the pensions ombudsman—a Government statutory appointee—has reached his decision, the Government, far from accepting what their own appointee has said, have turned to the trustees and said, "Sue us. Yes, we'll give you the money for your legal fees, but sue us." What message does that send to the nation about the Government's attitude? Their own appointee has found against them, so they play for time. A man who is distinguished in his knowledge of the law and of the industry finds the Government in "breach of good faith" and possibly committing "a fraud on power," but the Government, in order to delay matters, turn around and say, "Sue us."

My first question is why should this matter be brought to court for resolution when the ombudsman has so clearly stated that rule 49(b) was unlawfully amended? What is the motivation for the employment of such an obvious delaying tactic? After all, the office of the ombudsman is a statutory appointment created by the Government. One might suggest that the delay can only be exacerbated by the fact that the current trustees work in the office of the Official Solicitor and the Government are reluctant to proceed quickly.

Secondly, why did the Secretary of State mislead and supply blatantly false information to a number of interested and connected parties on the subject of the surplus? Not only were the management of Allen and Overy—solicitors to the fund—guilty of such action, but so was the Department in asserting that the surplus had to be paid to the company without at any time revealing the role of the pressure put on the trustees to alter the rule. On a related point, may we also have information about what was told to the Public Accounts Committee?

Thirdly, will the Minister publish the correspondence between the Government and the trustees, who in theory should have been acting in the best interests of the beneficiaries and not delaying matters to assist the Government when they were in fact working for a Government Department? If the Minister will not provide that explanation, he must explain why not. Under the law, a beneficiary is entitled to be given the information that he requests on such issues. Further to that matter, will the Secretary of State give some indication of when he expects the trustees to be able to take action? Has he given the trustees any indication of the time scale envisaged by his Department?

Given all those facts, it is scarcely amicable to suggest a course of litigation, irrespective of the fact that Ministers expressed the hope that it will

"be carried out in as co-operative and speedy a manner as possible".

[Mr. McNamara]

What facts contained in the ombudsman's report do Ministers not accept? Do they accept that the rule was altered? Do they accept that the ombudsman's report is an accurate statement of the law and of the Government's liabilities? If not, why not?

This is not an arcane dispute on an obscure point of law; it is a matter of great importance to thousands of pensioners who feel that they have had their pension funds filched to subsidise privatisation, making the Department of Transport the Robert Maxwell of the public sector. This is a debate not on the merits of privatisation but on how privatisation has been achieved at the expense of people who paid into pension schemes where the pension moneys in this case—and perhaps in many others and also perhaps in future cases involving British Rail—have been or might be used to bribe reluctant bidders to enter the marketplace to bid for public assets. Natural justice and the law demand that BEST pensioners should receive their full entitlements and should receive them now, not after further prolonged litigation.

11.9 am

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I apologise to you, Madam Deputy Speaker, and to the Minister for not having been here at the beginning of the debate. It is seldom an excuse in the House of Commons to say that things were going so fast that I was not keeping up with the excitement in the Chamber. What my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) is doing is tremendously important and I congratulate him.

It is not clear how the Government can so consistently think that they can get away with the most outrageous behaviour without anyone noticing. I often forget how brazen they are. Their sheer brass neck amazes me.

I am an individual member of the National Union of Rail, Maritime and Transport Workers. Many members of my union are busmen who are directly affected by the pension scam—I use the word scam advisedly, because that is what it is—but I must make it clear that I do not benefit from the pension fund, nor have I ever contributed to it. That does not mean, however, that I am not outraged that the Government's behaviour has been allowed to go almost unremarked.

Having set up a parliamentary commissioner—or ombudsman, as we call him for convenience—to look into the correct administration of the business of government, after a clear decision that their behaviour on the bus companies pension funds was not only bad administration but a total breach of faith, would any other Government in the world have said, "Thank you very much. We have taken note of what you have said. Now if you want to get your money back, you've got to sue us."?

Because of their incredibly narrow and tiny attitude towards the sale of state assets, the Government were prepared to use the pension funds of bus companies to encourage private companies to take over assets. They were then prepared to go to the trustees of the pension funds, knowing that the law puts them into a straitjacket—correctly; no one wants pension fund trustees to be able to do whatever they like—and tell them, "This is a deal you can accept or you can't accept. Either you commit suicide publicly or you accept a deal that says that we take the assets and we tell you what you are going to do. If you don't like it, we shall make it impossible for you to continue." That is the sort of deal that was spelt out to the trustees. It does not matter how obscure the legal points are. I am not a lawyer, but I know a clear case of stealing somebody's assets when I see it.

I am in perpetual correspondence with the Minister. I sometimes feel that it would save a lot of time if we had a direct line between his office and mine, because I am constantly questioning him on the behaviour of the Department of Transport in relation to other people's assets. The Minister knows that the pension funds were built up by contributions from some of the poorest paid members of the industry. The transport industry does not overpay those who work long hours in difficult conditions. I assure the Minister that busmen and buswomen are not among the multi-millionaires of the United Kingdom. Their assets, built up slowly over a long period by them and their employers, were used as large bags of sweeties to encourage people to come in and take over the assets of the state bus companies.

The Government's behaviour raises all sorts of questions. Would any other organisation say, "I'll use your money to tell you to sue me."? The Government are using taxpayers' money to enable the Government to be sued. At every level, coming and going, the taxpayer pays. That is a basic fact, in case anybody had not noticed. It is not the Government's money; it is the taxpayer's money. They constantly tell us, "Oh, we don't have any money, it belongs to the taxpayers." It certainly does. What is the Department doing with that money? It says, "The ombudsman has found against us, but we have no intention of carrying out what the ombudsman has said unless we are sued." Where is the money for that legal process to come from? From the taxpayer. We have a violent circle of complete nonsense, in which the taxpayer is supposed to pay.

My hon. Friend the Member for Kingston upon Hull, North raised some detailed and important points, and I have no intention of repeating what he said. The Government's effrontery amazes me. They have an extraordinary ability to take my breath away. They continually do things that I though that no one would have the nerve to do, and then they do it again. To quote a classic case, I wrote to the Minister just before Christmas asking him about the pension funds of a number of different establishments—the National Bus Company, the British Airports Authority, the privatised ports and British Rail. I hope on another occasion to be able to spell out in detail that what the Government have done to the busmen is nothing compared with what they have done to people in the rail industry and some others.

Yesterday, when it became known that this debate would take place this morning, by some strange coincidence, I received a long and detailed reply from the Minister. I am grateful to him and I am sure that there is no connection between the two facts. It is worth putting some of his comments on the record. He said:

"Ownership of the trustee company, NBC Pensions Trustee Limited, passed to my Department as part of the arrangements in the late 1980s . . . It was believed at the time that—with payment of pensions secured through the purchase of insurance—the company would have little or no substantive function. Two officials of the Department were appointed to be Directors of the company. However, it remained a separate legal entity with its Directors required to act independently in carrying out their duties to the company, which also retained its own independent legal advisers.

When the Pensions Ombudsman issued his draft determination . . . steps were taken within the Department to ensure that those officials who were Directors of the company were separated from, and took no part in, the Department's consideration of this subject."

The Minister intervened on my hon. Friend the Member for Kingston upon Hull, North, saying that he hoped that there was no question of our criticising individual civil servants. Of course there is not, nor has there ever been, but the Minister knows that one of the strongest arguments that the House has with the City of London on any kind of control of funds is that there should be clear distinctions in any company, regardless of day-to-day operation, between the activities of anyone with a vested interest in operating on both sides of the fence. That is why the House has frequently had to change legislation on directors' functions in recent years.

This is not a new issue—it is plainly on the statute book and it has been argued time and again, but the Government are saying, "We will have two of our members appointed as directors. They will not have any connection with the people next door. We will not influence them. Indeed, we will not even know the legal opinions that have been given to them." I have much more faith in individual civil servants than I have in the Minister—I hope that he does not take that too personally. It is extremely difficult for people outside to understand the duality of function of those employees of the Department. It would have been far better if the Government had been prepared to arrange a different structure.

Why are there no trade union representatives of the work force among the trustees? What is to stop the Minister from accepting trustees from the Transport and General Workers Union and the RMT, which have members who have contributed to the scheme and are directly affected by the decisions? Indeed, who will reimburse the unfortunate man who brought the case? As far as we know, he has been pushed aside without being reimbursed. In effect, he has been told, "Thank you very much. We have seen all that and we shall put it right in so far as we are forced to do so, but we shall do no more unless we are pushed into a corner."

It is clear that when the Government realised that all state organisations had large pension funds, they said to private buyers, "We can discuss certain matters openly, but you must bear in mind that all these establishments have very large pension funds to which you will have access after the sale." Some rail franchises were based on the assumption that private companies would get their hands on pension funds after taking over the franchise. It is nothing new for the Government to incorporate in their sales policy access to other people's assets.

The Government have offered no explanation. Does not the fact that an individual hon. Member has had to raise the subject in private Members' time to allow a full debate on the Floor of the House demonstrate the Government's attitude? They are certainly not prepared to go into detail in their own time and spell out the implications of their action.

Whatever important and detailed questions are raised this morning, the Minister has to answer one basic charge. The Government sold the bus companies knowing that they had large pension funds. They made a proposition to the trustees of those pension funds that they knew they could not refuse. It was almost a Mafia-style proposition. When it was accepted, individual members of the fund objected, and one took the case to the ombudsman. It then became clear that the Government's action was wrong—not accidental or a bit bent around the edges, but wrong.

So what did the Government do? Did they come to the House and say, "We are terribly sorry, but we got it all wrong. We are sorry about that and we will put it right. We shall appoint independent trustees and return the money. We admit what we have done and we shall pay the money back with interest"? They certainly did not. It was not that simple. In effect, this bankrupt Government said, "We are hanging on to every damn penny before the general election. It is very simple. If you want your money back, you will have to sue us. You will have to sue us with taxpayers' money although it is taxpayers' money that needs to be returned." That is so outrageous and disgraceful that I can hardly believe that the Government are seriously suggesting it.

I know that the Government have no great moral commitment, but it would be nice if they took a moral stance in respect of such matters. The Minister is very nice and amiable. I am sure that he is a very honest fellow, but, by heavens, he has a funny Government sitting around him taking some very strange decisions. This morning I should like him to say, "Sorry about that, but we got it all wrong. Far from asking anybody to sue us, we shall rapidly bring the matter to a conclusion. We shall reimburse the individual who brought the case and appoint trade union trustees so that the interests of the work force will be covered in future. We apologise not only to the bus companies and their work force, but to the House of Commons." That would be a very unusual phrase for the Government to use, but it is extremely important. They should say, "We apologise because what we did was wrong. The ombudsman has said that it was wrong and we are sorry." If they did that, some of us would be so astounded that we might end up having seizures, but they would do something to restore the incredibly damaged standing of an incredibly tatty Government. When they do that, I shall come to the House and pay tribute to the Minister and his colleagues, but until then I repeat that the Government are guilty of the outrageous misuse of other people's funds and they should be ashamed.

11.24 am

Mr. Eric Martlew (Carlisle): First, let me declare an interest. At the last general election I was sponsored by the Transport and General Workers Union, many of whose members belong to the pension fund that we are debating. I shall sit down if the Minister accepts the invitation offered by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) to come to the Dispatch Box and promise to put the matter right today. He obviously does not wish to do so.

I have been in public life for 25 years. When I first entered public life, I was an angry young man. I am glad to say that I am still angry. My constituency is the hub of Cumberland and the south of Scotland for the bus companies, so many of my constituents have worked in the industry for many years. They were never paid a great deal of money even when the industry was nationalised. They now work for Stagecoach, and I suspect that they are paid considerably less. However, they provided an excellent service and they paid into the pension fund.

I have a letter from my constituent, Mr. Reay, who paid into the pension fund from its inception in 1974 until it was wound up in 1987. He expects the money that the

[Mr. Eric Martlew]

Government took illegally to be returned to him and the other 40,000 pensioners. He is right. Morally, the Minister has no argument.

The Government took the money illegally, and now they are delaying giving it back. Everyone in the Chamber realises that, when the case goes to court, the Government will be found to have acted illegally and the money will have to be paid back. There has already been a 10-year delay, and some pensioners have died. The Government have taken a cynical approach. They realise that, if they delay another two years, more pensioners will die. It is a disgrace. I am not as charitable about the Minister as my hon. Friend the Member for Crewe and Nantwich. He could get up and say, "We were wrong. The ombudsman said we were wrong and we shall pay back the money." It seems that that will not happen.

Before nationalisation, Carlisle had several bus companies—the Ribble, the United and the Cumberland—which were amalgamated into the National Bus Company. My constituents and 40,000 others paid into the pension fund. Now, we have a private monopoly, Stagecoach, which is now bidding for the Regional Railways franchise and the west coast main line. Stagecoach could end up with a monopoly on public transport in the region. Perhaps that is for another debate, but it is a significant consideration because Carlisle is a railway centre and there is concern that what has happened to the bus pension fund may happen to the railway pension fund.

The Government are not doing the honourable thing. The £168 million could come out of the Treasury's contingency fund. There would be no problem with that—such is the purpose of the contingency fund—but because the Government are deeply immersed in asset stripping other former nationalised companies, they realise that this could be the tip of the iceberg and that hundreds of millions of pounds might have to be returned to pensioners.

I have received many letters on the subject. Some are from traditional Conservative supporters who will not be voting Conservative at the next election. The Government are in their dying days. They could do something honourable before they go. After the general election, the Minister will not be dealing with the matter from the Dispatch Box. I certainly hope that an incoming Labour Government will resolve the matter. The Government have behaved like a very shady double glazing company—

Mrs. Dunwoody: Without the windows.

Mr. Martlew: Indeed. The Government have taken the money without providing the service, and they have been caught out. Trading standards officers would write to any organisation that acted in such a way and say, "Look, you are wrong. You should give the money back." The Government are telling pensioners, "Yes, we are wrong, but we are not going to give you the money back. If you want it, you have got to sue us for it."

How can we expect any other organisation or private pension company that is found to be in breach of regulations by the pensions ombudsman to take any notice of such a judgment when the Government, who set up the system, refuse to? The Government have undermined the ombudsman system. I hope that they realise that the significance of the matter goes far beyond the case before us. Other organisations will ask why they should take any notice of the system when the Government do not. The matter reminds me a little of the Deputy Prime Minister admitting that he used to delay his payments when he worked in the private sector. Such behaviour sets the wrong example to the rest of the country.

I am very angry, my constituents are very angry and there is no excuse for what has happened. There is no doubt that it is immoral. People who are not receiving a fantastic pension to start with have paid in money. They were low paid workers and they are receiving very low pensions—the standard of living of some of them is just above the social security level and actually saving the Government money. Why can the Government not accept that the money should be given back to the pensioners to enable them to spend their retirement in some comfort? The matter concerns people and the right thing to do. The Government are a disgrace.

Although we should not have needed today's debate, it has given the Minister the opportunity to put everything right and to be thought of as an honourable man who has done the decent thing. There are 40,000 people out there who would applaud him if he stood at the Dispatch Box today and said that the Government are wrong, that they are sorry, that the delay of 10 years is unacceptable, but that they will end the delay, put the matter right as soon as possible and ensure that the bus pension fund pensioners get the money that they deserve.

11.31 am

Ms Glenda Jackson (Hampstead and Highgate): I apologise to you, Madam Deputy Speaker, the Minister and my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) for not being in the Chamber when the very first word in this extremely important debate was uttered.

I congratulate my hon. Friend not only on securing this Adjournment debate, but on being so instrumental in introducing for the very first time on the Floor of the House what, as my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) pointed out, can only be termed the debacle of the bus employees superannuation trust pension scheme.

I intend to be brief because much that needs to be said about the Government's drab, indeed squalid, treatment of the BEST pensioners and pensioners of other privatised industries has already been defined in passionate detail by the extraordinarily wonderful speeches made not only by my hon. Friend the Member for Kingston upon Hull, North but by my hon. Friends the Members for Crewe and Nantwich and for Carlisle (Mr. Martlew). They all spoke in great detail about what has produced this debacle—and with great passion on behalf of their constituents.

The pensions ombudsman's report into the handling of the BEST trust scheme prior to the privatisation of the National Bus Company makes grim reading. The ombudsman uses the phrase "a breach of trust" of which pension fund members were the victims. He refers to the then pension trustees as being "threatened" and of "big sticks" being wielded. He talks of "fraud" and

"an improper use of power",

all with the Government's full knowledge and consent.

My hon. Friends the Members for Kingston upon Hull, North, and for Crewe and Nantwich referred to the role that the trustees have played. It is true that the ombudsman's report finds against them and the company. It is equally true, however, that Ministers were on hand as every threat was made, every ultimatum was issued and every amendment was made to the pension arrangements of up to 80,000 National Bus Company employees. It all occurred without the knowledge or consent of those employees.

My hon. Friend the Member for Crewe and Nantwich referred to insider trading. The activity defined in the ombudsman's report would normally be associated with the cut-throat City takeover battles of billion pound multinationals. Fraud, breaches of trust, threats and unlawful activity should have no part in the pension arrangements of men and women who, having worked hard all their lives, seek nothing more than security in their well-earned retirement. Let us be clear, the pensioners who are the subject of today's debate are not seeking charity. They are not scrounging. Nor are they asking for handouts. As employees of the former National Bus Company, they gave years of dedicated service, believing—indeed, trusting—that, having worked for their pension entitlements, they would be theirs by right.

We are engaged today in a debate on the bus employee superannuation trust not only because of the actions of the trustees or the company, but because of the actions of Ministers. My hon. Friend the Member for Kingston upon Hull, North said that this debate was not about the merits of privatisation, but he would agree with me that the Government's dogmatic dependence on privatisation and their antipathy towards anything prefaced by the word "public"—be it public transport, public good, public interest or public welfare—directly threatened the future of the BEST scheme. The Government's dogma of privatisation directly led to the activities described in the pensions ombudsman's report and resulted in a loss to the BEST pensioners of at least £168 million.

What did such a dogmatic policy of privatisation and deregulation, which cost the BEST pensioners so much, achieve for the bus industry and the passengers who depended on it? Bus wars on our streets, a 30 per cent. drop in passenger journeys and a 21 per cent. increase in fares. The policy was costly not only for BEST pensioners but for the entire country.

As hon. Members have said, not only have BEST fund members seen the pension fund that they worked so hard to build pillaged by the Government; there is the £30 million that has been removed from the National Bus pension fund, the £55 million from the National Grid employees' pension fund, the £55 million from the Rosyth dock workers, the £500 million from the British Rail pensioners' surplus—the list is almost endless. Time and again, the pension rights of Britain's workers have been used to sweeten the bitter pill of Tory privatisation policy.

Indeed, only this week, the dead hand of privatisation began to hover over the pension rights of another set of public transport employees. The London Transport pension fund is valued at more than £2.5 billion, and more than 90 per cent. of London Transport's 18,000 employees are members of the scheme, yet they too see the pension entitlements that they worked for under threat—not from the vagaries of the equities market, but from the Government.

In the light of the BEST beneficiaries' experience, what guarantees are there for the members of the London Transport pension fund? Will their fund be protected? Will any surpluses be safeguarded? It is not an exaggeration to say to every London Transport employee that the next time they see a Conservative poster with gleaming red eyes, they should remember the gleaming blue eyes that are focused on their pension fund. If the BEST pensioners could not trust the Government with their pensions, why should LT's pensioners?

What does it say about this Government that privatisation, the cornerstone of their political agenda over the past 18 years, had to be built on the ruined dreams of hundreds of thousands of public sector workers throughout the country? Ministers talk of privatisation as their great policy success, but what sort of success is it that cannot be guaranteed without depriving those who have worked all their lives for their country of the pension entitlements their country promised them?

Ministers talk of an economic miracle, but it would seem that the economics were based on that old miracle otherwise known as the three-card trick, with British pensioners as the victims. Those pensioners did not work exclusively for themselves. They were not the fat cats who donate so much to the coffers of the Conservative party. They did more than just table a couple of questions for a month's pay. In working for our nation's public industries, they worked for us all, for the entire nation.

The ombudsman's report on the BEST fund refers to a lack of trust. The trust those pensioners and other public sector workers placed in the Government that, once their work was completed, they could rest in comfort and dignity, has been grossly betrayed.

11.40 am

The Minister for Railways and Roads (Mr. John Watts): Historians, like Opposition Members this morning, have the benefit of hindsight when commenting on past events. The House will appreciate that with litigation in prospect on the recent determination by the pensions ombudsman I have to weigh my words carefully in replying to this debate.

It may help the House if I describe the background to the decision taken in 1986 on the best way to protect the accrued pension benefits of NBC employees.

The bus employees superannuation scheme was what is called a defined benefits scheme: that is, the rules of the scheme defined the benefits that are expected to be payable to the member. It is important to note that, even in a defined benefit scheme, the benefits for employees specified in the rules are not unequivocally guaranteed by the employer. The trust deed and rules of the typical defined benefit scheme allow the employer to refrain from paying contributions that cannot be afforded or are higher than necessary.

The unilateral right of the employer to suspend or terminate contributions to the scheme is necessary, not only because of the risk of the company being faced with severely unfavourable circumstances but because of the risk that the trustees might demand a higher level of contributions than was reasonable.

The privatisation of the NBC 10 years ago differed from earlier transport privatisations in that it involved the privatisation of a nationalised industry into a large number

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of separate units, rather than as a whole. The NBC had two pension funds. The larger of these, covering the majority of NBC employees, was called the bus employees superannuation trust and is the subject of the pensions ombudsman's recent decision. The funds had built up large accrued liabilities in respect of employees' past service with the NBC or its predecessor companies.

There was great debate and concern during the passage of the Transport Act 1985, and during discussion of the detailed arrangements for the privatisation, about how these accrued benefits for past service would be secured. The question was, following the demise of the NBC, who would stand behind the funds if they had insufficient assets at some future date to secure benefits or—if the funds were not to be continued—what alternative arrangements should be entered into to secure benefits.

As some hon. Members will recall, there were strong demands for the Government to give a formal guarantee of the funds. To have done that would have meant that the Government assumed a greater responsibility for the fund than the employer had done in the past.

However, the Government recognised the strength of feeling behind the demands and the need to provide reasonable protection for members' accrued benefits. There were lengthy discussions in which the NBC, the trustees of the funds—including trade union representatives—and the Government all took part and in which all sides had the benefit of legal and actuarial advice in considering the options for achieving that aim.

In those discussions the Government offered an undertaking, which, though short of a formal guarantee, would involve the NBC making funds available to cover any deficiency in the fund at the date it was wound up following an actuarial valuation on a reasonable and prudent basis.

Against that background, a number of options were considered at the time, including for example the possible continuation of the funds as "closed funds". The point to note about a closed fund is that there is no employer standing behind it with the consequent risk that the assets of the fund have to stand alone in meeting its liabilities.

We should bear it in mind that the trustees in 1985-86 were faced with great uncertainty about how far the fund's assets would be sufficient to meet its obligations to members. Although an interim valuation of the fund, available to the trustees at the end of 1985—just before the relevant decisions—indicated the possibility that the fund was moving into surplus, the last full formal valuation, available at the beginning of 1985, had shown the fund to be in deficit.

It is not unreasonable or surprising that the trustees in making their decisions placed great value on arrangements which secured members' accrued benefits against these uncertainties.

A clear and very relevant illustration of the general uncertainty the trustees faced is what might have been the consequences for the fund of the stock market collapse of October 1987, when the value of equity investments fell by 30 per cent. Fortunately for the bus employees fund it had already changed the emphasis of its investment policy from equities to index-linked gilts, but only as a consequence of implementation of the 1986 decisions and ahead of the purchase of insurance.

Mrs. Dunwoody: I am interested in this argument because the Government used the closed fund without any difficulty in certain other privatisations. Is the Minister really suggesting that it was not made clear by the Government to the trustees that if they did not accept what was on offer, the Government would cease to pay the contributions? If that was the case, was that not simply straightforward blackmail?

Mr. Watts: Not at all. The trustees had the option of taking the view that the fund would have adequate assets to meet its liabilities and to continue it as a closed fund. However, as I have been explaining, because of the uncertainties about the fund's ability to cover the future liabilities, the trustees opted for the insured option which guaranteed the accrued benefits for members of the fund, to their advantage.

Those concerned in 1986 concluded that the balance of advantage was with an option which involved using the fund to purchase annuities from an insurance company. That meant that an insurance company would assume the obligations of the two funds, including the payment of pensions to individuals, in return for a capital payment from the funds' assets.

The insurance option was therefore explored. One of the further issues that had to be considered was the basis of indexation of accrued benefits up to the point when the pension was in payment. The existing rules of the bus employees superannuation trust provided for indexation on the basis of equivalence to changes in national average earnings. However, there was great uncertainty about whether insurance companies would be willing to underwrite at any realistic price insurance on that basis because of the uncertainty it involved.

It was possible to envisage insurance on the basis of indexation linked to a formula of retail prices index plus a specific figure, which might turn out in practice—as did turn out generally to be the case—to be as beneficial as, or even more beneficial than, a link to national average earnings.

I can now outline for the House the main elements of the agreement, the deal or the scam, as Opposition Members have described it, reached between the trustees of the fund, the NBC and the Government in 1986. It had four essential elements: the accrued benefits of members would be secured by the purchase of insurance and the fund would be wound up; to facilitate the purchase of insurance, the rules of the fund would be changed to provide for indexation of accrued benefits at RPI plus 2.25 per cent., if insurance on that basis could be purchased more cheaply than insurance on the basis of a link to earnings; the Government's undertaking, which I have already mentioned, to make good any deficiency in the fund at the date of wind-up; and finally, and crucially for subsequent events, it was agreed that that undertaking would be balanced by a change in the fund's rules which

provided that should there be a surplus in the fund at wind-up, that surplus would be paid to the NBC and thence to the Government.

Mr. Martlew: Why was it necessary to include a clause to provide that any surplus should go to the Government rather than the pensioners?

Mr. Watts: It was necessary because otherwise the agreement would have been a one-way bet at the expense of the taxpayer for the pensioners involved in the fund. In that case, if the fund was in deficit, the taxpayer would step in and provide funds, but if the fund was in surplus—having already secured the accrued benefits by insurance—that benefit would also go to the pensioners. That would have meant the Government stepping in—as the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said—and using the taxpayer's money to secure greater benefits for the pensioners than had ever been available to them under the original terms of the scheme.

Mr. McNamara: Surely the whole point at issue is that the agreement would not have been necessary had not the Government set out on their course of action. Under the old scheme, it would have been possible for the trustees to go back to beneficiaries and the contributors and say that they were in difficulties and then the problem would not have to be dealt with in such a way. That option was removed by the Government's decision to privatise. In fact, it is the Government who are on a two-way bet in their favour, not the beneficiaries.

Is the Minister saying that he does not accept the ombudsman's statement that there was a fraud and that the trustees were subject to coercive action by the Government? In that case, he is saying that he does not accept the ombudsman's findings.

Mr. Watts: It is precisely because we do not agree with the decision of the pensions ombudsman that we believe, and are advised, that there are important matters to be considered at law and that is why we have acted as we have. The hon. Gentleman is right to say that if we had not privatised NBC, none of the changes would have been necessary, but he must accept that the trustees, in fulfilling their obligations to the members of the fund, had to take as a given the fact that the industry was being privatised, and that NBC—the employer that had been contributing to the fund—would no longer exist and, therefore, had to agree arrangements that secured the benefits for pensions in payment and for those whose pensions were deferred.

Mr. McNamara: The ombudsman found that the Government effectively told the trustees to accept the conditions or the Government would not make contributions. He did not find that the Government were not capable of making contributions.

Mr. Watts: The hon. Gentleman is suggesting, as did the hon. Member for Carlisle (Mr. Martlew), that the Government should have accepted obligations—to be funded by the taxpayer—that gave greater guarantees and protection to the members of the fund than they had under the original terms.

Mrs. Dunwoody: Before the Minister moves on, will he spell out again exactly what he said—that he does not agree with the ombudsman's decision? That statement is more important than even some of the details we are now discussing. Is he really saying that a Government Minister does not accept the independent opinion of the Parliamentary Commissioner, commonly known as the ombudsman, whose office was set up to examine independently the behaviour of Government Departments? If that is the case, it is even more important than the misappropriation of funds for bus pensions, because the Government would be setting a precedent that could cause them enormous difficulty.

Mr. Watts: It is important to recognise that the pensions ombudsman's decision did not relate to the conduct of my Department.

Mrs. Dunwoody: Really? Which Department did it relate to?

Mr. Watts: The hon. Lady should acknowledge that the complaint was made against the trustees of the fund and that the pensions ombudsman—

Mr. Martlew *rose—*

Mr. Watts: I must reply to one point before I take yet another.

Madam Deputy Speaker (Dame Janet Fookes): Order. It is up to the Minister whether he gives way.

Mr. Watts: The decision that the pensions ombudsman made was directed to the trustees. I advance no opinion on the decision that the ombudsman reached regarding the trustees, but I do not accept the varied and wild accusations that have been made by Opposition Members today that the Government are guilty on the basis of the ombudsman's findings about the conduct of the trustees. Important legal issues remain to be resolved and, in our view and on advice, we believe that they are best resolved in the courts.

Mr. McNamara *rose—*

Mr. Martlew *rose—*

Mr. Watts: I have given way enough, but I will give way to the hon. Member for Carlisle.

Mr. Martlew: You have gone on about the trustees being at fault, but who appointed the trustees?

Madam Deputy Speaker: Order. The hon. Gentleman must remember that he is addressing me.

Mr. Watts: The trustees in question are those who were the trustees of the NBC fund, not the trustees appointed after the dissolution of NBC. They comprised representatives of the management of the company and of the trade unions. I cannot give the hon. Gentleman a detailed list at the moment, although if he would like that further information I will seek to secure it for him and I will write to him.

Mr. McNamara: Under the terms of the privatisation, did not the Government accept all the responsibilities for

[Mr. McNamara]

what went before? Those were the terms. The Government accepted all the liabilities and all the responsibilities in the Bill. Therefore, the Government stand as accepting the responsibility for the fraud on the beneficiaries and the coercion of the trustees.

Mr. Watts: I find that an extraordinary argument. The Government accepted that they would guarantee that the fund at its dissolution had sufficient money to secure the benefits due to existing pensioners and to those who had an interest in deferred pensions. I refute the hon. Gentleman's comments absolutely.

The House will want to note that the aim of the agreement was to secure members' benefits on a satisfactory basis—in short, to provide security for pensions in payment and deferred pensions and certainty for the trustees in the discharge of their responsibilities. It is important to recognise that the agreement achieved that aim. There is no question of the agreement being a pretext for a raid on the funds, because—at the time the decisions had to be made—the most recent complete valuation had shown the fund to be in deficit. It was because of the uncertainty in the minds of the trustees about whether the fund had adequate assets to meet its future liabilities that they sought to reach an agreement with the Government on the best way to secure those benefits.

It is also important to note that the agreement balanced the Government's undertaking—that, in the event of a deficit, the scheme would be placed in funds—with a mechanism, through the rule change on the use of a surplus on wind-up, to ensure that safeguards would be in place to ensure that the taxpayer did not take on a liability only to find that the fund was in surplus. That was a prudent and reasonable safeguard and, if it had not been put in place, the pensioners would have enjoyed a one-way bet at the taxpayer's expense. It was agreed at the time that the mechanism was an appropriate element in the agreement and achieved the aim of securing members' accrued benefits.

I find it difficult to accept any argument that the members of the fund were the losers from this agreement. On the contrary, they gained the security and the certainty that represented, and a basis for the indexation of accrued benefits which—as it has turned out for the vast majority of members—have been more generous than would have been the case if the link had just been to national average earnings.

The agreement that I have just described was set out in a statement to NBC employees in June 1986. It was signed on behalf of the company by its chairman and on behalf of the trustees of the two pension funds by the chairman of the NBC pensions committee—on which, of course, there were union representatives. That statement outlined the belief of the NBC and the trustees that the arrangements entered into

"will provide the necessary protection for payment of accrued benefits—including the attaching index-linking".

The statement also explained the factors that underlay the agreement reached. I refer in particular to two of the points made there. The statement refers to NBC's obligation to the Government—in effect, its obligation to the taxpayer—not to fund surpluses in the funds in the period running up to NBC's dissolution. It also refers to the trustee's recognition of the volatility of the market value of investments securing the benefits provided by the funds, the obligation resulting from the fact that benefits were index-linked and the fact that NBC itself was to be dissolved in a relatively short period. That sums up the kernel of the agreement—it balanced the obligations of all the parties involved, and it balanced security for members' accrued benefits on a satisfactory basis with the, at that time, uncertain possibility of a surplus in the fund being available for payment to the NBC.

I shall now move on to subsequent events. Following the agreement that I have just described, bids were invited from insurance companies. As a result, the liabilities of the funds were covered through insurance with Standard Life, who took on responsibility for the payment of pensions to individuals, and the funds themselves were wound up. I should emphasise that these liabilities have been, and continue to be, met in full.

The House will recall that, in the second half of the 1980s, there was a period of general growth in investment income. The assets of the bus employees superannuation trust were part of this general growth. As a result of this and other factors, the fund at wind-up was in substantial surplus. Under the agreed rule changes that I have already described, a surplus of £103 million after tax was paid to the NBC and passed to the Government in 1990. Some time later—in 1992—a complaint was made to the pensions ombudsman alleging that the trustees of the fund were in breach of trust and not acting in the members' best interests in entering into these arrangements.

It is this complaint that the pensions ombudsman has recently upheld, and following that decision, he has directed the trustees to take all practicable steps to obtain the return of the moneys received by my Department from the bus employees superannuation trust. It is important to note that his determination was directed to the trustees and makes clear that he has not carried out an investigation, nor made a determination, with respect to the National Bus Company or my Department.

Since the Department was not a party to the determination, the option was not available for the Government themselves to test its validity at law by appealing against it to the High Court. Instead, following the determination, the trustees wrote to the Department to ask for our proposals for repaying the surplus or, if the Department was not prepared to repay the surplus, for financial resources to seek its recovery through the courts.

This is not the time nor the place for the detailed legal arguments about the basis for the pensions ombudsman's decision, but, following the approach from the trustees, we have taken legal advice on the complex issues raised by the determination. This is a changing and developing area of the law. Judgments made since 1986—when the decisions I have outlined were made—may have to be taken into account. However, the advice available to us is that there are good grounds for seeking to put these matters before the courts.

Given that advice, it is our duty to taxpayers—who would have to provide a very large sum if the pensions ombudsman's view were upheld—to ensure that the legal doubts about the justification for repayment of the surplus are fully resolved. With the funds wound up, the trustee company has no resources of its own to pursue litigation. As announced in a written answer to the House on 27 November, we have offered to pay the legal costs of

the trustees should they wish to pursue through the courts a claim for repayment, and they have recently replied that that is indeed what they wish to do. I give the hon. Member for Kingston upon Hull, North an undertaking that we are not imposing, nor seeking to impose, any delay in those proceedings. It would not be appropriate for us to indicate what we think the timetable should be—that is matter for the newly appointed trustees—but we shall do everything we can to facilitate an early resolution of the matters.

I hope that the legal action now in prospect will as speedily as possible provide a definitive resolution of these matters which can be seen as fair and reasonable. I believe that I have set out the reasons why the Government take the view that the arrangements entered into in good faith by NBC, the Government and the trustees of the fund in 1986 were for the purposes of protecting the interests of pensioners, that the arrangements have secured that objective and that the pensioners have received a better benefit from the fund under the arrangements entered into than if the fund had continued with its existing rules or as a closed fund.

I hope that the House will now understand why I did not accept the invitation—tempting though it was—to merely come here, say sorry and receive accolades from Opposition Members, but rather state that the matters should be considered by the courts. I am sure that when the courts make a decision, it will be important for pensions law in general. I have every confidence that that is the right course of action for us to take.

12.5 pm

Mr. Eddie Loyden (Liverpool, Garston): I doubt very much that the House will be convinced by the Minister's remarks. It was brought home to him by my hon. Friends that the Government undoubtedly were guilty, but he made no reference to the fact that the ombudsman found that the Government were responsible and made no attempt to argue the Government's case. Why has the Minister ignored the pleas from Opposition Members to meet the Government's obligations to the pensioners? That is typical of this Government.

I wish to point out to the Minister that those pensioners recently lobbied the Department of Transport to meet the Secretary of State. They stayed there for more than half an hour, but he sloped out of the building at the end of the day without meeting them. That shows how the Government react to the rights of working people and, in particular, to the issue of pensions. We have heard today a weak excuse from the Government, who are trying to avoid their responsibility and to ignore the advice given by the Parliamentary Commissioner. That sums up what the Government are about, and they ought to be condemned for the way in which they have dealt with this problem.

I declare an interest as a member of the Transport and General Workers Union.

12.7 pm

Mr. Max Madden (Bradford, West): First, I apologise for not being here for the beginning of the debate. That was partly due to the fact that the debate started earlier than scheduled. The debate is due to continue until 12.30 pm, and I wish to make some brief comments. Since I have been in the Chamber, I have shared the dismay and concern of other hon. Members at the attitude demonstrated by the Minister to the decisions of the pensions ombudsman. It is without precedent, and quite shameful, for a Minister to come to the House and say that he is unwilling to accept the independent judgment of the pensions ombudsman. As I understand it—and as my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) said earlier—the pensions ombudsman said that in this matter the Government had acted in a fraudulent manner.

The Minister seemed extremely reluctant to admit that the trustees of the fund were appointed by the Secretary of State for Transport immediately after privatisation. He is busily trying to shift responsibility away from where it should lie—squarely with the Department of Transport.

Lengthy litigation would create a considerable cost not only for the general taxpayer but for the bus pensioners, who are owed money but will have to contribute to paying for the expense forced on the nation by the Government's unwillingness to accept the independent judgment of the pensions ombudsman that the money should have been paid years ago.

I hope that the Secretary of State will not confirm the view expressed by the Minister but will consider the matter for himself. Is it the most prudent use of public money for the matter to be put before the courts? I believe that it is not.

The Minister has plenty of time—another 20 minutes—and I would be extremely grateful if he would tell us the expected cost of the litigation. How many hundreds of thousands, if not millions, of pounds will it cost? There are ramifications for other public industries. I understand that there are British Rail pensioners in precisely the same position, and there are important implications for other public sector industries that have been privatised as a result of the Government's dogmatic policies since 1979.

The chickens are coming home to roost, and unfortunately the cost is again falling on British taxpayers. The Government have lost those important public assets and they want to rip off British taxpayers for a second time by making them pick up the costs of legal action over matters that were an integral part of the legislation that was forced through the House some years ago with Government majorities of 100, ignoring all the criticisms and warnings from Opposition Members.

At that time, the Government, with their usual arrogance, steamrollered through those matters, ignoring every constructive criticism and legitimate question put by Opposition Members. As a result of that arrogance, the Government have some apologising to do. The Minister apologised to us for not apologising. I believe that not only the Minister but all his predecessors and successive Secretaries of State should do more than apologise: they should act on the independent advice of the pensions ombudsman.

There is no need whatever for litigation. The ombudsman's view should prevail and the money should be paid to those former bus employees who are undoubtedly entitled to it. That should be announced by the Secretary of State as a matter of urgency before the general election.

The Government should not shuffle off responsibility yet again. The litigation may not be resolved for years, so the Bill will fall not on this Government but on the next Labour Government. In the best interests of the British

[Mr. Max Madden]

taxpayer, British transport and the pensioners who used to work for those important public services, the Secretary of State should announce today that, having considered the matter and listened to the views expressed in this debate, he has decided that legal action is not necessary and that the money should be paid promptly, expeditiously and in full. That would be the sensible and honourable thing to do.

I declare an interest as a member of the Transport and General Workers Union, to which many of the former bus employees also belong. Like my hon. Friend the Member for Liverpool, Garston (Mr. Loyden), I attended the lobby at the Department of Transport in December with a large number of those former employees, who were eager to talk to the Secretary of State. Instead of having the guts to talk to us and explain why the Government were refusing to hand the money back, the right hon. Gentleman bowled through the lobby, undoubtedly to some chauffeur-driven lunch somewhere in the west end, where he would not be required to offer explanations for incompetence and dishonourable action.

I hope that the decision to embark on costly and lengthy litigation will be abandoned and that, as a matter of urgency, the pensioners will be paid the money to which they are undoubtedly entitled.

12.15 pm

Sitting suspended.

Pensioners' Welfare

12.30 pm

Mr. David Porter (Waveney): In continuing the vein of this morning's debates, I am pleased to have the opportunity to turn the House's attention to the welfare of pensioners in general. I am delighted that the Parliamentary Under-Secretary of State for Social Security, my hon. Friend the Member for North Hertfordshire (Mr. Heald), is here to reply. I have already told him that I wish to raise many issues that impact on pensioners, causing them worry and affecting their well-being. My hon. Friend will not be able to answer all those points, but I want to place them on record so that they can be passed to the appropriate Departments of State.

Periodically, anniversaries and the wartime memories of our older citizens bring home to us the debt of gratitude that we owe to our retired constituents. Those same people have given lifetimes of work and service to families, businesses and communities and to the country. Despite all that is provided in direct help, through payments, health care, local authority provision, taxpayers' funding, many of them feel vulnerable. Some fear that they will not have enough left to live on. They want long-term care for independence and security in the increasingly long periods of their crowning years. Everything from prices to heating, from health care to community care, from crime to transport, is pertinent. All those issues are challenges for us as politicians.

In view of the weather so far this winter, it is worth pointing out that the problem of keeping warm in winter is top of the list of older people's concerns. Every winter, we seem to redesign the cold weather payments scheme because it never quite seems to relate to the particular winter being experienced. Payments triggered at meteorological stations by postcode areas may mean that payments are prompt and automatic to those entitled to them, but the weather can be very varied over short distances and the system is not sensitive or flexible enough.

The wind chill factor is very much part of the present debate. I accept that the private Member's Bill that is before the House this week may not be the answer, but the wind chill factor must be acknowledged. Many of my constituents live on, or close to, the coast. The winds off the North sea that we get for most of the year mean that people feel colder. I know that the payments deal with homes being cold rather than with the people in them being cold, but only the best insulated homes can withstand penetrating winds that can cut into the strongest person, never mind the frailest. That has been graphically shown in the past month. I hope that my hon. Friend the Minister is looking at cold weather payments with an eye to being more flexible. Surely technology can produce accurate temperatures and wind chill measurements, even street by street.

We need a better way of encouraging the take-up of help if we are to give it. If Age Concern's figures are right and almost a million elderly people who are entitled to support do not claim it, we are not maximising the help that we make available. The Conservative party has been rightly keen to root out welfare scroungers, but we should also address under-claiming if we are to have a system of support through benefits. Many people have a pride that

makes them reluctant to claim their entitlements. That is admirable and I understand it, but perhaps more such payments should be automatic. The automatic triggering of cold weather payments, when the relevant criteria are met, has an appeal, and an efficiency, that could apply to other benefits.

People who are just above the income support level, those who have had no opportunity to build up extra pensions, those who were prevented by war service from so doing, and also people who have worked and saved, all feel at some risk. Some resent how the social security and welfare system helps some people and not others. They often feel that the undeserving are rewarded and the thrifty penalised. The debate and vote in the House on the pay of Members of Parliament brought forth a fresh bout of that feeling.

We must understand such feelings, because the feelings of significant numbers of people are the trends in politics that we have to recognise. Whether such fears are real or groundless is not the point: when people have them, we politicians have to address them. That is why scaremongering for political gain is so irresponsible and hurtful. The allegations in *The Guardian* late last year, led by the Labour party, that the Government tried to cover up cuts in benefits to war pensioners was merely the latest example of the deliberate distortion, the half-baked twisting, that does so much damage. The deliberate confusion of separate pensions issues can cause real suffering and anguish.

The future of the welfare state is one of the most urgent debates that the country faces. All parties are engaged in variations of radically thinking the unthinkable. So far, the only consensus is that we cannot go on as we are. We can project the number of retired people, but not the European demands on us—especially for bailing out the underfunded German pension scheme—were there ever to be a single currency. We cannot project public demands in terms of health and living costs or the heights that health technology will reach and the bills that will have to be paid for that.

We have discussion papers arguing the full range of ideas from left to right—papers enough to burn and keep warm with. One view is that future national insurance contributions may not be enough, so we should have a funded pension scheme and the voluntary or private sector should replace state welfare. A second view is that all benefits should be abolished and replaced with a basic weekly allowance for all, irrespective of need. To the poor, that would be a subsidy; to the rich, a tax cut. A third view is that we should let universal benefits wither on the vine and redistribute the money to the poorest, but how do we test for the poorest and draw a cut-off line? As ever, the devil is in the detail. A fourth view is that we should divert other spending to pensioners without regard to their incomes.

There is no shortage of ideas, some more acceptable than others, but there is no agreement about the solution. How can there be? While we have this essential debate about the future generations of the retired, we can see how unsettling and alarming such debates may be for those who have already retired. Whether we continue with reform of the welfare state in ways that we cannot anticipate—accepting that we cannot stand still—we must carry with us a majority of those who are the biggest users of the health service: the people who have already contributed the most.

Some statistics are encouraging: 24 per cent. of pensioners are in the least well-off fifth of the population compared with 44 per cent. 17 years ago; 88 per cent. of retired people now have incomes above their state pension. With low inflation, pensioners' savings and spending power are being maintained in a way that they could not have been a generation ago, when inflation touched 27 per cent. However, many pensioners dislike, distrust and reject statistics, and I understand that. We are talking about individual human beings, not numbers. They measure the money that they actually have and form a perception of themselves and the quality of their lives.

Mr. David Nicholson (Taunton): While it is true that there have been helpful trends in recent years, which we welcome, a relatively new concern has become prominent in my correspondence and, no doubt, in that of my hon. Friend: many of the very elderly fear that if they have to go into nursing homes they may lose their homes and sacrifice their family's inheritance. Should not the Government address that as a matter of urgency?

Mr. Porter: I could not agree more. The Government need to inject urgency into their thinking on that issue, which will clearly be part of the forthcoming general election campaign. Whichever party wins that election, the new Government will have to tackle that problem as the number of elderly people continues to increase. The question of the cost of living and how those people will be able to afford it must be addressed urgently. I am grateful to my hon. Friend for making that point.

Many of my constituents—and, I suspect, people elsewhere—believe that Irish, French and German pensioners do much better than ours. To some extent, pointing out to them the difficulties of making straight comparisons between countries and asking various questions—such as whether they have the same health care, whether the pension is normally their only form of income, what the spending power of their income is, whether there is provision for adult dependants and what the qualifying age for entitlement is—does not necessarily help. British pensioners come out quite well in accurate comparisons, but some pensioners retain the erroneous perception that they are the paupers of Europe.

During the years of evolution of our welfare and health care systems, we have learnt that however much is put into them it can never be enough: demand and expectation rise relentlessly. The quality of life through material possessions rises continually, as does demand for a share of them. Medical science, technology and medical inflation will always outstrip the taxpayer's ability to keep up. We are therefore right to consider future provision. We are right to confront the dilemma of shorter and more flexible working lives—which are constantly changing owing to technology—and longer, healthier, more mobile retirements and the unharnessed resources of our older people.

Factors such as tightening up on benefit fraud, saving on public spending, targeting welfare more accurately and developing a tax regime that allows the economy to create the wealth to spend are all helpful. It also helps to point out the Opposition's increasingly vague plans to link pensions and earnings and the way in which they have dropped their earlier magic wand promises to pensioners. In addition, it helps to highlight Labour's plans to cut the basic pension to pay for giving everyone a pension at 60. However, we must go further than that.

[Mr. Porter]

Pensioners have other fears. Both in cities and rural areas, there is a fear of loneliness and isolation. When grandparents were given greater acknowledgement as an integral part of family and community life in a less mobile, more rooted society, those fears were less acute. Pensioners fear physical immobility. It is small wonder that hip replacements are now so popular—some are replaced for the second or third time when they wear out. Many pensioners fear that the transport they need will not exist. Long-time retirees to popular parts of the country, such as my area in East Anglia, often feel more cut off as they become older and perhaps give up their cars.

Local organisations such as DIAL, and associations that help by working with the elderly and disabled, play an extremely effective role in combating that isolation and fear of it. Technologies that help to provide better access to buses and taxis also help, but we could go further. Perhaps tax-friendly assistance could encourage technology to come up with some better ideas to combat that fear.

The fear of not being safe in one's own home or walking the streets is real enough, even if it is not always borne out by the crime figures. The chief constable of Suffolk wrote in the *East Anglian Daily Times* on 10 September 1996:

"There is a disproportionate fear of crime within vulnerable groups such as the elderly. People are fed a constant diet of scare stories of violence. We are not saying no problems exist. We are simply trying to put these stories in context. Statistically, elderly people are the group least likely to become victims of violent crime. However, surveys show they are the group who most fear being attacked. It is not right whole sections of the community should live in fear because of an inaccurate perception of our society."

As well as real crime, we have to deal with the perception of a tidal wave of crime.

Our continued drive for meaningful sentencing helps a lot. It is a pity that the Labour party has not supported our law and order measures for most of the past 17 years. Real support for the victims at the expense of the criminals—such as making the criminals work for their victims—would reassure those who feel at risk. I still believe that giving the courts the option of capital punishment would be welcome, but that is another story for another day.

As we look more closely at long-term health care and as the eligibility criteria for continuing care come fully on stream, another set of fears arises which needs addressing. Controversy over health has, unfortunately, never been far away in my area. That controversy has often been stoked up, and elderly people alarmed, by my opponents, who think that the national health service is theirs alone—notwithstanding the fact that for most of its life the service has been evolving and developing with more being spent on it year on year from taxpayers' money provided by Conservative Governments.

Our local Anglian Harbours NHS trust will be the first in this country to go out of business—by August this year—having lost all its contracts. There have been fears and threats, real and imagined, and rumours of the closure of our district general, the James Paget hospital, and of community hospitals at Lowestoft, Beccles, Southwold and Halesworth. Those fears have all been fanned like forest fires in a gale by the Labour party and its fronts in the form of various action groups that have alarmed our pensioners. The All Hallows hospital, just over the border at Ditchingham in south Norfolk is outside the NHS and is run by nuns and the London Hospital Management trust. It faces cuts in contracts from East Norfolk and Suffolk health authorities because there are empty beds in the NHS cottage hospitals at Lowestoft and Beccles. It is a dilemma for the health authorities and for our local communities, but the health authorities have shown that they are sensitive to public demands in a local, GP-driven NHS. It does not help older people to be allowed to think that there will be no local provision for them when they need it or to insist on measuring health care on a strict bed count as though that were the only yardstick these days.

The final fear is the sickening feeling among many of my constituents about those who sometimes seem cravenly to hand over all our powers and our Britishness to the European nightmare. Whether the problem involves fishing, beef, lamb or the very pound itself, the generation who gave the best years of their lives fighting German and Japanese tyranny do not, in general, want to see that sacrifice squandered in the creeping way that often occurs. Most of them have had enough—more than enough—whether of being at the so-called heart of Europe or of never being isolated in Europe.

Let us continue with our threefold thrust: we must increase the basic pension in line with prices, encourage private provision on top of that and focus extra help on pensioners who most need it. Let us continue with our low taxing, liberalising, deregulating and privatising of the economy so that we can expand the health and care services for the retired and others in an affordable way. Let us take a hard look at the future provision and do all that we can to enable more people to provide for themselves and their families instead of always thinking that we have to do it for them. Let us harness better the resources of those who live longer and who have more experience of life. Above all, let us work with the retired generations to include them more and carry them along with us more as we—at least Conservative Members—continue to shape the world that our grandchildren and their grandchildren will inherit.

12.46 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Oliver Heald): I congratulate my hon. Friend the Member for Waveney (Mr. Porter) on securing the time for today's debate and on his choice of subject. He is known to speak his mind in this place; he is also known for the vigorous way in which he promotes his constituents' interests. We have certainly seen an example of that today.

I also congratulate my hon. Friend the Member for Taunton (Mr. Nicholson) on his well-timed intervention on the important subject of long-term care. There is not time to go into that subject in great detail, but I know that my hon. Friend will welcome last autumn's White Paper and the proposed measures to enable individuals to ring fence their assets and provide for their long-term care in retirement while protecting the inheritance that they rightly wish to pass to their children and others.

Anyone watching our debate today will have noticed that, as we discuss the important subject of pensioners' welfare, the Labour Front Bench is empty, there are no Liberals present—*[Interruption.]* Of course, the Scottish

nationalists are here, and one Labour Back Bencher is now present. The poor attendance shows that the soundbite is often given precedence over debates in the House, which is to be deplored.

My hon. Friend the Member for Waveney made a number of specific points; I shall pass on his comments to the Ministers involved. He mentioned the Anglian Harbours NHS trust. I am advised that the health authorities do not expect to make significant changes to the location of services, and that it is likely that most clinical and nursing staff will continue to be employed by the new service providers, but my hon. Friend will have to wait for a fuller answer on that subject.

My hon. Friend also mentioned bus services. We now have increased route mileage, but it is the role of local authorities to subsidise socially necessary bus services should they wish to do so. At present, about 15 per cent. of bus route mileage is subsidised in that way. Many local authorities have also exercised their discretion to provide concessionary fares for pensioners. The Government's view, and that of previous Governments, has been that it is better for the local authority, with its knowledge of local circumstances, to decide how best to promote public transport and the needs of vulnerable people in the areas over which they have jurisdiction.

My hon. Friend referred to crime in general and to crime in Suffolk in particular. Crime in Suffolk fell by 3 per cent. in 1995, which will be welcome news to elderly people there, but my hon. Friend's point was that such reductions in crime are not recognised and that a sense of insecurity remains. I accept that there is a good deal in that argument. The police have better powers, there are more police officers and they have the ability to investigate cases more effectively, thanks to measures passed by the Conservative Government, all of which were opposed by the Labour party.

Measures at local level—neighbourhood watch schemes and other projects that try to reduce crime in the local community—have an important role to play. My hon. Friend will know that there are 1,200 neighbourhood watch schemes in Suffolk and that the draft strategy for community safety is currently being prepared. Again, I shall pass on his concerns to the Home Office to see whether anything more can be done to address them.

My hon. Friend raised the important issue of cold weather payments. The Government are committed to helping vulnerable people to receive extra help at this difficult time. So far this winter, we have made more than 5 million payments worth over £43 million. The payments, of £8.50 each, are made to claimants who receive income support or jobseeker's allowance when that is income based. The benefit includes all groups with pensioner premium and other vulnerable groups.

It is worth remembering that, under the Labour Government, there was nothing. The Conservative Government have introduced a system that provides an automatic payment, which is triggered when the average temperature over a seven-day period falls below a certain point.

Mrs. Margaret Ewing (Moray): As the Minister knows, I have campaigned for many years on this issue. He referred to the automatic payment that emerges from the severe weather payment triggering mechanisms. Does he accept that other countries, such as Ireland, produce an automatic payment that has nothing to do with the temperature and involves those who are in receipt of certain benefits—I think it applies to about 15 benefits in the Republic of Ireland—over the 17-week period? Such a system, if introduced here, would bring a much greater sense of relief to our pensioners and our vulnerable people than does waiting for the current rather vague mechanisms to come into play. In addition, will the Minister tell us what he plans to say in respect of the Cold Weather Payments (Wind Chill Factor) Bill, which is to be debated this Friday?

Mr. Heald: The advantage of our current system is that it is automatic and well focused, in that weather stations in various areas trigger the payment, not only when there are seven days when the temperature is at or below 0 deg C, or freezing point, but when those conditions are forecast. The process is quick and enables people to turn the heating up in the knowledge that a payment is on its way. It is not a broad-brush measure, but targeted, and it has been effective in quickly delivering a much needed benefit.

There was a comprehensive review of the cold weather payments scheme last summer, during which the Meteorological Office was asked to advise. Its recommendation was that there should be 70 weather centres, which are now on line. It also advised us on the links with postcodes, and its expert advice was accepted in full and implemented.

The Meteorological Office also gave advice in respect of coastal areas, about which my hon. Friend the Member for Waveney is especially concerned. It advised that, although such areas may be windy, they are often warmer than inland areas during the winter months. It is interesting to note that, of the 15 weather stations that have not triggered cold weather payments this winter, 14 are coastal and only one is inland.

As my hon. Friend will be aware, postcodes in his constituency are linked to Coltishall and Wattisham and, so far this winter, Coltishall has triggered cold weather payments twice and Wattisham three times, bringing much needed help to his constituents.

The hon. Member for Moray (Mrs. Ewing) will be aware that the Meteorological Office is advising the Government on wind chill; I do not feel that I can take the matter further today.

Regarding pensioner incomes, my hon. Friend the Member for Waveney pointed to the three key strands of the Government's policy, which are: first, to maintain the value of the basic state pension; secondly, to encourage private provision; and, thirdly, to target help on those who are most in need. This year, an extra £1.2 billion pounds compared with 1988 has been focused on the poorest groups. The result is that pensioners' incomes have, on average, risen by 60 per cent. in real terms since 1979.

My hon. Friend also pointed out that expectations are important—people want a system that will provide them with the sort of retirement that they wish for and expect. In that context, occupational pensions and private pension provision are especially important. Britain has £600 billion invested in private pension assets—more than the whole of the European Union. It is important that our pension assets should not be subsumed in or combined with other European pension assets; the Government are determined to fight that and have the support of the Maastricht treaty in doing so.

[Mr. Heald]

The British people's absolute protection is to have a Government who stick up for Britain in European negotiations. I deplore the fact that the Labour party has said that it would scrap our veto and make us join the European social chapter. Those measures would damage our sovereignty and damage the interests of people who work in this country or who want jobs.

The change in occupational pensions has been dramatic. The proportion of people retiring each year with occupational pensions and other savings income has risen to 63 per cent.—*[Interruption.]* Yes, I am back on the subject of pensions, but that is fair enough in a debate on the welfare of pensioners. The proportion has risen from 43 per cent. in 1979 to 63 per cent. now.

We have fulfilled our pledge to maintain the value of the state pension, and it is proposed that, in April, its value will rise to £99.80 a week for a couple and £62.45 a week for a single person. Of course, the headline figure is not the full story, because underpinning occupational and personal pensions, investment income and the state pension is the commitment to target help on those most in need. For example, our measures ensure that pensioner couples have access to income of more than £100 a week, with their housing costs paid, and with other concessions of the type mentioned by my hon. Friend.

Equalisation of pension ages at 65, as enacted in the Pensions Act 1995, is an important measure to ensure that state pensions are affordable in future. The changes that we have introduced are in stark contrast to those proposed by the Labour party, which would equalise state pensions at the age of 60, but with a reduced pension of only £40. That £40 a week would be for life, so it is no wonder that there are no Labour Members here this morning.

Not only would a Labour Government cut the basic pension by about £20 a week for the single pensioner and £37 a week for a couple, which would do little for the welfare of pensioners, but they would deprive pensioners of income support. Retired people in receipt of that £40 a week would, if single, be treated as being in receipt of £60 a week and, if a couple, £98 a week. To me, that is new Labour, new danger. It is half baked to suggest that people should retire earlier, at 60, on a level of pension that might not be adequate for their future needs—and without the safety net of income support, which the Conservative Government have expanded.

I thank my hon. Friend for bringing these important issues of concern to my attention and, as appropriate, I shall draw my colleagues' attention to them as well. He made the important point that many of our pensioners served during the war and gave valuable service to this country, thereby allowing us the freedoms we now enjoy. Many of them are among the older group of pensioners. They had saved all their lives, but the value of their savings was destroyed between 1974 and 1979. Under the Labour Government, inflation averaged 15 per cent. because they were a tax and spend Government—a spendthrift Government—and they have not changed their spots. When pensioners come to think about how to vote at the next general election, they should remember that new Labour is still the party that wants to spend money it has not got, to borrow and to reduce this country to beggary.

I welcome the opportunity to reply to this debate. In government, the Conservative party has protected the interests of pensioners. It will do more in that respect in future years to enable pensioners to realise their expectations—

Mr. Deputy Speaker (Mr. Michael Morris): Order. We must now move on.

Sustainable Waste Management

1 pm

Mr. William O'Brien (Normanton): I declare an interest as a joint chairman of the all-party sustainable waste management group. The generation of waste, and its collection and disposal, are of paramount importance to the environment. The Environment Act 1995 was welcome, but the Labour party considered that it could have been strengthened in various ways.

During the passage of the Bill, the introduction of a landfill tax and of packaging recovery regulations was given serious consideration, as were the waste reduction targets set by the European Community and how they should apply to the United Kingdom.

I am interested in landfill because one of the largest landfill and reclamation sites in the United Kingdom, the Welbeck site, is in my constituency. It covers more than a square mile of reclaimed land—reclaimed mostly from colliery spoil and the results of colliery workings. The landfill tax was introduced last October, but a number of questions about it remain unanswered.

The West Yorkshire waste management group of local authorities has raised the matter of the processing of mixed waste from construction sites. The screening and crushing of such mixed waste changes the nature of the material but little. This material can be and is used on waste disposal sites to eliminate the need to quarry new material used for making roads on the sites, to allow vehicles bringing in waste to reach the tips. The material is thus widely sought after.

It is a pity that material from reclaimed or demolition sites which is used for temporary roads is not tax free; it is immensely valuable for this purpose. I hope that the Minister will take up and deal with this point.

It has been the practice for sub-soil used in site restoration, and for waste construction material for site roads, to be provided on landfill sites free of charge. Now, however, we find that building sites are burying unwanted materials, suitably landscaped of course, on their own sites. That means that a source of much valued material for landfill sites is drying up, leading to additional costs. There are also rumours to the effect that fly tipping is on the increase because of the new landfill tax.

The tax was meant to encourage the recycling of waste, because there is not much of a market in the United Kingdom for recyclable materials. The fact that international organisations import low-cost recovered materials means that there is little point in collecting materials here for recycling if they are not eventually to be used. Thus we need to encourage recycling with a stable market in the commodities concerned.

I know of a good example from my constituency. Mr. Steve Gilks, a disabled constituent of mine, got involved in collecting cans, plastics and paper for recycling, using the money raised to help local charities. On 13 December last, he presented a new recording machine to the Normanton talking newspaper for the blind. He told those receiving the gift that it was the result of collecting 300,000 aluminium cans. Between January 1994 and December 1996 he also collected nearly 95,000 tonnes of plastic for recycling.

Mr. Gilks tells me, however, that the bottom is dropping out of this market. He used to get £190 a tonne for plastic; that is now down to £60 a tonne. What is more, the grant from the Department of the Environment to help him with his work of collecting waste has been cut by half. That clearly makes his task more difficult.

Can the Minister explain why people like Mr. Gilks are not given more encouragement by the Department to continue collecting waste for recycling?

I wish to draw attention to the interesting work commissioned by various organisations. I think in particular of the Industrial Council for Packaging and the Environment. The research examines the relationship between food packaging and the food chain in general. The purpose is to design products so as to minimise waste in the home. The packaging industry has been actively involved in discussions of packaging recovery and in setting up Valpak. It is a collective scheme to capture, recycle and deal with packaging. We owe Valpak our thanks for its work in waste management.

When he comes to consider regulations for the waste industry, the Minister must keep in mind all businesses, both large and small, and he must keep to a minimum the number of excluded companies. All businesses must be encouraged to join Valpak or some such scheme. I hope that the Minister will outline the Department's intentions as regards those schemes.

Mr. Barry Sheerman (Huddersfield): My hon. Friend knows of my interest in this matter and of my enthusiasm for the work of Valpak. He will also know of the stress and strain involved. We need much more positive Government backing for Valpak if the voluntary agreement is not to fall apart. Valpak and other organisations have been working hard towards the best possible answers. There is no single answer to waste minimisation; it is all about striking the right balance. Once waste starts to be moved along motorways, of course, it begins to damage the economy and the environment.

Mr. O'Brien: My hon. Friend is right. As we are aware, the new agency covers all types of environmental issues, but there are fears that the agency's dominant activities will be those that it took over from the former National Rivers Authority and Her Majesty's inspectorate of pollution. I will put my hon. Friend's point to the Minister. Does he envisage that the agency's resources will apply to ensuring that waste management issues are given sufficient focus, with particular reference to packaging waste, which accounts for one third of household waste? The agency must give as much time to that issue as to some of the other issues for which it is responsible.

The Environment Agency has been advised that it should deliver goals without imposing excessive costs. In some European Union member states, packaging recovery has led to excessive cost. In Germany and Austria, citizens pay around £20 per year in inflated products to reach certain targets. The United Kingdom Government suggest that packaging regulations will cost between £5 and £11 per head of population. In view of the low level of energy from waste in Britain, how confident is the Minister that the recycling targets can be met from an extra cost below £11 per person per annum?

Environmental progress can be achieved only by taking a fully integrated approach to waste management, including packaging waste. If the costs to the UK scheme

[Mr. O'Brien]

are to be minimised, how important is it that the legal responsibility for achieving the recovery targets are shared between various participants who lead in marketing packaging goods? We need to have some directive on how to achieve the recovery targets at the minimum cost that is suggested by the Government.

The Government have set a target for the recycling of domestic waste of 25 per cent. of the total by 2000. That can be met only if investment in the infrastructure is encouraged. Local authorities will play a key role in any recycling programme. Recycling performances in the UK are not as advanced as those in many European Union member states. The industry must be given a realistic timetable to meet the first-year obligations for registration and data provision. We can bring about success only by implementing a plan, rather than talking about it.

Will the Minister give some indication as to when he proposes laying the regulations for the packaging recovery industry before Parliament? Does he intend to demonstrate further co-operation with Valpak and the industry by progressing with regulations and using mechanisms to revise the regulations as experience is gained?

I ask for one further point to be clarified: that of wood in packaging, which is not included in any scheme. Friends of the Earth has drawn attention to wood in packaging. Many members in the industry re-use wood for packaging—I refer to pallets. Also, many people in the packaging industry have changed to re-usable plastic crates and trolleys, which is to be commended.

I understand that the European Union has not offered any real guidance on that issue and there may be questions in some EU countries as to wood being included in packaging. When does the Minister expect to report on wood packaging?

I have received many items of briefing material from many sources in the industry, interested organisations and individuals expressing support for and reservations on some waste management proposals. Although that material is welcome, it demonstrates the strength of feeling on the issue. Obviously, I would have wished to continue the debate for longer, but because of the time limit I must conclude by asking the Minister to answer my questions.

1.15 pm

Mr. Robert Atkins (South Ribble): I am grateful to the hon. Member for Normanton (Mr. O'Brien) for allowing me to participate briefly in his debate. I do not want to delay my hon. Friend the Minister's reply. The hon. Gentleman spoke with the authority that I came to expect when I was the Minister taking through the Bill to which he referred, which became the Environment Act 1995. He was always an authority on the Committee, although I did not always agree with him.

I want to dwell just on the packaging regulations, with which my hon. Friend the Minister is heavily involved, as is the Secretary of State for the Environment. I shall quote from four letters that I have received from constituency companies, which raise particular points. I do not expect the Minister to answer now. He must concentrate on the points made by the hon. Member for Normanton, whose debate it is, but perhaps he could let me know his reaction later.

The managing director of Ward Packaging Ltd. in Leyland, which employs 110 people making paper sacks and bags, says that

"under the proposed regulations Ward Packaging will be burdened with an unrealistic administrative regime to identify its recycling targets, and that of its customers, at a very detailed level and at a significant cost. Having identified these targets I will not have the ability to achieve these targets because the packaging produced will not be within my control or that of my customers."

Smurfit Corrugated, a substantial company throughout the United Kingdom, says:

"The problem arises because one part of the Packaging Chain—the big Retailers—might be able to use the considerable amount of used transit packaging that ends up in their stores to offset their obligation against other kinds of packaging, thus avoiding the costs that the other members of the Packaging Chain will have to bear."

Leyprint, a substantial printing company, says:

"it puts up the cost of complying with the Regulations for the other parts of the packaging chain. This threatens the viability of industry-wide recovery schemes like Valpak whose costs will consequently increase. As a result, the UK's ability to meet its recovery and recycling targets may be undermined . . . with a knock-on-impact on profitability and jobs."

Finally in this context, the owner of a small post office in Penwortham says that the introduction of the regulations will force him

"to raise my prices and lose customers to supermarkets or to cut my profit margin significantly . . . The Regulations will make my business very vulnerable to closure . . . as well as depriving people of a local shop."

Set against that, large retailers maintain that

"the regulations will meet the requirement of an effective and equitable method of putting shared producer responsibility into practice.

The Regulations are entirely in line with the industry agreement which was reached on December 15th 1995 between all parts of the packaging chain".

The point with which I leave the House is that, clearly, there is some concern about the perception of what is happening, particularly among smaller operators, who feel deeply concerned about the regulations' implications. I hope that, during his discussions and in eventually making his decisions, my hon. Friend the Minister will take those concerns into account and recognise that it is important to consider every sector of the packaging and production chain in the implementation of financing measures.

1.18 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I welcome the opportunity to respond to the debate. I appreciate that the hon. Member for Normanton (Mr. O'Brien) has a particular interest in the matter and speaks as chairman of the parliamentary all-party group on sustainable waste management. He also has a particular constituency interest in the matter in the Welbeck site.

The House will have benefited from the contribution by my right hon. Friend the Member for South Ribble (Mr. Atkins). He has quite a background on the subject and strong credentials on the greening of businesses. I have listened carefully to the concerns that he has expressed on behalf of small businesses. He was right to stress the importance of carrying every sector of the packaging industry with the initiative on producer responsibility.

I will deal with the detailed points raised by the hon. Member for Normanton, but I think that it would be helpful if I first set them against the background of the Government's waste strategy. As chairman of the parliamentary group on sustainable waste management, the hon. Gentleman will know that the Government have embraced a strategy that deals with the issues that he outlined—along with many others—within a comprehensive framework, to encourage good environmental practice and, in particular, sustainable waste management.

We strongly support the need for a sustainable waste strategy. At the end of 1995, we published a White Paper entitled "Making Waste Work", which examined the issues involved in sustainable waste management. The strategy set out in that document takes the principles of sustainable development—development that meets the needs of the present without compromising the ability of future generations to meet their own needs—and applies them to the issues of waste management. Its main objectives are that we should reduce the amount of waste that we produce, make the best use of the waste that is produced and adopt practices that minimise risks to the environment and to human health. The foundation on which our strategy is built is the need to accept that the waste that we produce always has the potential to harm our environment, and that we must therefore make the production and management of our waste more sustainable.

We have already done much to promote more sustainable waste management. We have introduced new, improved controls on the management of waste through the registration of carriers, and through duty of care and revised licensing requirements. Those measures are designed to minimise the impact of waste on the environment, and provide a sound regulatory basis for the waste strategy.

I noted the hon. Gentleman's concern about fly tipping. He will appreciate that, before introducing the landfill tax, we were keen to ensure that a sound and effective licensing system was in place. We established such a system, and we intend to ensure that it operates as effectively as we expect it to.

In addition to regulation, we have promoted more sustainable waste management options through our support for economic instruments, such as recycling credits and the non-fossil fuel obligation. On 1 October last year we introduced the landfill tax, whose objectives—broadly speaking—are essentially environmental, and, we believe, send the right economic and environmental messages to waste producers. The tax will make those producers aware of the true costs of their activities, and will give them a further incentive to reduce waste production and recover more value from the waste that is produced.

The hon. Member for Normanton expressed concern about the processing of mixed waste from construction sites. He will know that waste from such sites forms a significant component of the waste that goes to landfill. Our overall objective is to reduce the proportion that goes to landfill from 70 per cent. to 60 per cent. by the time that we have specified; but, although I trust that the hon. Gentleman will accept the need to reduce that proportion, we are always prepared to consider particular cases, and to take environmental merits into account. Along with Customs and Excise, we shall be considering any anomalies that arise as a consequence of the introduction of the tax, although we shall need time in which to undertake the review. While we are aware of the issues raised by the hon. Gentleman, he will appreciate the need to set them against the aim of reducing the amount of waste that goes into landfill, which is one of the less sustainable—although sometimes necessary—forms of waste management.

The hon. Gentleman raised the case of Mr. Gilks, the gentleman in his constituency who spoke to the Normanton talking newspaper for the blind. I am sure that the House applauds such voluntary efforts, which have an important and environmentally beneficial impact. As the hon. Gentleman will know, we provide considerable support for those who undertake such activities—through, for example, the environmental action fund and, in future, the landfill environmental bodies that will come into being as part and parcel of the landfill tax. Encouragement is given to recycling and good practice in a variety of ways, including the producer responsibility initiative referred to by the hon. Gentleman. I promise him, however, that I will examine the particular case of Mr. Gilks and the grant that he mentioned.

Now that I have dealt with those issues arising from the landfill tax, I feel that I should re-emphasise the targets that we have set. We aim to reduce the proportion of controlled waste going to landfill from 70 per cent. to 60 per cent., and to recover value from 40 per cent. of municipal waste, by 2005. By the end of 1998, once we have more reliable data on which to base our target, we shall set a target for overall waste reduction. We have also established a wide range of secondary targets: for example, our aim to recycle or compost 25 per cent. of household waste by 2000. That target, to which the hon. Gentleman referred, is an important secondary target. We want to find ways of increasing the amount of recycling by households.

Mr. Sheerman: The Minister probably knows as well as I do that, as my hon. Friend the Member for Normanton (Mr. O'Brien) pointed out, the crucial factor is the active participation and leadership of local authorities. Many of us believe that, if we are to meet the targets that we all want to meet, local authorities must be given more incentives to take a lead and to be active partners with the private sector. They need encouragement, rather than being knocked back by the Department of the Environment.

Mr. Clappison: I agree with the hon. Gentleman about the need to encourage good practice on the part of local authorities, but I do not think that there are many examples of the Department of the Environment knocking them back. We want to spread good practice wherever possible, but, as the hon. Gentleman will know, practice varies from authority to authority.

The hon. Member for Normanton also mentioned producer responsibility, an important initiative that we have advanced considerably. Following extensive consultation with the packaging business, Government and industry have developed a joint approach for enhanced levels of recovery and recycling of packaging waste to be achieved by 2001. That means, in effect, nearly doubling the amount of packaging waste recovered or recycled in the United Kingdom.

Before the hon. Member for Huddersfield (Mr. Sheerman) leaves the Chamber, may I answer the point that he made about Government leadership? I think

[Mr. Clappison]

that the Government have given a lead, but the hon. Gentleman should not doubt that, throughout the process, we have wanted to listen to the voice of industry. We have considered it important to continue to work with industry, and have felt that initiatives should come from it. No one should be under any misapprehension, and imagine that our wish to work with industry and wait for it to develop its views constitutes a lack of leadership. For the reasons outlined by my right hon. Friend the Member for South Ribble, it is important for all the businesses concerned—including the small businesses to which he referred—to be brought on board. We think that we have achieved that, and that industry is now working with us.

Industry has always contended—and the Government have endorsed its view—that, if the United Kingdom is to attain the EC directive targets and comply with the requirements of that directive, the full co-operation and commitment of all sectors of the packaging chain will be needed. Only then will we be in a position to maximise industry's approach to producer responsibility for packaging. We have therefore consulted widely, taking into account a wide range of views from all sectors of industry—including major trade associations and the Confederation of British Industry—and the views of the Packaging Advisory Committee. On 18 December, my right hon. Friend the Secretary of State announced the modifications that we will be making to the draft regulations that were issued for consultation in July. The amendments reflect the responses to that consultation, and maintain the consensus that has been generated over the past few years. We will lay the regulations before the House very shortly.

I listened to what the hon. Gentleman said about that. It is important for the obligation to extend widely, to as many firms as possible, and, in particular, for "free riders" to be deterred. We have been concerned about that throughout the process. We want a fair, wide-ranging and equitable system: that is the obligation.

The collective scheme—Valpak—is an important part of that. We have made it clear that we will leave it open to firms to choose individual routes if they wish to do so, although the collective scheme is there if they wish to take advantage of it. It is important for the Government not to place industry in a regulatory straitjacket but to allow it as much flexibility as possible to choose its preferred route and to express its views.

As time is running out, I shall respond to the other points made by the hon. Member for Normanton by writing to him. I should, however, emphasise to him and to the House that the Government have a wide-ranging and comprehensive strategy on this matter which is based on targets that we have set. We have ambitions to improve waste management as part of our overall environmental policy. We believe that we have already achieved a great deal, and we have created the mechanisms to achieve a great deal more in the future. That is our ambition.

Mr. Deputy Speaker (Mr. Michael Morris): Order. Time is up.

Tourism (North-West)

1.30 pm

Mr. Nigel Evans (Ribble Valley): Only a few months ago, *Newsweek International*, a reputable international magazine, carried the front-page headline, "Cool Britannia", and went on to explain how Britain was such a wonderful place for tourists to visit. Those of us who live in the United Kingdom already knew that, but such headlines will increase the growth of tourism in the UK, which has already grown so much. I believe that, as Britain has given away some of its unskilled manufacturing jobs to low-wage economies, we have developed more sophisticated methods of earning money—one of which is tourism, the world's fastest growing industry.

We had an extremely successful year in 1995. There were 24 million visits to the UK—a 14 per cent. increase on the previous year—which brought in £12 billion to the UK economy. The UK tourist industry now employs almost 2 million people, which is 7 per cent. of the work force and a 31 per cent. increase on the figure 10 years ago. The industry has the potential to create up to 1 million more jobs over the next 10 years.

Tourism is a key economic activity in the area covered by the north-west tourist board, which includes Cheshire, Greater Manchester, Lancashire and Merseyside. Last year, visitors to the region spent slightly less than £1.5 billion, which accounts for at least 3 per cent. of the local gross domestic product. The figure is even higher in some parts of the region, such as in my constituency in the Ribble valley, and in Blackpool.

It is not surprising that so many jobs are dependent on tourism. In the most recent year for which figures are available, Blackpool, for example, attracted 19 million tourists, and even politicians trek there every two years. Its pleasure beach is Britain's No. 1 tourist attraction, with slightly fewer than 7.5 million visitors a year. Two years ago, its rollercoaster—the "Pepsi Max Big One"—was erected as a monument to my political career: it has as many ups as downs, and it takes ages to get up but only seconds to get down. Next year, the pleasure beach will open another ride, called the "Spaceshot", which represents a £2 million investment. We shall have to wait to see whose political career that will mirror.

The north-west also has less glitzy attractions. My constituency has a large area of outstanding natural beauty, which tourists visit to see historic abbeys, market towns and the forest of Boland. I congratulate the staff of the Clitheroe tourist office on their excellent and helpful approach to tourists. They always have a friendly smile when one goes there, and they are well stocked with leaflets and ready with helpful advice on where to go and stay in the area. I also congratulate them on their imaginative Internet website, which is available worldwide.

We have other tourist areas, such as Park Hall, in Charnock Richard, Chorley—in the constituency of my hon. Friend the Member for Chorley (Mr. Dover)—which attracts many visitors.

Mr. Den Dover (Chorley): Although I accept that Park Hall attracts hundreds of thousands of visitors each year and is a major regional tourist attraction, is my hon. Friend aware of misgivings in the south-east of my

constituency, in Rivington, about North West Water and United Utilities' promotion of the Lever Park Bill, to which I and other hon. Members will object?

We object because Lord Leverhulme, who established the Unilever empire, gave that land, and did not want it commercialised or entry or parking charges made. The Bill's spirit is to over-commercialise the park. I am against such commercialisation—which is appropriate at Park Hall but not at the heritage site left by Lord Leverhulme, whose wishes we should honour.

Mr. Evans: I am grateful for my hon. Friend's comments, and I am aware of that situation. We must be very careful to ensure that we have areas to which we can attract tourists, and other areas that should perhaps be left unspoilt and not over-commercialised. In my constituency, Castle Cement has filed plans to quarry across the road from its current operation. The last thing that tourists would want to see in an area attempting to attract tourists is massive quarrying. That case is similar to the one mentioned by my hon. Friend.

Tourism creates jobs not only in the tourist sector but in non-tourist sectors—including shops, wholesalers and other providers of goods or consumables. It also creates jobs in transport, which is a massive job provider in the north-west. Manchester airport employs 14,000 people directly, and another 50,000 people in the region are dependent on the facility. The airport has plans to expand, which would double the number of off-site workers who are dependent on it. Its planned expansion includes a second runway, which I shall say more about.

London is an important magnet to attract tourists to the UK, but we must not be over-dependent on it. As world tourism increases, I want the United Kingdom to win its fair share of tourists, but I also want the regions to win their fair share of UK tourism. I have often said in the House that the Ribble valley is an extremely beautiful place and that I am proud of it. When tourists go there, I know that they enjoy its beautiful scenery. However, we are not attracting as many tourists as I would like.

For a variety of reasons, too many tourists stay in London, and are not aware of our wealth of historical sites, the beauty of our countryside, our restaurants or the number of things to do if they were to leave the capital and explore the provinces. The M25 must be regarded as a way out of London for tourists, not as a contraption to keep them in it. Therefore, we should ensure that tourists are attracted into the regions. Success in that drive will not only bring delight to those who discover the joys of the provinces, but will help local economies, such as that in the north-west.

In my constituency, for example, there are many hotels, restaurants and pubs which have won national awards. I am sure that visitors from other countries would enjoy visiting such places as the Inn at Whitewell, which this year won the pub of the year award. It is located in the area to which, allegedly, the Queen would like to retire—I suspect, not only for the beauty of the pub but for the beauty of the region. It is a smashing hotel.

We also have a restaurant called Heathcotes, which is renowned across the north-west and has won two Michelin stars, two Egon Ronay stars and other awards. The Gibbon Bridge hotel, in beautiful Chipping, boasts superb food and a beautiful garden setting. Northcote Manor is a hotel and restaurant, in Langho, which boasts a Michelin star and has recently been expanded to accommodate increased demand by tourists in the area. Foxfields hotel is nearby, and the Myton Fold Farm hotel boasts excellent accommodation, and has recently built a golf course.

There are countless other fine hotels and pubs. If I were to try to list them all, the Minister would not have a chance to respond to this debate. However, they prove that one does not have to visit only London to enjoy what Britain has to offer. There are many extremely high-quality services and facilities outside London.

Approximately 200,000 people are employed or self-employed in tourism and hospitality in the regions, which is more than 6 per cent. of the area's work force. In the region, the number employed in those sectors is at least as large as the number employed in defence, aerospace, automotive, textiles and clothing. It is vital that all regions are given at least equal billing with London.

On a practical level, the English tourist board and the British Tourist Authority should ensure that all ports and airports into Britain, including the Eurostar terminal at Waterloo, display advertisements promoting the provinces. There should be kiosks to ensure that people who want to get out of London can do so, and are provided with all the necessary information.

The British Tourist Authority is promoting a package in the United States with Continental Airlines, and uses Manchester airport as the gateway for visitors to Britain. That is a fantastic idea, representing exactly the type of advertising we require to boost regional tourism. However, I should like to see more of it—more advertising like the highly successful campaign in Scandinavia promoting Manchester as a gateway for Swedes and Finns. I think that such campaigns could bring in extra tourism and business.

On a slightly different note, the Government greatly support the industry by helping the BTA and will next year subsidise it to the tune of £35 million. I also thank the Government for their grant of £7.5 million to the Lancashire Tourism Partnership, to help it to boost its tourism strategy. However, I hope that we can find still more imaginative ways to help new businesses and ideas in the area.

I congratulate the BTA on its Internet pages, but I wish that they contained more emphasis on attractions in the north-west. I was impressed by the BTA's clever idea of including a movie map showing film and television locations in Britain, many of which are in the north-west.

My only criticism of the map is that it misses off the film "Whistle Down the Wind". If I have mentioned that film once in the Chamber, I have mentioned it many times. It is set in the village of Downham in my constituency. One of the beauties of the place is that it is still wholly unspoilt, and the same as it was when that excellent film was made many years ago. We also have the Granada Television studios, home of Britain's longest-running and much-loved soap, "Coronation Street". There is a superb themed attraction next to the studios, which attracts many visitors.

On 1 April last year, Manchester airport celebrated 10 years as a public limited company. Since 1985, it has been voted the best United Kingdom airport five times by readers of travel trade magazines, and has been rated the world's best airport in a survey of airline passengers carried out by the International Air Transport Association.

[Mr. Evans]

They are just some of the awards that it has won. They are fantastic achievements, of which the airport and everyone who works there can rightly be proud.

The airport employs massive numbers of people, and provides indirect employment for many more. It currently serves 15 million passengers a year, and 30 per cent. of all UK holiday flights depart from Manchester. The key to the airport's success is expansion. I believe that it hopes to handle 30 million passengers a year by 2005. That means a doubling of traffic in under 10 years, and millions more visitors to the regions. In turn, the number of jobs created by the airport will be greatly increased.

Manchester airport has started a £550 million, 10-year capital spending programme, which includes a major redevelopment of the terminals, expanded rail links, a high-level fully enclosed walkway between the railway station and terminal 2, an integrated public transport exchange linking the rail and bus/coach stations, and, if the proposal goes ahead, the metrolink extension to the airport. These will all provide employment, and facilitate the arrival and journey on of any visitor.

The major plank of the programme, however, is the granting of planning permission for the second runway. I hope that the announcement today will give Manchester airport, which is already the third largest in the UK, the opportunity further to enhance its reputation as the jewel in the crown of regional airports. As it is one of the top 20 airports in the world at the moment, the expansion will surely put it at least in the top 10, and may give relief to Heathrow slots which are always under pressure. I hope that we shall hear some good news about the second runway at Manchester later today.

I must, however, issue a word of caution. There is much enthusiasm about the expansion of Manchester airport, and a further boost would be to facilitate an open skies policy in the UK. I fully understand how that would attract further carriers to Manchester, which would mean more tourists coming to the region. However, that must not be at the price of encouraging carriers to regard an open skies policy as an open door policy—an invitation to them to walk over us and not reciprocate with any deals.

I warn the chairman of Manchester airport, Labour Councillor Graham Stringer, that he should not turn the issue into a party political matter. He should not abuse his position as chairman of the airport by saying that it is the Government's fault that we do not currently have an open skies policy. No one has done more to help and promote Manchester airport and tourism than the Conservative Government.

Councillor Stringer should perhaps turn his attention to some of the damaging proposals that Labour might implement if the nightmare came true and it formed the next Government. Tourism has much to fear from a Labour Government, who would wreck it by imposing damaging and costly burdens. A Labour Government would sign up to the social chapter and adopt a minimum wage, thus undermining the competitiveness of that industry. The 48-hour directive is already threatening the industry—although we are fighting tooth and nail against its introduction, the Labour party would embrace it.

The cost of extending the rights of full-time staff to part-time and temporary employees—new Labour's tourism tax—would have to be met by consumers, who would face higher prices, and by those who would lose their jobs as a result. A Labour Government would also extend the powers of European Union institutions to interfere specifically in tourism. For example, the party has stated:

"we do see the need for better and more co-ordinated tourism action in EU institutions."

From what we can see of Labour's plans for the industry, it talks tough but, in reality, the only people who would find it tough are those working in tourism. Everyone needs to know that Labour poses a serious threat to the tourism and leisure industry. For those people, it certainly would end all in tears.

Another way to boost tourism in the north-west would be quickly to upgrade the north-west coast main line to ensure that people who start their holiday in London are able to get to the north-west and other regions more speedily. I must applaud the work done by Regional Railways in the north-west, which has sent me a host of pamphlets advertising schemes in operation to show tourists what is on offer and inform them that they can take the train to various events. The rail companies liaise with the promoters of many special events, and put on special trains so that people can reach their destination in comfort.

One bugbear is that travelling to the north-west from London means using the M6. Although I applaud the expansion of that motorway, people travelling on a Friday or Sunday will find their journey extended by at least an hour as they try to get through Birmingham. I hope that we can direct our attention to freeing that bottleneck. Of course, some tourists want to travel from London by car because they have large families or want to travel beyond the region.

I hope that the Minister will carefully consider my suggestions. I know that he is a doughty fighter for tourists. He knows my area well and recognises the importance of tourism for the north-west, not only the present position but the potential for the future. If we continue our commitment to tourism into the next century, it will be good news for those people looking for work in the north-west and who see their future in that industry.

1.46 pm

The Minister of State, Department of National Heritage (Mr. Iain Sproat): I congratulate my hon. Friend the Member for Ribble Valley (Mr. Evans) on securing this important debate. He is exceptionally well informed on tourism matters, and always works hard to ensure that the interests of his constituents and constituency are brought to the notice of the House.

I am also pleased that the House has another opportunity to debate tourism generally as well as the particular aspects affecting my hon. Friend's constituency so soon after we last did so on 29 November. It is a measure of the importance that hon. Members now place on tourism that this is the eighth debate on the subject in the House in the present Parliament.

The Government have long recognised the economic importance of tourism. Indeed, the Confederation of British Industry recently held a major conference on the future of Britain's tourism industry, which was addressed by my right hon. Friends the Secretary of State for National Heritage and the Deputy Prime Minister.

Tourism is set to be the world's biggest industry by the year 2000. It already generates £37 billion of income annually in the United Kingdom, and employs 1.8 million people. The UK welcomed a record 24 million overseas visitors in 1995, 1.2 million of whom chose to go to the north-west. Our earnings from overseas visitors were £12.1 billion, with £1.4 billion being spent in the north-west.

North-west trade and enterprise councils have identified tourism as one of the main sectors in the region offering good employment prospects. They estimate that the hotel and catering sector is likely to create 25,000 new jobs in the region before the millennium. That reflects the national picture—tourism has created one in five jobs over the past three years. If current trends continue, tourism will be a larger employer than manufacturing by the year 2012.

The latest World Tourism Organisation figures show that, in 1995, the UK's share of world tourism receipts rose from 4.4 per cent. to 5 per cent., reversing a 10-year downward trend. We are now in the top five in the international tourism league, and we must make sure that that improvement is sustained.

I am pleased that the north-west's tourism profile has been greatly enhanced. Former industrial areas have been transformed from derelict wastelands into thriving visitor locales, often using the area's rich industrial heritage.

There are many examples of how the region has responded positively to new opportunities for development. In Manchester, for example, the Castlefield project employs urban rangers to guide visitors and conserve the site, while the success of the Granada studio tours, which my hon. Friend mentioned, has greatly boosted the area. Liverpool's Albert dock and the King's dock have been regenerated as tourist attractions, with 5.5 million visits a year, creating over 2,000 jobs. The Hamilton quarter on the south side of the Mersey is another area in the process of regeneration. Wigan now has a heritage centre that is a shining example of the regeneration that can be achieved through tourism.

Partnership between private business, local authorities and the regional tourist boards is vital in this process. The Government have provided funding through the national lottery and the single regeneration budget. The former has provided £64 million for the new Lowry centre in Salford. Such projects will undoubtedly strengthen the tourism appeal of the north-west. Blackpool has been granted £19.3 million from the single regeneration budget, and Morecambe £4.3 million. In addition, many projects in the north-west benefit from the European regional development fund.

Although Manchester may be disappointed that Wembley has been designated as the site for the English national sports stadium, the city will certainly applaud the Sports Council's announcement that Manchester is to receive lottery awards of £60 million for a 50,000-to-60,000 capacity all-seater stadium and £20 million for a swimming pool complex. Those awards will enable the city to have the necessary facilities in place to host the 2002 Commonwealth games, which will further heighten the international profile of the north-west.

Blackpool remains the largest and most popular seaside resort in Europe. I am pleased that its central and north beaches were able to meet the EU's bathing water cleanliness standard last year.

The Department of National Heritage spends almost £1 billion a year, much of it on museums, galleries, the heritage and the arts, all of which are important generators of domestic and overseas tourism.

We have allocated £35 million to the British Tourist Authority for 1997-98, which is a slight reduction on this year, but more than it had ever received before that. That level of funding will allow the BTA to continue its excellent work. We should not forget that the BTA has had great success in attracting funding from the private sector, raising around £16 million this year.

Funding to the English tourist board has been maintained at its previously planned level, before allowing for a reallocation of funds to the Government's new sector challenge fund, giving a net figure of £9.9 million. That will allow the board to continue its important work on improving classification schemes, looking for ways to grow the domestic market, and helping the industry to improve its product.

It may sometimes appear to people in the north-west that we concentrate too much of our effort on attracting overseas visitors to London. My hon. Friend rightly raised that important point. We have indeed given extra money to the Focus London campaign, because research clearly shows that London is our greatest asset in attracting overseas visitors to this country. If Britain is to do well in the world tourism market, we need London to do well. It is the principal gateway to Britain.

However, once visitors have been motivated to come here, we can show what the country as a whole has to offer, and encourage them to travel around and stay elsewhere. In fact, the need to spread tourism more widely has been central to the campaign. I am sure the north-west will benefit greatly from that in the long term.

There is more to the Government's support for tourism than provision of funds. We have completed the programmes set out in "Tourism—Competing with the Best" nearly two years ago. With the Secretary of State's tourism advisory forum, which brings together representatives from the tourist boards, consumer groups, local government and the industry, including the Confederation of British Industry, we are now developing the next phase of our strategy.

The strategy will concentrate on six key areas: championing and raising the profile of tourism; increasing competitiveness; improving the quality of the tourism product; improving service quality; making marketing more effective; and managing the impact of tourism. It will provide a clear statement of our objectives for tourism, and will set an agenda for future action.

For the strategy to succeed, we need the participation of all the key players—central and local government, the tourist boards and all the many sectors of the industry must work together. We will make every effort to ensure that the new strategy fully involves the industry and meets the needs and concerns of all parts of the country, including the north-west.

Tourism is dominated by small enterprise, having around 250,000 small businesses. The Government recognise the key role played by small firms in the economy, providing new ideas, new services and new jobs. Small firms need stability, a growing economy, low inflation and low interest rates. Our policies provide an environment in which they can succeed.

[Mr. Iain Sproat]

Our economy is in its fifth year of sustained growth, and we have had the longest period of low inflation for almost half a century. That is particularly beneficial to tourism, because those are the economic conditions in which leisure and business travel can thrive. Over the past 25 years, average real household disposable income has risen by 45 per cent.

The Budget includes measures to help small business: in addition to the reduction in the basic rate of income tax, corporation tax on small companies is cut to 23p, the business rate on small properties is frozen next year, and the VAT registration threshold is increased. After these changes, the UK tax rate on company profits up to £300,000 will be the lowest in the EU.

We have worked with other Government Departments significantly to reduce the burden of regulation on the industry. We want fewer, simpler, better regulations. To that end, we have simplified the rules on food hygiene, fire safety and electricity in the workplace, we have created a much less cumbersome regime on signposting, and we have extended opening hours for pubs. Our many deregulatory reforms are of particular benefit to small firms. All legislative proposals that affect them now include a small firms litmus test to show the impact of legislation on the sector.

We have been looking particularly closely at the EU working time directive. The Government continue to regard its imposition as unreasonable, and we intend to insist on changes to the treaty to ensure that social measures are never again imposed on the UK in this way.

Of course we must obey the law, but we are determined that there will be no gold plating of this, or any other, European regulation when it is implemented in the UK. We have been discussing with representatives of the industry the possible effects of the directive on their business, and will ensure that their views are fully taken into account. There are derogations for tourism in the directive, and we intend to ensure that the industry receives the fullest possible benefit. No one can doubt the cost of such measures to the industry. The British Hospitality Association has suggested that the cost to its sector might be as much as £100 million.

We continue to resist the imposition of the social chapter, for the same reason. It is not difficult to see why the latest survey of the UK economy by the Organisation for European Co-operation and Development records a steady drop in structural unemployment, and concludes:

"the better jobs and inflation record reflects the UK's greater exposure to market forces and competition."

The well-being of tourism depends on the kind of flexible labour market policies that the Government pursue, which the social chapter would destroy. A study by the United States Bureau of Labour Statistics shows that the UK has the second lowest non-wage labour costs in the EU, with only Denmark's being lower. The UK is the only G7 country to have seen a fall in the rate of non-wage labour costs since 1990.

The majority of research evidence supports the Government's view that a national minimum wage would lead to considerable job losses, particularly among more vulnerable young and unskilled workers. Research by the Department for Education and Employment shows that a national minimum wage set at £4.15 per hour, as advocated by some trade unions, could cost 950,000 jobs nationally if pay differentials were half restored, and 1.8 million jobs if they were fully restored. It is, sadly, significant that the EU countries with a minimum wage and the social chapter, such as France and Spain, have very high levels of youth unemployment.

Our policies aim to deliver the maximum economic and social benefits from tourism. Tourism is a major source of jobs, both now and for the future. It is a major contributor to economic regeneration, and provides valuable income to our cultural heritage, which is so important to the quality of life. Government policies are designed to ensure that Britain strengthens its position as one of the world's leading tourism destinations, and the north-west is well placed to benefit from that continued success.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Bhutan, Nepal and Tibet

1. **Mr. Nicholas Winterton:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with Bhutan, Nepal and Tibet. [9231]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Dr. Liam Fox): We enjoy excellent relations with the kingdoms of Nepal and Bhutan.

Successive British Governments have regarded Tibet as autonomous, while recognising the special position of the Chinese there. That remains our view.

Mr. Winterton: Does my hon. Friend agree that the plight of the Bhutanese refugees in Nepal merits much greater international attention? Is he satisfied that the United Nations High Commissioner for Refugees is sufficiently proactive in seeking a proper settlement by involving an independent panel to verify the nationality status of those seeking to return to Bhutan? Does he agree that we should drop the easy, quick solution of appeasement and that we should not forget the real plight of the refugees?

Dr. Fox: We believe that the UNHCR is doing an excellent job. It runs camps for about 90,000 refugees in Bhutan in liaison with Save the Children and other non-governmental organisations. The Government have contributed about £475,000 to those camps in the past three years to support the refugees. We take the plight of the refugees very seriously. I raised the issue specifically with Prime Minister Deuba when I visited Nepal last year and again when he visited London this year. We raise the issue at every opportunity, but ultimately it is a matter for the Bhutan and Nepalese Governments.

Middle East Peace Process

2. **Mr. Gunnell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's proposals to assist the middle east peace process in 1997. [9233]

11. **Mr. Burden:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for peace in the middle east. [9243]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Malcolm Rifkind): I warmly welcome the agreement on redeployment of Israeli troops in Hebron. The agreement is a vital step in unblocking the middle east peace process: it follows persistent efforts on all sides. King Hussein's intervention was particularly helpful, building on the efforts of the United States and the rest of the international community. It is now important to move on swiftly to other outstanding elements of the interim agreement. The Syrian and Lebanese tracks should also be urgently pursued. The peace process must continue to move forward.

Mr. Gunnell: I thank the Foreign Secretary for that reply. All reasonable people will join him in whole-heartedly welcoming the agreement. Does he agree that one of the remaining issues is the timetable which the agreement has set for the withdrawal of Israeli troops from the west bank? Is it not important that it includes all areas except the settlements and Jerusalem, which have been left for final status discussions? Does the Foreign Secretary see ways in which the British Government can help to ensure that progress is made on that and the other tracks of the peace agreement that he mentioned?

Mr. Rifkind: The Hebron deal needs to be followed swiftly by implementation of the other outstanding elements of the interim agreement: redeployment in areas B and C on the west bank, the release of Palestinian prisoners and free passage between the west bank and Gaza.

Mr. Burden: May I add my welcome to today's announcement of the agreement and express my hope that it means that the building blocks of a lasting peace in the middle east are being put back in place? Does the Foreign Secretary agree that many of the recent difficulties have arisen from prevarication and delay in the implementation of existing agreements? I hope that today's announcement will herald a way of tackling the outstanding issues—many of which he referred to, such as the issue of prisoners, communications between the west bank and Gaza and the withdrawal from rural areas—rather than heralding any further delays in those matters.

Mr. Rifkind: Clearly, the new element was the election of a different Israeli Government as a result of the Israeli general election, which has led to a period of considerable uncertainty. The decision to reach agreement on Hebron is however a very, very decisive step in the right direction. It means that for the first time Mr. Netanyahu and his Government have formally committed themselves to a crucial part of the Oslo peace process and the commitments that their predecessors were also trying to take forward. It could be the start of a very important and welcome new phase in the negotiations.

Sir Mark Lennox-Boyd: I accept the views expressed by everyone—I am sure—in the House on the crucial nature of the agreement. Will my right hon. and learned Friend bear in mind in any discussions with Israeli Ministers that there are wider issues too? The future economic development of the Palestinians is crucial, and without free movement between the Gaza strip, the west bank and east Jerusalem, where many Palestinians want to work, it could be threatened. Will he bring all his influence to bear on bringing sense to that matter?

Mr. Rifkind: I agree that the matter is crucial. I raised it directly with Mr. Netanyahu, both when I saw him in Israel and when my right hon. Friend the Prime Minister and I saw him in Lisbon. We have also encouraged through the European Union a study of the economic needs of the Palestinians in the west bank and of Gaza

and hope that it will lead to rapid improvements, particularly in access for, and free movement of, those who live in those territories.

Sir Timothy Sainsbury: Does my right hon. and learned Friend agree that coalition government and a multi-party Cabinet, which is the result of the system of proportional representation that this country should certainly avoid, gave Prime Minister Netanyahu particular difficulties in reaching the agreement? Does my right hon. and learned Friend therefore accept that the Israeli Prime Minister deserves not only congratulations on his persistence and determination in reaching the agreement but our continuing support in bringing the other parties—Syria and Lebanon especially—to the negotiating table, so that further progress can be made?

Mr. Rifkind: I agree with my right hon. Friend. The electoral arrangements in Israel certainly gave rise to the difficulties referred to, but its recent constitutional changes also provided for the direct election of the Prime Minister. I am not sure whether that innovation would be more welcome in this country than proportional representation.

Mr. Janner: I welcome the agreement fully. Does the Foreign Secretary agree that Israel is a turbulent democracy and that one of the problems with all democracies, including our own, is that all too often they elect bad Governments for whom we did not vote?

Mr. Rifkind: I believe that the electorate are always supreme. I appreciate why that consideration may not appeal to the hon. and learned Gentleman.

Sir Cyril Townsend: Will my right hon. and learned Friend acknowledge the part played by King Hussein in reaching the agreement? Does my right hon. and learned Friend accept that, unless very firm action is taken to prevent the expansion of the settlements and the construction of new ones, much of what we have been talking about will be totally swept away by attacks on the ground?

Mr. Rifkind: First, I congratulate my hon. Friend on his recent knighthood.

I strongly agree with my hon. Friend that the achievements of the past few days could be overtaken if there were intemperate behaviour, with regard to either expansion of settlements or other actions that might be seen as particularly provocative.

Mr. Fatchett: I add the Opposition's support for and pleasure at the agreement that has been signed. I offer our thanks to all those who have assisted in that process and especially draw attention to the very positive contribution made by King Hussein of Jordan, which will be widely recognised and acknowledged as a key element in the peace process.

Does the Foreign Secretary agree that the agreement has to be seen as one step on the road of the peace process and that the crucial issue is that it is up and running again? Does he also agree that civilised opinion throughout the world would be opposed to all those who tried to prevent the implementation of this agreement? Will the Foreign Secretary tell the House what steps he will take to assist the continued development of the peace process, in the clear knowledge that any attempt to halt that process is damaging to the interests of the people of both Israel and Palestine?

Mr. Rifkind: King Hussein has been a superb force for moderation and progress over many years. His latest contribution deserves the tribute of the House and of all those interested in peace in the middle east.

For the future, the United Kingdom Government believe strongly that the role of the international community is to assist those who are working for peace. We do not believe that separate initiatives by this country or Europe as opposed to America would be productive. We believe that the western countries can work together and help in a constructive way to facilitate the peace process.

Former Yugoslavia

3. **Lady Olga Maitland:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current developments in former Yugoslavia. [9234]

Mr. Rifkind: Throughout this crisis, the British Government have been pressing President Milosevic in the clearest possible terms to accept democratic principles and to recognise the opposition victories. On 2 December and on subsequent occasions, I called on President Milosevic to respect democratic institutions and the election results. Moreover, we have backed those words with action. We cancelled the December visit to the United Kingdom of the Deputy Prime Minister of the former Republic of Yugoslavia and we have strongly supported the EU decision to suspend the planned extension of trade concessions to Belgrade. We have also invited a leading member of the Serbian opposition to London. We will continue to maintain this pressure for as long as it is necessary.

Lady Olga Maitland: I thank my right hon. and learned Friend for his encouraging words. As he knows, half a million people have been out on the streets of Belgrade for 55 days protesting against a thoroughly discredited regime. Much as I welcome my right hon. and learned Friend's remarks, is he aware that the public in Belgrade are under the impression that Her Majesty's Government have not been as supportive of the opposition as they have been? Will he press the endeavours that he has described to give public and unequivocal support to the opposition, who are undoubtedly reflecting the will of the people of Yugoslavia today?

Mr. Rifkind: I very much agree with my hon. Friend. The cancellation of the visit to this country by the Deputy Prime Minister of the former Republic of Yugoslavia goes beyond the action of any other European Union member state. We strongly identify with all those who are seeking respect for democratic elections and for the result of the elections that have already taken place. There has been some limited progress in the various concessions about which we have heard recently, but we will continue to

apply national pressure and pressure along with our friends and allies until President Milosevic shows total respect for the democratic process.

Mr. Wareing: I support the Government's attitude in respect of the manipulation of elections in Serbia. However, can the Foreign Secretary explain why there is a difference between our attitude to Serbia and our attitude to Croatia? Not long ago, the mayor of Zagreb was refused office by President Tudjman; yet, while sanctions are threatened against Serbia, Croatia is rewarded with a place in the Council of Europe. What is the explanation?

Mr. Rifkind: We certainly do not have double standards. Along with other member states, we were cautious about Croatia's application to join the Council of Europe, and it perhaps took longer than had been anticipated. We attach importance to the significant events to which the hon. Gentleman referred.

Sir Patrick Cormack: Does my right hon. and learned Friend agree that the disturbing events in Belgrade in recent weeks show where most of the blame lies for the appalling misery that has been inflicted on the former Yugoslavia in recent years? Do not those events justify the warnings that some of us gave as long ago as 1991?

Mr. Rifkind: I do not think that there has ever been any disagreement about the disgraceful way in which Mr. Milosevic encouraged many of the problems that existed in not only his country but Bosnia-Herzegovina to evolve. In so far as there were differences of view, they were not about the origin of many of the problems but were about the best way to address them in subsequent years.

Mr. Menzies Campbell: Looking a little further on Yugoslavia, is not one of the most substantial obstacles to the return of normality to that country the presence of so many anti-personnel land mines, which were scattered indiscriminately by all sides in the conflict? What steps are being taken to clear those land mines, which take their toll of civilians rather than soldiers? In view of the increasing support for a ban from former senior military commanders and other notable figures, why will the Government not take a lead and, once and for all, abandon the production, use, export and sale of all anti-personnel land mines?

Mr. Rifkind: I welcome the statement by a Red Cross official this morning welcoming the Government's policy. That policy is simple and straightforward: we support a multilateral, universal ban on land mines, as called for in several quarters. We welcome the support given to that policy, as does the Red Cross.

Mr. Robin Cook: May I associate the Opposition in full with the Government's criticisms of the refusal by President Milosevic to accept the democratic outcome of elections? Does the Foreign Secretary agree that, if it is the case that the public in Belgrade are not aware of those criticisms, it may be because television is totally under the control of President Milosevic? Have not the events of the past few weeks demonstrated how much further the president must travel to guarantee the freedom of the broadcasting media and the independence of the supreme courts? Finally, can the Foreign Secretary confirm that there can be no question of President Milosevic receiving the aid that he was promised in the Dayton agreement unless he carries out his obligations to deliver democracy to Serbia and to deliver war criminals to the international tribunal?

Mr. Rifkind: I very much welcome the right hon. Gentleman's remarks. One of the most important ways in which freedom is suppressed in that country is by control over the media, and one of the successful examples of international pressure has been the efforts led by the United Kingdom to allow the reopening of the independent radio station that Mr. Milosevic closed in December. That station is now functioning again and, through that means and others, the people of that country are gaining access to news of what is going on in the world.

Indonesia

4. **Mr. Hanson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current British relations with the Indonesian Government. [9236]

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): Indonesia's size and strategic location make it a major player in south-east Asia and a growing market for British exports. The Government attach great importance to the bilateral political and economic relationship.

Mr. Hanson: Will the Minister justify to the House today the reasons for the Government's agreement to the export of 50 armoured vehicles and associated water cannon to Indonesia? Will he explain what monitoring the Government will undertake of their end use and will he tell the House what he intends to do if those materials are used for the purposes of repression? Will he give a clear indication that the Government do not support the repressive regime in Indonesia?

Mr. Hanley: As the hon. Gentleman and the House know, all sovereign states enjoy the right to self-defence under article 51 of the UN charter and all applications to export defence equipment are examined regularly on a case-by-case basis in the light of established criteria and internationally agreed guidelines. The human rights issue is a key factor and, as the House will know, not all applications are approved. Details of licenses approved and refused are placed in the Library of the House of Commons by equipment category. We have refused entirely at least 11 licences for Indonesia since October 1993 and made partial refusals on a further three applications.

As for UK-supplied water cannons, the water cannon is an instrument of crowd control and is used for that purpose in many western countries. Water cannons provide an alternative to more lethal methods deployed in the past and we expect them to be used in accordance with international guidelines.

Mr. Waterson: Does my right hon. Friend agree that Indonesia is not only a friendly country but the fourth

most populous country in the world, that it is developing well as a future tiger economy and that its interests in our exports are in not only military and police equipment but a range of goods and services—not least the successful Health Action Asia delegation, which my hon. Friend the Minister for Health led to Indonesia last year?

Mr. Hanley: I very much agree with my hon. Friend.

On water cannon, we have raised with the Indonesians our concerns that UK-supplied crowd control equipment should not be used indiscriminately or to disperse peaceful demonstrations in violation of the universal human rights of freedom of speech, organisation and assembly. My hon. Friend is right to state that Indonesia is the fourth most populous country in the world, and it is an important country with which to do business. Isolating Indonesia would not help at all.

Sir David Steel: The Minister has just told us that the Government support the street demonstrations in Serbia. Is he aware that the street demonstrations in Indonesia have been suppressed by water cannon, as shown in photographs that I am sending him today? Will he study those photographs and change his mind about the further export of water cannon?

Mr. Hanley: No one would condone the excessive use of force, but in the face of violent rioting there is a legitimate requirement to protect life and property.

European Union (Frontier Controls)

5. **Dr. Goodson–Wickes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent consultations he has had with his European counterparts about frontier controls within the European Union. [9237]

Mr. Rifkind: The intergovernmental conference has discussed possible developments of justice and home affairs on a number of occasions. We have made it clear that we will take whatever steps are necessary to maintain our frontier controls.

Dr. Goodson–Wickes: Does my right hon. and learned Friend agree that, in addition to the need to block entry to this country by drug dealers, terrorists and other undesirable elements, we need to control the migration from eastern Europe and beyond by people who are motivated by economic factors rather than genuinely seeking asylum? Will he assure the House that, during the IGC, he and his Home Office colleagues will continue to resist vigorously any pressure to sign up to the Schengen treaty, accession to which would hopelessly compromise our existing controls and would, I suggest, put the security of this country at risk?

Mr. Rifkind: I can give my hon. Friend that unqualified assurance. We have no intention of acceding to the Schengen controls. Our commitments under the single market relate to the free movement of EU citizens, and it is crucial for us to maintain controls as regards citizens from third countries. We have every intention of maintaining those controls in the years to come.

Dr. Marek: Will the Secretary of State assure the House that he will not agree to anything within the EU that will ensure that the frontier between Gibraltar and Spain is treated any differently—apart from customs union matters—from the frontiers between Spain and Portugal and between Spain and France?

Mr. Rifkind: I agree that this is an important matter. The hon. Gentleman may have seen press reports that suggest that the Spanish are considering restricting the use of Gibraltar passports, but we have made it clear that that would be totally unacceptable. The general response from the Spanish has been encouraging, and I expect a formal reply to our representations in the near future. We will study that reply carefully.

Mr. Duncan Smith: Will my right hon. and learned Friend confirm that we will resist all the pressure from a number of our more federally minded European partners to make all borders come down and to have one immigration policy? Does he think that it is a mockery for a political party that espouses being tough on borders and tough on immigration policy then to agree quietly to get rid of all our immigration policies by having a pan-European one, as is happening with the Labour party?

Mr. Rifkind: Yes, there is a particular problem for those who say that they do not believe in any permanent opt-outs. The United Kingdom has opted out of controls such as the Schengen policy. If one believes that opt-outs are purely temporary, it is simply a question of when one abandons frontier controls—not a question of the principle. So far as the Government are concerned, these frontier controls are permanent and will not be removed.

Council of Ministers Secretariat

6. **Mr. Spearing:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many members of the current secretariat of the Council of Ministers and associated staff, engaged in political co–operation within the European Union, were in post in December; and what estimates he has made of the staff consequences arising from adopting recent proposals in respect of extending activity relating to political co–operation. [9238]

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): Two thousand, five hundred and twenty-nine staff were employed to the Council secretariat in 1996. The task of the secretariat is to help the presidency in administering and co-ordinating the work of the Council of Ministers in all its functions. The secretariat has informed us that 29 of these people work directly on common foreign and security policy. It is not yet possible to assess changes to the secretariat after the IGC is concluded.

Mr. Spearing: Is the Minister aware that the proposals from the Irish presidency for consideration at the revision of the treaty at Amsterdam include specific proposals for enhancing the profile of the Secretary-General in re foreign and security policy matters, increasing planning staff and giving the presidency powers of diplomatic representation, supported principally by the secretariat and the Commission, which would thereby and of their own account have increased diplomatic powers in third

countries? Would that not be the end of co-operation and the development of a pan-European Foreign Office in its own right?

Mr. Davis: The hon. Gentleman has a point in terms of the intentions of some of our European Union colleagues. Perhaps it would be worth while if I explained briefly what our intentions were and what we have proposed, because there is great support within the Union for the British proposal.

The main thrust of the hon. Gentleman's first question concerned the secretariat. Our proposal is to reinforce the planning cell, so that when there are differences of view between different parts of the Union it is because of a difference of interest—making it reasonable to exercise the veto and withhold consensus—rather than of analysis. Our proposal would add about five or six people to the current foreign service planning personnel.

On representation, we have made it very clear that so-called Monsieur or Madame Pesc should be entirely subordinate to the Council and therefore remain within the control of the nation states; as such, it will not undermine co-operation.

Mr. Batiste: Does my hon. Friend agree that an important aspect of political co-operation is that agreements once made should be rapidly implemented? Can he therefore tell us what steps the Government have taken to ratify the Europe-Israel trade agreement and what progress is being made among our partner countries to take the same action?

Mr. Davis: The trading provisions came into effect on 1 January last year, and are currently being taken forward.

Legislative Council

8. **Mr. Austin Mitchell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take the Chinese Government's decision to abolish the Hong Kong Legislative Council to the International Court of Justice and the Security Council. [9240]

Mr. Rifkind: I refer the hon. Gentleman to the statement on the provisional legislature that I issued on 20 December 1996, a copy of which has been placed in the Libraries of the House. I said that we would be willing to join China in submitting the question of a provisional legislature to independent legal settlement, for example to the International Court of Justice. The Chinese Government have not accepted that proposal.

Mr. Mitchell: I am grateful to the Foreign Secretary for a serious, if belated, answer to a serious question. Does he agree that the Chinese decision to abolish the Legislative Council is contradictory and damaging to the joint declaration and to democracy in Hong Kong? That decision derails the through train of democracy, allows the Chinese to impose their own terms on franchises and qualifications for standing and bodes ill for an easy transition. Will he raise the matter in every available forum of world opinion and say that, if the Chinese do not agree, as he said in his November statement, to put it to the international court, they must have something to hide, and that is unacceptable?

Mr. Rifkind: I agree with the hon. Gentleman. The requirements of the joint declaration and the Basic Law envisage an elected Legislative Council, and I do not believe that it can be seriously proposed that a hand-picked electorate of 400—the body that chose the provisional legislature—in any way meets those requirements. We have made our views clear, and the Democratic party in Hong Kong has welcomed the British Government's response to the Chinese action. Good statements have been made by the United States and several other countries, and the Chinese can be in no doubt about the serious view of their action taken not only by the United Kingdom but by the international community.

Human Rights (Commonwealth)

9. **Mr. Simon Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government are taking to ensure maximum compliance with human rights in other Commonwealth countries. [9241]

The Minister of State, Foreign and Commonwealth Office (Sir Nicholas Bonsor): We support fully the Harare declaration and the Millbrook action plan.

Mr. Hughes: Will the Government be resolute and strong at the forthcoming 52nd United Nations Commission on Human Rights meeting in Geneva in a few weeks to secure a clear resolution about reinstating human rights in Nigeria, and do they consider the Amnesty 10-point programme an acceptable basis for bringing Nigeria back into line in the family of civilised nations in the Commonwealth?

Sir Nicholas Bonsor: The Government are doing everything they can to bring Nigeria back into line. The conduct of the Nigerian Government is currently wholly unacceptable. The United Nations forum, to which the hon. Gentleman referred, is one of the ways in which we shall seek to bring them back into line.

We also fully support the Commonwealth ministerial action group, which recently visited Nigeria and which has made four specific proposals. It recommended the prompt restoration of accountable civilian government, the immediate release of all political prisoners, including Chief Abiola, the rapid resolution of the case of the 19 Ogonis, who face the same charges as Ken Saro-Wiwa and his associates faced, and a review of prison conditions. Her Majesty's Government will do everything they can to ensure that those conditions are fulfilled.

Mr. Butterfill: Does my hon. Friend agree that human rights are best guaranteed by the election of democratic Governments, not only in the Commonwealth but elsewhere in the world, particularly in the middle east? Does he agree that, if there were democratic Governments in the middle east—

Madam Speaker: Order. The question refers to Commonwealth countries.

Mr. Kaufman: Will the Minister make it clear to the Government of Jamaica that there is widespread revulsion in the House—as shown by large numbers of signatures on early-day motions—at the continual suppression of human rights in Jamaica by the violation of the rulings of

the judicial committee of the Privy Council that prisoners should not be held on death row for more than five years? That is evidenced by the harsh and brutal treatment of prisoners, the inhuman conditions in which they are kept and the denial to them of access to medical attention. Is it not hypocritical of the Jamaican Government to sign British Commonwealth declarations about human rights everywhere else, but to suppress human rights in Jamaica?

Sir Nicholas Bonsor: I agree with the right hon. Gentleman that conditions in Jamaican prisons are unacceptable. No prisoner, either in Jamaica or elsewhere, should be kept on death row any longer than is absolutely necessary. All judicial processes to review a sentence of death should happen speedily. We shall continue to press the Jamaican Government on those matters.

Intergovernmental Conference

10. **Sir David Knox:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the intergovernmental conference. [9242]

15. **Mr. Gapes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the progress of the intergovernmental conference. [9247]

Mr. David Davis: Negotiations in the intergovernmental conference will continue under the Dutch presidency on the basis of the draft revision of the treaties submitted by the Irish presidency. The Dublin European Council reaffirmed the target of completing the IGC at the Amsterdam European Council.

Sir David Knox: Does my hon. Friend think that the antics of the so-called Euro-sceptics and their friends in the Murdoch and Black press strengthen or weaken his hand in the negotiations at the IGC?

Mr. Davis: Madam Speaker—*[Interruption.]* That question was clearly drafted by my officials!

My attitude towards negotiations in the European Union starts and finishes with the interests of our country, and nothing else.

Mr. Gapes: Is the Minister aware that, last month, the Foreign Secretary wrote to the Chairman of the Foreign Affairs Select Committee praising the European Commission's efforts to combat fraud in the European budget? Will the Minister take this opportunity to praise the European Commission's efforts to ensure that the single market works effectively in all countries?

Mr. Davis: This country has been at the forefront of the battle against fraud, and of the battle to make the single market work.

Mr. Churchill: When the Gadarene swine are in full cry, is it appropriate to adopt a wait-and-see policy? Is it not about time we jettisoned that policy and campaigned against a single European currency, which is against the interests of the United Kingdom and against the interests of the European Union as a whole? Is it not significant that the country that claims to be most in favour of a single currency—at least in political terms—is Germany, although popular opinion there is overwhelmingly opposed to Chancellor Kohl's view?

Mr. Davis: I will resist the temptation to tell my hon. Friend to wait and see. Irrespective of whether we are in the first round, the single European currency matters enormously to Britain. The way in which it is designed and set up matters enormously because our markets are, to a large extent, in the European Union. That is why the Government's policy is the policy that is best for this country.

Mr. Robin Cook: Can the Minister explain why, during the recess, the major statement on the intergovernmental conference was made by the Health Secretary? Did he hear the Foreign Secretary tell the "Today" programme that he rang up the Health Secretary because he wanted to be certain about what his views were? Does not he find it rather odd that the Foreign Secretary should be obliged to ring around the Cabinet to find out the latest views on Europe? Does he really think that Britain can provide a lead in Europe when every statement from Cabinet Ministers is not about serving the national interest but about serving their interests in the Tory leadership race that they expect to start very soon?

Mr. Davis: On the division of labour among Front-Bench spokesmen on European policy, I hardly think that the right hon. Gentleman has a monopoly of criticism. It was his leader, not the right hon. Gentleman, who leapt to re-present Labour's policy when we made it clear at Dublin that if there were a Labour victory at the next general election, on 1 May, there would be six surrenders in six weeks. That is what this country must defend itself against and our Health Secretary believes just as much as I do that it must be resisted.

Sir Roger Moate: As my hon. Friend clearly agrees with the Health Secretary's call for a renegotiation of our relationship with the European Union, is it not equally logical that, just as the original negotiations were put to the people in a referendum, the results of those renegotiations should be put to the people in a referendum?

Mr. Davis: Another helpful question. The IGC will, almost by definition, be a renegotiation. The British Government will present to the IGC a vision of a decentralised, deregulated and competitive Europe that is in the interests of this country and its people. The people of this country will recognise that at the next general election.

Burma

12. **Mrs. Fyfe:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to support democratic forces in Burma. [9244]

Mr. Hanley: We continue to take action, nationally and with our European Union partners, to put pressure on the ruling State Law and Order Restoration Council to implement democratic reform and full respect for human rights in Burma.

Mrs. Fyfe: In view of Aung San Suu Kyi's statement at Christmas that repression in Burma is getting worse,

will the Minister say whether there are any European Union proposals to impose sanctions? Is there any truth in the rumour that the United Kingdom and France are seeking to delay sanctions? If there is, how much worse does the situation in Burma have to become before he agrees to impose sanctions?

Mr. Hanley: The United Kingdom has set out its policy to Parliament on many occasions. Our priority is to support democratic reform and respect for human rights in Burma through the policy of critical dialogue. We believe that that will achieve more than total sanctions. We have recently adopted a European Union common position on Burma, which has imposed a ban on entry visas for senior members of the ruling council and for senior military and security force officials, as well as a ban on high-level bilateral visits to Burma. Combined with our suspension of non-humanitarian official aid, that means that we are doing a great deal to try to help persuade the ruling junta that it should accept democratic principles. We continue to raise our concerns bilaterally through our ambassador, Robert Gordon, in Rangoon. I summoned the Burmese ambassador only last month to urge dialogue with pro-democracy groups.

Sir Cranley Onslow: The House will be glad to have heard what my hon. Friend said, but will he go further? Is it not time that we discouraged British tourists from going to Burma and supporting that regime?

Mr. Hanley: The European common position does not ban tourism. We have no plans to discourage, or encourage, tourism to Burma. If our citizens were to find travel there dangerous, our policy might change but, at present, we believe that it is up to individuals to decide. We take great pains to try to inform individuals not only of the risks involved were they to go to Burma but of the nature of the regime that they would encounter.

Rev. Martin Smyth: We welcome what the Government have been doing, but does not the Minister think that more should be done to side with people who stayed with us in the fight against Nazism in the last war and to support the Karen people?

Mr. Hanley: I thoroughly agree about support for the Karen people, who have suffered something akin to genocide. We greatly deplore that and we have supplied considerable humanitarian aid in the border regions of Burma, and will continue to do so.

Ministerial Meetings (European Union)

13. **Mr. David Shaw:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many official meetings he attended in the European Union in 1996; and in how many meetings he discussed the expansion of the Community. [9245]

Mr. David Davis: Last year, my right hon. and learned Friend the Foreign Secretary attended nearly 30 official EU meetings, including eight General Affairs Councils and two European Councils. The enlargement of the EU was a frequent subject of discussion at nearly all of them.

Mr. Shaw: Does my hon. Friend agree that in the European Union we must concentrate on creating jobs and opportunities for business in Europe so that we can use Europe's market potential to our advantage and that of all European peoples? Does he agree that the danger is that Europe, instead of trying to bring in other countries and expand, is trying to become a federalist super-state? The British view and the Government's view must prevail if we are to achieve the job opportunities in Europe that we want.

Mr. Davis: My hon. Friend is right. Employment is the most important issue in Europe at the moment and the best model for improving employment in Europe is that of free trade, deregulation and low taxes—the British model.

Mr. Llew Smith: When discussing the possible expansion of the European Community, did the Minister bring to the attention of the countries involved article 107 of the Maastricht treaty, which makes it obvious that it is illegal for democratically elected and accountable Parliaments to try to influence the undemocratic and unelected central bank? As the unelected central bank will have so many powers over our economy, did the Minister say that if we were to accept the article, the vote and the democratically elected Parliaments would become increasingly irrelevant?

Mr. Davis: I hear what the hon. Gentleman says. One issue very much at the forefront of the concerns of some of the would-be accession countries such as the Czech Republic is the effect of monetary union. The Prime Minister of the Czech Republic referred to monetary union as the most important event in Europe's history in the past 50 years.

Mr. Jacques Arnold: Were the European Union to be expanded, would not the common agricultural policy and the system of structural funds become totally unviable? Given that proposition, can my hon. Friend give an assurance that those two issues will be at the top of the list of priorities in the forthcoming discussions?

Mr. Davis: Indeed I can. Reform of the CAP and of the structural funds is, if anything, more important than the intergovernmental conference in allowing the enlargement of Europe to the east and south. If those two measures are not reformed, it will place a critical—indeed, unbearable—burden on the taxpayers of Europe. Therefore, the two issues are very much at the top of our list of priorities.

Ms Quin: I congratulate the Minister on his new right honourable status.

How many of the meetings referred to in the question have dealt with quota hopping and the working time directive, which are apparently make-or-break issues for the Government at the IGC? Will the Minister list the countries that support the Government's line on each of those issues?

Mr. Davis: I thank the hon. Lady for her gracious congratulations. Some people have said that PC is not a description normally applied to me.

One of the difficulties that we must face is that much of the movement in a negotiation takes place in the last few days. I do not expect other countries to volunteer

support for our position until the last few days—when they realise that they must do so to deliver a result. I take it from what the hon. Lady says that she is not suggesting that we give up the interests of British fisherman to get a result in Europe.

Foreign Language Services

14. **Sir Jim Spicer:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the BBC World Service about reductions in foreign language services in the next financial year. [9246]

Mr. Hanley: No proposal for language service closures has been submitted or is under discussion with this Department.

Sir Jim Spicer: I thank my right hon. Friend for the increased grant to the World Service of the BBC this year and, incidentally, I thank him and my other right hon. Friends in the Foreign Office for the increased grant to the Westminster Foundation for Democracy. Does he understand that the BBC World Service holds a unique position and that we all take pride in its work? Will he give an undertaking that, in the years ahead when we still constitute the Government, we will increase that grant, year on year?

Mr. Hanley: My hon. Friend is right—the BBC World Service is an important national asset and the Government have a strong record of support for the service. Real-terms funding has grown by 53 per cent. since 1978-79. In foreign language services, 43 languages excluding English are currently being used, compared with 39 language services in 1979 and 37 in 1989. Therefore, the 3.1 per cent. increase in cash terms over 1995-96 was a vote of confidence in the World Service. We also increased the money from the know-how fund and paid extra money towards the three relay stations. I believe that the World Service is now well suited for its needs and should be able to carry out its expansion within current financial plans.

Mr. Eastham: Is the Minister fully satisfied with some of the services in the far east? There has certainly been some curtailment in regions such as China—regions that we would greatly like to influence and with which we will have to trade in future. Should not there be an expansion in such areas so as to increase United Kingdom influence?

Mr. Hanley: As I have said on several occasions, we have expanded the service—indeed, the new transmission arrangements in Thailand will help to spread the service still further. I believe that the service is still growing. Obviously, it must look at each service according to the demand for that service and, therefore, we cannot guarantee that there will always be the same number of languages, but the recent pattern has been one of expansion. As the hon. Gentleman knows, the service is well received in the far east and I was pleased recently to announce an extra service so that people in northern China could hear the service even better.

Ministerial Meetings

16. **Mr. Fabricant:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to meet his counterparts from the United States of America and former dominions to discuss greater integration within the framework of the World Trade Organisation. [9248]

Mr. Rifkind: I am planning to meet my American and Australian counterparts soon to discuss a variety of issues.

Mr. Fabricant: Is my right hon. and learned Friend aware that the United States and the former dominions—Australia, Canada and New Zealand—not only share a common language and a common legal system, which makes business so much easier between them, but are going through a period of growth, in contrast with continental Europe, which is experiencing decline? Does he agree that the last thing that companies in my constituency, such as Fairmile Fencing, which exports to the United States of America, and people at work in my constituency want is, first, a trade war between the European Union and the United States and, secondly, a Labour Government who would surrender the four areas of veto that we currently have and create in the United Kingdom the levels of unemployment that are currently being suffered in Europe?

Mr. Rifkind: I am certainly clear in my mind that companies throughout the United Kingdom, including the one to which my hon. Friend referred, welcome the breakdown of economic trade barriers between north America and western Europe and are conscious of the fact that the United Kingdom leads Europe in reducing unemployment and providing job opportunities for its people.

Mr. MacShane: Is it not a fact that, at the world trade conference, Great Britain and the United States found themselves on opposite sides of an important fence? The United States wanted the World Trade Organisation to set up a working party on child labour and the British Government sided with authoritarian countries that said that child labour should not be discussed. May I invite the Foreign Secretary, in his last few weeks of office, to consider donning the mantle of William Wilberforce? As Wilberforce led a great campaign to outlaw slave labour in the last century, let Britain take a lead in campaigning against and outlawing child labour in the next century.

Mr. Rifkind: The British Government have a position that has been agreed with all our European partners; the United Kingdom does not stand alone on this issue. We deplore, as much as the hon. Gentleman does, the use of child labour. It has been pointed out that these are issues for which the International Labour Organisation exists, and should be raised with it. It is not sensible, in our judgment, or in the judgment of most other countries, to be tempted into dealing with these matters via the World Trade Organisation. That organisation has important responsibilities, as has the ILO. Those respective responsibilities should be recognised.

Middle East Peace Process

18. **Sir Robert Hicks:** To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives the United Kingdom Government propose to take to promote the middle east peace process; and if he will make a statement. [9250]

Mr. Rifkind: I refer my hon. Friend to the answer that I gave earlier.

Sir Robert Hicks: Although I welcome the Hebron agreement, does my right hon. and learned Friend agree that it would still be sensible to defer ratification of the Euro-Mediterranean association agreement between the European Union and Israel until all the objectives of the Oslo accords timetable have been met?

Mr. Rifkind: No, I do not agree. I believe that the Hebron agreement that has been reached shows the support of Israelis and Palestinians for taking forward the peace process. I can therefore see no justification for seeking to delay ratification of the EU-Israel agreement; I believe it should be implemented as soon as possible.

Mr. Faulds: Is not the lesson of the recent agreement between President Arafat and Mr. Netanyahu that even the most reactionary and racist forces in Israel are open, and do respond, to international pressures? Should not we in that case use those more frequently?

Mr. Rifkind: The hon. Gentleman should take into account the fact that Israel is a healthy, vibrant democracy. If the elections in Israel resulted in a Government who have proved more difficult with regard to the negotiations, that is a challenge for the middle east and the international community. But we should never disregard the fact that Israel's are an elected Government.

Mr. John Marshall: Will my right hon. and learned Friend put pressure on the Government of Syria to show some interest in peace in the middle east, and on the captors of Ron Arad to release him after eight years of captivity?

Mr. Rifkind: We have the greatest sympathy with my hon. Friend's points about Mr. Arad. I have raised that question on a number of visits and in our contacts with political leaders in the middle east. It is still not certain whether he is alive, but we shall continue to devote our efforts to assisting those who are trying to establish his fate; and, if he is still alive, to having him speedily released and returned to his family.

Former Yugoslavia

19. **Mr. Barnes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the demonstrations for democracy in Belgrade; and if he will make a statement. [9251]

Sir Nicholas Bonsor: We welcome the decisions yesterday by the electoral commissions in Belgrade and Nis to restore the opposition victories in the recent local elections, but we continue to urge President Milosevic to implement fully and without delay the recommendations of the Organisation for Security and Co-operation in Europe report on those elections.

Mr. Barnes: Is the Minister aware of the tradition of democratic and humanitarian opposition in Belgrade? The conflict that took place before the break-up of Yugoslavia was essentially a conflict in Belgrade in which Serb fought Serb, including the forces of Milosevic. What role is played in Serbia by people such as John Kennedy, prospective parliamentary candidate for Halesowen and Stourbridge, who, when I was in Belgrade in 1992, was as much disliked by the independent television service as was Milosevic himself?

Sir Nicholas Bonsor: With regard to the serious part of that question, I am indeed aware of the long history of democratic opposition in former Yugoslavia, particularly in Serbia. I trust that such democracy will shortly be restored and that proper democratic election results will be honoured. There are optimistic signs of that, but we must remain extremely alert to any backsliding.

As for Mr. Kennedy, I suggest that the hon. Gentleman ask him.

Indonesia

20. **Mrs. Clwyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with Indonesia with particular reference to East Timor. [9252]

Mr. Hanley: I refer the hon. Lady to my answer to the hon. Member for Delyn (Mr. Hanson) and add that we regularly discuss our concerns about East Timor with the Indonesian Government.

Mrs. Clwyd: Do not the Government realise that no Labour Member has any confidence in the Government's professed concern for human rights in Indonesia or East Timor? When the Minister talks about such things, it is nothing but meaningless platitudes, particularly in the light of the National Audit Office report on British aid to Indonesia and the police training programme, which was backed by the Government. Why was the Home Office so concerned about that programme's human rights implications that it pulled out and left it to the Foreign Office? Why was there no human rights component in that police training programme? Why did Colonel Hindarto, trained under the British aid programme, go on to commit human rights abuses, including torture, in Indonesia and East Timor?

Mr. Hanley: The hon. Lady refers to the NAO report. I remember saying to her just a couple of months ago that I hoped that she would stand by it, as I would stand by it, and the Government do so. It must have disappointed her because it made it clear that the concerns about links between aid and arms sales were unfounded, that none of the projects examined included the procurement of military equipment, and that none of the contracts or memorandums of understanding was conditional on the purchase of British goods or services beyond those necessary for the project. Therefore, in referring to the report, the hon. Lady confirms merely that our policy has been above board.

Successive Governments have believed that training with Indonesian personnel has been good for development in Indonesia and for the appreciation of human rights, but of course not every course contains a human rights element. Training of military personnel and police has helped to improve that appreciation through better management. Academic training continues as well. In the past five years, under the Chevening award scheme for police training, three students have followed courses in police studies, business administration, banking and finance. That is perfectly sensible.

Mr. Ian Bruce: Will my right hon. Friend ensure that he does not respond to the blandishments of Labour Members about unilateral arms sales bans? He may know of the possible order for Westland, which will affect the jobs of constituents in Yeovil and most of Dorset. It is surprising to hear that the right hon. Member for Yeovil (Mr. Ashdown) is urging the Government to ban such arms sales to a nation that is friendly with the UK.

Mr. Hanley: My hon. Friend is right. There is no European Union or United Nations embargo on arms sales to Indonesia, nor would one be justified. All applications are tested by us personally. Every application is considered before it is approved. As I have mentioned, since 1993, we have refused at least 11 licences for Indonesia. Details are in the Library.

United Nations

21. **Mrs. Helen Jackson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British Government policy towards the United Nations. [9253]

Sir Nicholas Bonsor: We remain wholeheartedly committed to the UN's purposes and principles.

Mrs. Jackson: Does the Minister agree that the UN peacekeeping force in Angola, including the British contingent, has been vital in maintaining peace in Angola, in clearing land mines and in improving the security of the people who live there? Is he happy with the UN proposal to pull out of Angola in one month's time? What is he doing to ensure that a peacekeeping operation continues, thus ensuring the viability of peace in Angola?

Sir Nicholas Bonsor: I agree that the UN's role in Angola has been significant. It is important that its work is not lost, but the need for a continued presence is a matter for the UN members involved to discuss between themselves. I am not clear whether that presence will need to continue, or whether the job will be deemed to have been done.

Sir Jim Lester: What is the new Secretary-General likely to seek to achieve in terms of reorganisation? How quickly could we get countries that have not paid their dues and demands to pay them to the UN, so that it no longer operates with a shortage of money, which has been its biggest problem in the past five years?

Sir Nicholas Bonsor: I am grateful to my hon. Friend for giving me a chance to say two things. First, I welcome the opportunity of congratulating Kofi Annan on his appointment: in the view of Her Majesty's Government, he is an excellent choice for the job, and we are confident that he will succeed in carrying through the reforms of the United Nations that we seek.

As for the financing of the United Nations, I am much encouraged by the United States Administration's statement of their intention to pay the arrears that they undoubtedly owe. I must add a word of caution: that is subject to ratification by Congress. Nevertheless, it is certainly a move in the right direction.

Mr. Tony Lloyd: The Minister seems to be unaware that the United Nations peacekeeping force in Angola is to be removed simply because the money has run out. Is that not disgraceful? The removal of the force could return Angola to a state of civil war, just because of a lack of money. Will the Minister tell the House that he will get in touch with the United Nations, and ensure that the lack of money cannot be used as a reason for withdrawing a legitimate and workable peacekeeping operation?

Sir Nicholas Bonsor: It is a marvellous feature of the Opposition that, although they always decry our colonial past, they are the first to try to persuade the Government that we can run the world single-handed. I am not in a position to tell the United Nations what it must do, but I will certainly do all that I can to ensure that the arrears owed to it are paid, and that it is reorganised so that it can become more efficient.

E. Coli (Pennington Report)

3.31 pm

The Secretary of State for Scotland (Mr. Michael Forsyth): With permission, Madam Speaker, I wish to make a statement about the interim report from Professor Pennington's expert group, copies of which are available in the Vote Office. The whole House will wish to thank Professor Pennington and his colleagues for the speed with which they have reported. Quite properly, they wish to reflect further on some of the issues before finalising their report by the end of February.

Professor Pennington was asked to examine the circumstances that led to the outbreak, and to advise me on the implications for food safety and general lessons to be learned. He has focused on four key areas: research, surveillance, enforcement and the handling of an outbreak. This outbreak has raised some fundamental questions about current food safety procedures in relation to the threat posed by E. coli 0157. E. coli 0157 should be seen in its proper context: it is much more virulent than most other causes of food poisoning, and requires a smaller infective dose than other organisms such as salmonella.

On research, Professor Pennington recommends work in two main areas—knowledge of the prevalence in livestock of the particular type of E. coli that caused the recent outbreak, and more accurate methods of typing E. coli strains using DNA fingerprinting. I have given instructions that that work should be done as a matter of urgency in consultation with the relevant research bodies, including the Advisory Committee on the Microbiological Safety of Food. We have a wealth of clinical information from the treatment of about 1,000 patients during the outbreak. I therefore propose to commission an analysis of that information, which will help to develop our knowledge of the natural history of the infection and assist the management of outbreaks. I am asking Professor Pennington to consider that in his final report.

To back up research and help the understanding and control of food poisoning outbreaks, good surveillance, data collection and disease analysis are clearly essential. Although the report does not indicate that the current mechanisms caused any difficulties in the present outbreak, it suggests that more systematic arrangements in Scotland would be helpful.

The report therefore recommends that urgent consideration be given to introducing improvements to surveillance and that proposals be worked up to permit electronic reporting and analysis of data. I fully support those recommendations, and my Department is already taking action to make more systematic the way in which food poisoning data are reported from laboratories in Scotland. I will make resources available for the establishment of an electronic reporting system.

Professor Pennington makes several recommendations on enforcement. Existing arrangements on food hygiene are based on European Union directives, brought into force by regulations under the Food Safety Act 1990. The codes of practice under the Act were widely consulted upon and, of course, they were laid before the House.

Professor Pennington recommends urgent consideration of the legislation and action, through licensing, to ensure that equivalent standards of hygiene apply to premises principally selling to the final consumer as to those premises subject to the Meat Products (Hygiene) Regulations. He also recommends urgent action to ensure physical separation of raw and cooked meat products by using separate counters, refrigerated equipment and separate staff. Pending the outcome of consideration of the legislation, he recommends that the Advisory Committee on the Microbiological Safety of Food should be asked to review its guidance on cross-contamination. I have asked it to do so.

The recommendations have far-reaching implications. I have instructed my officials to examine the practical implications of the recommendations and, in doing so, to consult consumers, health professionals, environmental health officers, processors and retailers. It would be helpful to Professor Pennington to have more detailed information on the practical aspects. Therefore, with that in mind, I have asked the Meat and Livestock Commission—the Government's statutory advisers on the industry—to carry out an urgent study of the issues so that Professor Pennington can take them into account in his final report.

Professor Pennington made three recommendations on the codes of practice under the Food Safety Act 1990, all of which my colleagues and I accept. He recommends first a review of code of practice 16, which relates to the food hazard warning system. That system, operated by the Government, is to warn environmental health departments of possible or actual food hazards on the basis of information from other areas. Professor Pennington concludes that the difficulty for food authorities is setting the balance between dealing with routine matters at local level and advising central Government of emerging problems.

As code of practice 16 is currently written, the decision to notify central Government is a judgment made locally. Professor Pennington suggests that it may be better to define an "isolated incident" as one which is contained within the boundaries of the food authority. It should, however, be incumbent upon that authority to notify central Government the moment that it has evidence that food distribution is beyond the local authority boundary. It would also be essential to retain the "major local incident" provision so that central Government are informed immediately even if the problem is contained within the authority's area but involves a significant number of people, an organism such as E. coli 0157 or a problem such as botulism.

An allied recommendation is that the code should place greater emphasis on risk and assessment of all factors relevant to protection of the public. That key addition would cover such matters as the organism's virulence, the extent of the food's distribution, the consumer group's vulnerability and the confidence that could be attached to product recall. The revision would make it clear that careful assessment of the risk involved is fundamental to informing decisions.

Professor Pennington also recommends a review of code of practice 9, on food hygiene inspections, to ensure better targeting of resources on high-risk premises.

I accept all those recommendations. Good lines of communication from local to central Government and timely release by local outbreak control teams of information to the public are crucial, as the paramount consideration must always be the protection of public

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health. Similarly, I agree that there should be careful targeting of resources on the high-risk premises. This guidance for enforcement officers will be reflected in the revised codes of practice which will go out to consultation shortly.

Professor Pennington makes observations on the potential for cross-contamination in slaughterhouses, focusing specifically on the slaughtering of cattle in a clean condition. My Department is pursuing this issue with the Meat Hygiene Service, which is well advanced in preparing practical guidance on the definition of acceptable standards of cleanliness in animals presented for slaughter.

Hazard analysis improves food safety by focusing on critical points in the preparation and handling of food. Professor Pennington therefore recommends that the implementation of these requirements be accelerated, particularly for high-risk premises which handle raw and cooked foods. I agree. My Department will urge environmental health departments to take early action on it, so that hazard analysis covers all high-risk premises in their area as soon as possible.

Finally, on enforcement, Professor Pennington recommends, in the longer term, a review of the health risk condition contained in the Food Safety Act 1990, which governs, among other matters, the actions taken by environmental health officers in emergencies. The key question is whether the present position unreasonably inhibits environmental health officers in, for example, taking decisions under the emergency prohibition provisions in section 12 of the Act to close premises merely on suspicion of connection with an outbreak. I have asked my officials to examine the practical operation of the emergency powers available to EHOs as a matter of urgency and in doing so to consult consumers, health professionals, environmental health officers, processors and retailers.

On handling an outbreak, Professor Pennington recommends that every health board and local authority should make sure that they have in place joint plans, as required by the existing Scottish Office guidance, setting out mechanisms and procedures for dealing with them when they occur.

Professor Pennington also emphasises the importance of having one person leading the team, which should be able to act and take decisions as it sees fit. I agree on the importance of clear leadership and with Professor Pennington's expectation that this would most likely come from the health board. I also agree that the local authorities and the health boards must delegate to the team maximum powers to take the necessary action.

I propose to invite health boards and local authorities in Scotland to review their procedures and let me have their response to Professor Pennington's interim recommendations by the time he produces his final report.

Professor Pennington also suggests that the Scottish Office should review the present guidelines on the investigation and control of outbreaks and endorses the creation of a Scottish Office team under the chief medical officer as was done for this outbreak. I agree.

This has been an extremely serious and tragic outbreak, one of the worst of its sort in the world. I am grateful to Professor Pennington and his colleagues for producing their interim report so quickly. I have set out today the Government's response to the interim recommendations. This is a matter to which the Government will attach the utmost priority in the coming months.

Mr. George Robertson (Hamilton): I thank the Secretary of State for that statement and pay tribute to Professor Pennington and his expert team for the speed with which they have prepared the report for us. Given that it is, however, an interim report, we shall look forward to reading the full one in the next couple of months and to seeing the considered conclusions on what is, by any standards, a very grave issue.

Let me say at the outset that I welcome many of Professor Pennington's recommendations, in particular those on licensing procedures, emergency planning and the aspects of food regulations that he considered. I welcome the fact that the Government have accepted so many of those recommendations.

We of course welcome the extra money promised for research, but will the Secretary of State confirm that Professor Pennington asked the Government for research funding as far back as last November but was denied it? Why is it only now, after 16 people have died and more than 400 have been affected by this most horrifying of illnesses, that the funds are being made available and the research is being belatedly done? Is it not a classic example of the way in which the Government have treated every food crisis that they have faced—ignoring medical advice, reacting to events rather than shaping them, and always too little, too late?

On a specific but central issue, will the review of the food safety guidelines examine our concerns that the present guidelines, particularly on the publishing of information on outlets that might be affected, are skewed towards the commercial interest at the expense of that of the consumer? Professor Pennington's report—the public will appreciate that we have had only a few minutes to consider it—says clearly in paragraph 4.2.13:

"There is a risk that in certain circumstances the existing guidance might restrict the dissemination of information to the public."

It goes on to say:

"It is clear that any advice in the Code should indicate that where Risk Assessment suggests a risk to public health exists then disclosure of information is relevant."

He clearly implies that the current guidelines are restricting information to the public. Will that lead to an immediate review of the guidelines? Will those commercially biased guidelines, which led to consumers still buying contaminated foodstuffs long after the outbreak had been detected, stay in place in the interim? That would be intolerable, given what we know and what Professor Pennington has said.

Does the Secretary of State accept that Professor Pennington's inquiry cannot address the role of the Scottish Office and, more importantly for avoiding a repetition of such an emergency, the role of Scottish Office Ministers in the handling of this tragedy? The public expect those issues to be dealt with by the fatal accident inquiry, but does the Secretary of State accept that that public inquiry is unlikely to begin its work for some months—not until after the general election? That delay does not mean that Ministers should not give us a full and frank account now of their role in this affair.

Above all, will the Secretary of State answer the central question, to which he has signally failed to give a credible answer so far: what advice, if any, did his Minister responsible for health—the Minister of State, Scottish Office—give on the publication of the list of outlets? To be fair, the Secretary of State told the House in his first statement on the issue that, once he became aware of the problem with the list of outlets, his advice was to publish it. However, by then the decision to publish had already been taken by Lanarkshire health board. Given that the Minister responsible for health must have been aware of that list and the controversy surrounding it long before then, what was his advice to the local authorities? Why were the public of North Lanarkshire and central Scotland kept in the dark for so long? By the first weekend, the bacteria had spread beyond North Lanarkshire and Forth Valley health board had been involved. Will the Secretary of State explain why the Scottish Office did not instruct the local agencies to issue the information to the public? Is not it true that his Department's official, with the support of the acquiescence of the Scottish Office Minister responsible for health, told local agencies that the guidelines prohibited publication?

Let me say, in all seriousness, that the reason why we continue to ask questions has nothing to do with partisan advantage; it is that Ministers keep dodging our questions and refusing to answer them. Is it not time that the Secretary of State finally stopped passing the buck and gave us a full and frank account of his Minister's role in the crisis and gave the public the answers that they deserve?

Finally, is not the more general lesson to be learnt from this whole tragedy that in matters of food safety the interests of the consumer must always take precedence over profit? Why will Ministers not establish the food standards agency that we and so many others have proposed to ensure that food safety has the priority that the public expect?

Mr. Forsyth: I am grateful to the hon. Gentleman for his courteous remarks and his thanks to Professor Pennington. I also thank him for his welcome for the interim recommendations in that report and the Government's response to them.

Let me say to the hon. Gentleman in the friendliest possible way that this really is not the territory for party political point scoring.

Mr. Dennis Skinner (Bolsover): Of course it is.

Mr. Forsyth: The hon. Gentleman says, "Of course it is." The report deals with a complex and difficult situation in which a number of people have died. It raises complicated issues of food safety and regulation and it is important that it is examined carefully.

The hon. Gentleman made specific points in respect of research funding. He asked me whether the Scottish Office had refused to fund the proposals that we have said today that we will support. We did not. However, Professor Pennington was asked to reformulate one proposal that he put to the Scottish Office. The hon. Gentleman must recognise that we do not fund research simply because of the nature of the subject—E. coli 0157. The nature of the research and what it intends to achieve has to be considered and the Government act on the basis of expert advice. As I have repeatedly told the House, we are spending more than £2 million on research into these matters. As I have told the House, the specific research that has been recommended by Professor Pennington will be carried out.

The hon. Gentleman's suggestion that the research is simply reacting to events is correct in so far as it arises from recent experience and will help us, but he was incorrect to suggest that we have not been prepared to support research that is soundly based and has been commended to the Government by their advisers.

In regard to publishing information, the hon. Gentleman described the code of practice as being "skewed towards the commercial interest". The code of practice was laid before the House. The Food Safety Act 1990 was subject to considerable debate and there was a consensus across the Floor of the House about the value of that regulation. I do not believe that hon. Members would not have objected to a code of practice that was "skewed towards the commercial interest".

I gave the hon. Gentleman advance notice of the report in which Professor Pennington deals with that point and demonstrates that it is possible to interpret the guidance in respect of publication in a way that might result in people not making information available because of concern about damaging commercial interests.

North Lanarkshire local authority decided not to publish information on the basis of the code of practice, but Forth Valley health board and Falkirk local authority decided to publish the information on the basis of the same code of practice. So there is an issue of interpretation. The hon. Gentleman asked me whether that would be addressed. As I said in my statement, we shall accept Professor Pennington's recommendations in that respect.

The hon. Gentleman said that the report could not address the role of the Scottish Office. It does so. Just for the sake of clarity, in respect of the conduct of the Scottish Office and the local authority, Professor Pennington concludes that overall the procedures worked well. The outbreak was a major one, concerning a particularly virulent organism, and there are of course lessons to be learned. Professor Pennington commends the procedure that was established under the chief medical officer in the Scottish Office for dealing with the outbreak.

The hon. Gentleman says that the fatal accident inquiry will not be available for some months. He knows that that is because there are criminal proceedings and the matter is sub judice, which makes it even more difficult for me to go into some of the detail on which he seeks to press me. The fatal accident inquiry cannot take place until such time as the criminal proceedings have been followed, and he knows that.

The hon. Gentleman criticised us for having a fatal accident inquiry as the form of public inquiry. Given that there are criminal proceedings, we will be able to proceed with a public inquiry under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 more rapidly than we would have been able to had we adopted the hon. Gentleman's preferred solution, which was a public inquiry as a stand-alone procedure, as was conducted after the Dunblane tragedy.

The hon. Gentleman really must stop seeking to score points against my right hon. Friend the Minister of State. I have set out what happened on two occasions. If he

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wishes me to spell it out again, the answer to his question why the publication of the list of outlets was delayed is that the decision was taken by North Lanarkshire council, which is controlled by his party. He should be in a position to ask his party leaders why that decision was taken. I imagine that they would give him the same answer as I have given: the officials of that council, like my right hon. Friend and my officials, acted quite properly and in the public interest. They deserve better support from the hon. Gentleman than he is giving them.

Sir Hector Monro (Dumfries): We all welcome Professor Pennington's report, but may I suggest that my right hon. Friend awaits the outcome of the fatal accident inquiry and the publication of the full report before he embarks on legislation later this year? It seems that the report's great emphasis is on the fact that there should have been early co-operation and co-ordination between the local council and the local health board when the scare, which latterly turned out to be a disaster, occurred. Should he not immediately introduce guidelines so that such failure does not happen again?

Mr. Forsyth: I am grateful to my right hon. Friend. It is essential that we get this right. I received Professor Pennington's report on new year's eve and read it on new year's day. We had a meeting of officials on 3 January. The Cabinet sub-committee established by my right hon. Friend the Prime Minister met the following week and we have acted speedily. Professor Pennington says that his recommendations are interim and that they may change, but I am sure that it is right for us to get on with consultation.

The hon. Member for Hamilton (Mr. Robertson) and his colleagues criticised me for establishing Professor Pennington's expert group on the basis that it would not be independent. It does not fall foul of sub judice provisions and enables us to take immediate action in respect of wider issues. I hope that all hon. Members and people outside the House will use this opportunity to contribute to ensure that we get the best regime of regulation. I agree with my right hon. Friend the Member for Dumfries (Sir H. Monro) that it should be based on partnership. I commend the material that has been submitted by the hon. Members for Kirkcaldy (Dr. Moonie) and for Strathkelvin and Bearsden (Mr. Galbraith), which I have passed to Professor Pennington. It is exactly the kind of constructive contribution to this debate that we would like.

Dr. Jeremy Bray (Motherwell, South): As the families of too many of my constituents have discovered, dying from E. coli is a horrible way to die. In view of the long delays that people in my constituency will face due to the trial and the fatal accident inquiry, will the Secretary of State issue forthwith for rapid consultation the changes that are needed in the codes of practice on the closing of shops and the publication of information? The present misleading, misguided codes are prejudicing action in Lanarkshire, and no doubt elsewhere.

Mr. Forsyth: I am extremely grateful to the hon. Gentleman for the constructive way in which he has helped my office and kept it informed. It has obviously been extremely difficult for him as the hon. Member who has been affected by this dreadful outbreak. As I said in my statement, we will consult immediately on the recommendations in Professor Pennington's report on those codes of practice. It is important that we get them right, but I do not believe that there is an environmental health officer in the country who is not following this statement carefully. I have taken steps today to ensure that they are all aware of the statement in the House and that they all receive copies of Professor Pennington's report so that they can act on the basis of that experience and advice in order to avoid the difficulty pointed out by the hon. Gentleman.

Mr. Allan Stewart (Eastwood): Does my right hon. Friend agree that the public will be greatly reassured by the comprehensive nature of the interim report by Professor Pennington and his colleagues and by the Government's positive reaction to it? On a specific point about surveillance, my right hon. Friend talked about an electronic reporting system. How long does he expect it will be before that is set up? Can he tell the House generally how he anticipates that the final report and the Government's response to it will be handled in the House?

Mr. Forsyth: I am grateful to my hon. Friend for his kind remarks. On surveillance, I expect the electronic reporting system to cost about £250,000. I do not know how long it will take to put it in place, but we want to see that happen as speedily as is practicable. Obviously, we have had these recommendations and I have accepted them and we now need to ensure that the necessary work is put in hand to carry them out. I do not wish to tie Professor Pennington down to a time scale, but I expect to receive his report by the end of February. I expect that hon. Members will want to study it carefully. It will have wide-ranging implications for not just Scotland but the whole of the United Kingdom. It is for hon. Members to indicate the way in which they would like us to proceed. Whether there should be a statement or a debate is a matter best assessed at the time. Obviously it will require serious consideration by the House.

Mr. James Wallace (Orkney and Shetland): Will the Secretary of State confirm that, in making the recommendations for further research, including research to help gauge the prevalence of and forecast future outbreaks of E. coli 0157, Professor Pennington found that the strain in the present outbreak belonged to the same sub-clone as that which caused the West Lothian outbreak—due to the contamination of the pasteurised milk supply—and the Grampian cluster of cases in 1994? Given that the West Lothian outbreak was the largest of its type in the world, will the Secretary of State accept that this was not just research generally into E. coli 0157? Is there any overlap or similarity between the research that Professor Pennington is recommending in this report and the research that was requested by Professor Pennington and his team at an earlier stage and which was batted back to him?

Mr. Forsyth: I would be happy to write to the hon. Gentleman with the detail about this. I can tell him, for example, that one of the projects rejected was in respect of a piece of equipment. Another piece of research that is recommended—I am not familiar with the detail—is

specifically related to this outbreak. The hon. Gentleman is right to point to the importance of the milk case in Lothian and the connection there. In making his recommendations, Professor Pennington took account of the experience of that outbreak.

Mr. Phil Gallie (Ayr): This has been a terrible episode in Scotland's history, albeit a short-term one. I commend my right hon. Friend and Professor Pennington on the production of the report, but I am slightly concerned about the comments made on enforcement. Butcher businesses across the country are often small, family businesses and they have a very good record. I noted the comments on enforcement and I would hate to think that we would rush into making legislative changes to licensing without tremendous consideration. I ask my right hon. Friend to take that point on board.

Mr. Forsyth: I made a point of talking to the Meat and Livestock Commission yesterday about Professor Pennington's recommendations. Throughout the industry, it is understood that it is in the interests of the industry as well as the consumer to have the highest standards and to put the protection of public health first. Equally, it is in the interests of protecting public health for regulation to be sensible, enforceable and practicable. Therefore, I agree with my hon. Friend that it is important to give proper consideration to the issue, but we must ensure that we have practical and effective steps in place to enable, for example, the separation of raw and cooked meat. I know that that view is shared by butchers, producers and everyone else in the industry. We simply cannot afford to have virulent organisms transmitted with the tragic results that we have seen in Lanarkshire.

Mr. Sam Galbraith (Strathkelvin and Bearsden): I welcome Professor Pennington's suggestion that in future any outbreak is managed by one person and that that person should come from the health board. I suggest that we look no further than the director of public health and that would take us some way towards reintroducing the medical officer of health. Does the Minister agree that had such a system been in place we might not have had the delay in the publication of the outlets, which was one of the major problems in the management of the outbreak?

Mr. Forsyth: I am reluctant to jump to conclusions about the judgments that were made in this case. The officials were acting in difficult circumstances and the speed with which the organism was transmitted and the numbers of cases multiplied was considerable. All the evidence I have seen persuades me that everybody involved acted in good faith. The hon. Gentleman put forward a proposal to bring back the medical officer of health role in the context of the post-1974 reorganisation. He and the hon. Member for Kirkcaldy (Dr. Moonie) have set out that proposal in a well-argued short paper which I have passed to Professor Pennington with a request that he consider it.

I agree with the hon. Gentleman that one person should be in charge. Professor Pennington says that that person should probably be the health professional. I am inclined to agree with the hon. Gentleman's view that the one person should always be the health professional, but that is a matter for Professor Pennington to reflect on further. There are circumstances—for example, particular types of outbreak—in which having one person in charge may not be appropriate. Some argue that the position should be left flexible and open, but I am sure that the hon. Gentleman's representations will play an important part before we reach a conclusion on that issue by the end of February.

Dr. John Reid (Motherwell, North): May I take this opportunity to thank everyone who was involved in responding to the epidemic, including all the officials and especially the health workers who acted so magnificently? I welcome Professor Pennington's report and the comprehensive way in which he has addressed the issues. May I especially welcome his comments on the reappraisal and review of section 16 of the code of conduct, of the guidelines and of the emergency powers of prohibition in the hands of environmental health officers? All the existing codes of conduct, guidelines and powers enshrine the dilemma, which has to be worked out by officials, between protecting the public interest and protecting commercial interests.

Does the Secretary of State accept that although Parliament never intended that commercial interests should predominate when the matters are weighed in the balance, our experience of E. coli, BSE and other epidemics shows that when officials have to make a decision, commercial interests can on occasion predominate over public health? Will he give an assurance that if the review illustrates that that can happen, and to make sure that public health is always "paramount"—the word he used—consideration will be given to separating the public health issue through an independent food standards agency?

Mr. Forsyth: I agreed with a large part of what the hon. Gentleman said until he got to the last bit, as there was a break in his logic. At the end of the day, an environmental health officer has to make a judgment and guidance is given as to how that judgment can be made. It is difficult to make that judgment, as it depends on the circumstances—none of us here knows all the circumstances in this case—and it may or may not be the judgment that other people with the same facts might make. I do not see how the existence of a food agency will affect whether or not people make the right or wrong judgment in particular circumstances.

Although Professor Pennington's report suggests that we should look at the wording of the code of practice—a matter underlined by the hon. Member for Motherwell, North (Dr. Reid)—I do not see that it is possible to argue that the wording resulted in a particular judgment being made that reflected commercial interest. In Falkirk, a judgment was made to publish the information, but that judgment was not made in the case of North Lanarkshire. It is certainly true that there is scope for clarifying the wording, and that is what Professor Pennington has recommended. I will be consulting on that, and I know that the hon. Gentleman will welcome that recommendation and the Government's response. But it is wrong for people not to recognise how difficult these situations are, and it is wrong to believe that it is possible to write a set of rules that will guarantee that a particular course of action is taken on every occasion.

Mr. John Garrett (Norwich, South): Why have the Government recently cut £2 million from the budget of the Food Research Institute in Norwich, when that

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institute was a pioneer in studying the causes and effects of E. coli infection? In retrospect, was that not a mistaken judgment?

Mr. Forsyth: I do not answer as the Minister responsible from the Ministry of Agriculture, Fisheries and Food who would have taken that decision. I must put my hands up and say that when the Torry laboratory in Aberdeen was threatened with closure, I was among those who argued for the retention of research into not just E. coli but other food-related issues in Scotland. It may be that what happened in England had something to do with the reversal of the previous decision that was taken early last year, whereby we decided, as a result of proposals put forward by scientists in the north-east, to retain more of the research in Scotland. I am sure that I have the support of Opposition Members who represent Scottish constituencies in that respect.

Mr. Dennis Canavan (Falkirk, West): Bearing in mind the fact that it is the duty of the Government to ensure that public health should always takes precedence over private commercial considerations, is the Secretary of State trying to tell us that neither he nor any of his Ministers had any responsibility whatever for the delay in notifying the general public about the infected food outlets, including the outlets in my constituency? That delay led to the deaths of several people. How on earth can there be full confidence in Professor Pennington's inquiry when the inquiry team includes one of the Secretary of State's senior officials who was closely involved in handling the matter under investigation?

Mr. Forsyth: The answer to the hon. Gentleman's question is yes. That is precisely what I am telling him. His attack on the integrity of the Pennington group is unworthy. The group includes the chief medical officer and other professionals, and several people from outside who would not in any way be associated with any report or investigation that did not examine the facts and issue an objective and professional response. I hope that on reflection the hon. Gentleman will think that his question was unwise, to say the least.

Mr. Tam Dalyell (Linlithgow): May I acknowledge that the Scottish Office and the Pennington committee followed up the plea that I made in Hamilton that they should consider the experience of the alleged—I choose that word carefully—Redhouse dairy outbreak in West Lothian and that they saw Mr. Alec Campbell and Mr. Crawford Morgan, representing the council, who had experience of that agonising affair? Any outbreak of E. coli is an agony.

Will the Secretary of State reflect on what several West Lothian councillors and officials have said: that they would have acted much more quickly and would have been able to do more had they not been inhibited by the actions and demands of the insurance companies? The insurance companies' wishes were an extremely serious matter, because the damages could have been enormous. In the course of the further inquiries, could the role and the requirements of the insurance companies be examined?

Mr. Forsyth: The hon. Gentleman makes an important point. That aspect has not been considered by Professor Pennington, although he certainly took account of the experience with the West Lothian outbreak in making his interim recommendations. The new point with respect to the insurers is one on which I would welcome further information, and I shall certainly ensure that it is investigated.

The hon. Member for Hamilton said earlier that he accepted that I had been informed about the matter on the Wednesday, when the information had not been made public, and that I had said that it should be. The publication of information that may or may not be right and that may cause damage to businesses is certainly a consideration, but my view at the time was that the public health interest must be paramount. It is, of course, easier for a Secretary of State to say that and to take responsibility than for officials operating where there are difficult judgments to be made.

As the hon. Member for Motherwell, North (Dr. Reid) will acknowledge, the provision in the code is often interpreted as meaning that the information has to be accurate because it might damage businesses; but it has to be accurate also because, if made public, it might have an important effect on public health. For example, if the wrong set of batch numbers were given to the public for tins of food infected by botulism, the result would be catastrophic. Professor Pennington points to the essential question of interpretation.

Hon. Members saw the code, it was consulted on, and everyone accepted it. Now that we have had the experience both in Lanarkshire and in the constituency of the hon. Member for Falkirk, West (Mr. Canavan), we must learn the lessons and make a change. That is precisely what we intend to do.

Mr. Toby Jessel (Twickenham): Can the results of all that careful work be made available to seek to protect the health of people in England and Wales as well? In that connection, has my right hon. Friend had, or does he intend to have, discussions with English and Welsh Ministers?

Mr. Forsyth: I pay tribute to my right hon. and learned Friends the Secretary of State for Northern Ireland and the Minister of Agriculture, Fisheries and Food and to my right hon. Friends the Secretaries of State for Wales and for Health. They have worked speedily in the ad hoc group that was set up, involving other Ministers, under the chairmanship of my right hon. Friend the Lord President, to ensure that we have a United Kingdom response to and awareness of the experience in Scotland. Work is already under way on a number of initiatives that will inform the actions of my right hon. Friends as we proceed and receive a response from the consumer and health interests that will want to take part in the discussions.

Mr. Alex Salmond (Banff and Buchan): May I put it to the Secretary of State that the job of Opposition Members is to ask key questions in the House on matters of public concern? It is his job to try to answer them, and not to complain about being asked a question every time it touches on the performance of Ministers or officials.

I welcome Professor Pennington's report, as I welcomed his appointment. The wide-ranging nature of his recommendations show the gaps and weaknesses in the current system.

Concern has been expressed that a fatal accident inquiry will not necessarily examine the performance and policies of Ministers. Will the Secretary of State confirm that, at some point during the fatal accident inquiry, he and his Ministers will face questions about when they had information and what action they took, and that they will do so even if they are no longer in office when it takes place?

It is clear from the Pennington report that Scotland has a particular problem with E. coli 0157. The problem existed well before the tragedy in Lanarkshire and Forth Valley—we had the outbreak in West Lothian and the cluster of cases in Grampian. In paragraph 2.2 of his report, Professor Pennington says:

"No information about the prevalence/incidence of the sub-clone in Scottish cattle or other animals"

is now available. Is not that statement a damning indictment, given the fact that the total funding of Scottish research into this particularly Scottish problem amounted to £500,000 during a six-year period?

Will the Secretary of State confirm that one of the areas of research in which Professor Pennington recommends that work should be undertaken is exactly the area for which he and his Ministers turned down a research proposal some months ago which would have cost £40,000? Will he pledge that never again will lack of funds prevent Scottish scientists from addressing this public health problem, which, as the report says, has a particular Scottish dimension?

Mr. Forsyth: As the hon. Gentleman knows, I am happy to stand at the Dispatch Box and deal with criticisms of Ministers and Government policy. I am also happy, as a Minister, to attend any fatal accident inquiry, either before or after the election.

What the hon. Gentleman said about research into E. coli in Scotland is not correct. I do not know why he lays emphasis on the importance of my answering questions, if he will not listen to the answers and keeps asking me the same question. I shall tell the hon. Gentleman for the third time that, as he knows, research is commissioned, in the main, by other Departments and not by the Scottish Office. The Scottish Office is not in the lead: we are a united kingdom. The hon. Gentleman knows perfectly well that there is a £2 million research programme into E. coli, yet he persists in making this point.

It is true that there is a higher incidence of E. coli in cattle in Scotland, and we are anxious to discover why that should be.

Mr. Salmond: Now.

Mr. Forsyth: The hon. Gentleman might like to know that when the chief executive of McDonald's came into my office the other day, I tried to press him to buy Scottish beef and to put Scottish beef in his hamburgers. One of the reasons that the chief executive of McDonald's gave for having difficulty in doing so was that he kept hearing the hon. Gentleman saying that Scotland has a higher incidence of E. coli 0157. The hon. Gentleman should know that the highest standards are applied in the beef industry and to the production of beef in Scotland.

We are prepared to move forward on research that we are told by experts is appropriate. We have commissioned further research as a result of Professor Pennington's recommendations. The hon. Gentleman should start thinking about the wider public interest instead of making narrow, nationalist, partisan comments.

Several hon. Members *rose—*

Madam Speaker: I intend to call hon. Members who are rising, but I ask for brisk questions and brisk answers, because time is moving on.

Mr. Norman Hogg (Cumbernauld and Kilsyth): May I support my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) in saying that there is a strong case for looking at how crises of this sort are managed by those in authority? I draw a parallel between what has happened in this case, which occurred in my local authority area, and what happened in Aberdeen 33 years ago, when Dr. Ian McQueen was visibly very much in charge of the situation. The management and direction of policy were never in doubt. Will the Secretary of State examine the Aberdeen experience, even though it was 33 years ago, because valuable lessons could be learned?

Mr. Forsyth: I agree with the hon. Gentleman. I have already asked for information on that. As he said, the hon. Members for Strathkelvin and Bearsden and for Kirkcaldy have been pressing on that. I was brought up in the north-east and I remember the outbreak very well. With the passage of time, it may appear now to have been more easily handled than it did at the time. There were criticisms about pubs being closed and so on; there was some controversy. The hon. Gentleman's basic point that there should be one person in overall charge is powerful and is reflected in the existing guidance. Professor Pennington suggests that that person should, as a rule, be a health professional rather than an environmental health professional. The hon. Gentleman is right to raise such issues.

I know that the hon. Gentleman is always fair-minded. I do not know what will be the outcome of the fatal accident inquiry, but I think that the behaviour of some of the Scottish National party councillors in his constituency, and the way in which they have sought to carry out a witch hunt against officials performing their task, was disgraceful. There is nothing in the Pennington report about the conduct of officials; that is for another day, after the criminal proceedings. The last thing that we need is people attacking public officials to make party political points. I hope that the hon. Member for Banff and Buchan (Mr. Salmond), who takes an interest in this matter, will dissociate himself from such behaviour.

Mr. Gordon Prentice (Pendle): Is not the Government's record on food safety appalling? The number of deaths from food poisoning has risen from 94 in 1990 to 203 in 1995. Have not outbreaks of E. coli poisoning increased fivefold since 1990, when the Food Safety Act was passed? This is not a Scottish problem. There was an E. coli outbreak in my constituency over Christmas. There were no deaths, thank goodness, but nine people were affected. The source of the infection was never found. Is not there a compelling case for a food standards agency separate from the Scottish Office Agriculture, Environment and Fisheries Department and a parallel agency to deal with England and Wales? Is not such separation essential?

Mr. Forsyth: If there is a powerful case, I do not know what it is. Professor Pennington has not made such a

[Mr. Forsyth]

recommendation. It is for the hon. Gentleman to make that case. I do not understand how a quango would ease the conduct of investigations to identify the source of E. coli 0157. It is a very virulent organism, and as few as 10 can transmit the disease. The hon. Gentleman is right to point out that this is a United Kingdom problem; indeed, it is a worldwide problem. The tabloid press will call it a super-bug, which is a good way to describe its characteristics. It is easily transmissible and has damaging effects, especially on elderly people and children. It is not very new Labour of him to blame the Government for every problem. He is right that there are more and more cases of food poisoning, but I do not think that it is the Government's fault. He is right that the Food Safety Act was passed in 1990; it was welcomed by Government and Opposition Members. No political party has a monopoly on trying to achieve the highest standards of public health.

Dr. Norman A. Godman (Greenock and Port Glasgow): On a broader note, if I heard the Secretary of State aright, he said that existing arrangements on food hygiene are based on European Union directives. Given the all-embracing power of European over domestic legislation, does he believe that those European directives are seriously flawed or that the Food Safety Act does not match their requirements? If there is a discrepancy between the European legislation and the domestic legislation, in the interests of the consumer should not the problem be addressed?

Mr. Forsyth: I certainly think that the announcements that I have made today and Professor Pennington's report make it clear that there is scope for amending the codes of practice and considering the regulations and the legislation in light of our experience of this outbreak. As a general principal I believe that the House should decide what is right for our country and take the necessary measures. If there are constraints in terms of European legislation, we need to remove them, not feel inhibited about doing what we believe is right for our country.

Mr. Adam Ingram (East Kilbride): The Secretary of State informed the House that, in accordance with existing guidelines, joint plans between the health boards and the local authorities should have been in place to deal with such outbreaks. If we can infer from that statement that such joint plans are not in place, surely the Scottish Office has been remiss in ensuring that its own guidelines have been properly adhered to.

Mr. Forsyth: I did not make any implication at all. I simply sought to inform the House of the facts, which are that Professor Pennington's report includes the recommendation that arrangements should be made for the local health board and the local authority to act together, with someone in charge. I did not imply that that was not the position in Lanarkshire—that is a matter for the fatal accident inquiry. I reported to the House that the Scottish Office guidelines require that to be done. I did not say that it was not being done; I merely reported what the professor had recommended and what the guidelines provided. I told the House that I would be asking all local authorities and health boards to let us know precisely what arrangements they had in place by the time Professor Pennington concluded his report. I would expect our professional local authorities and health boards in Scotland to be complying with the existing guidance and to take account of Professor Pennington's recommendations.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Why does it take a tragedy of this magnitude to get any action out of the Government when official statistics show that there is an epidemic of food poisoning in Scotland? In 1970, 858 cases were notified, but in 1995 that figure was more than 9,000, and in 1996, it was more than 10,000. Is not the reality—the problem—that the Government's passion for deregulation, as articulated by the hon. Member for Ayr (Mr. Gallie) earlier today, is entirely incompatible with proper health and safety?

Mr. Forsyth: No, it is not, and the hon. Gentleman would do well to read the paper produced by the hon. Member for Strathkelvin and Bearsden, the introduction to which touches on some of the reasons why there are more cases of food poisoning.

Mr. Foulkes: Deregulation.

Mr. Forsyth: The hon. Gentleman says that it is deregulation. In part, the increase reflects people's lifestyle—the food they eat, how they eat it and the fact that they are eating out more often. It is a complex subject. The hon. Gentleman asserts that the increase is due to deregulation. I challenge him to give an example of deregulation in that area since 1990—there has been no food deregulation. I was the Minister responsible for health and safety—we got rid of 40 per cent. of the regulations. In so doing, and on the advice of the Health and Safety Executive, we enhanced safety in the workplace. People's behaviour, not regulations, results in better standards. Regulations based on goal setting as opposed to prescription are more likely to affect people's behaviour in a way that minimises risk and damage, whether through injury at the workplace or through infection.

Mr. Foulkes *indicated dissent.*

Mr. Forsyth: The hon. Gentleman shakes his head. If he thinks he knows more than environmental health officers, the Health and Safety Executive and other professionals, I suppose no one in the House will be surprised that he holds that opinion of himself. The Government have received that advice and the hon. Gentleman would do well to take account of it.

Appeal Tribunals

4.34 pm

Mr. Harry Barnes (North–East Derbyshire): On a point of order, Madam Speaker. You will be aware of the increasing concern expressed in the House about the standard of answers to parliamentary questions. I realise that the answers are not your responsibility, but I know that you are concerned that correct procedures should be followed.

I refer to an answer given to my hon. Friend the Member for Newport, West (Mr. Flynn) by the Under–Secretary of State for Social Security, the hon. Member for Monmouth (Mr. Evans), in November last year. The Minister said:

"The independent tribunal service has no plans to close any other venues."—[*Official Report*, 4 November 1996; Vol. 285, c. *386*.]

That means any venues other than the nine he had mentioned in the answer.

My right hon. Friend the Member for Chesterfield (Mr. Benn) received a letter from the independent tribunal service saying that a meeting would be held in Chesterfield on 14 January to consult in connection with those future arrangements. What actually happened at that meeting was that the people there were informed that the tribunal service in the area was to be closed, which seems to run contrary to the provisions contained in the parliamentary answer on 4 November.

In these circumstances, should not the Minister come to the House to make a statement about the nature of his parliamentary answer? That would allow us to follow up some of the matters of substance connected with the closure of the tribunal, which will cause great problems in my constituency and those of my hon. Friends in the area.

Madam Speaker: I do not have the *Hansard* of November to which the hon. Gentleman referred. I have not been informed that a Minister is seeking to make a statement on that matter, but the hon. Gentleman could put down further questions. He could even seek an Adjournment debate on the matter, which would give him ample opportunity—at least 15 minutes—to air his views and to get an answer from the Minister.

Overseas Development Co-operation

4.36 pm

Mr. Hugh Bayley (York): I beg to move,

That leave be given to bring in a Bill to amend the Overseas Development and Co-operation Act 1980.

This Bill has all-party support, and I thank the hon. Members on both sides of the House who are here to support the Bill today.

There is a great deal in the work of the Overseas Development Administration and its officials in which we should take quiet pride. We should take similar pride in the work of voluntary development agencies such as Oxfam, both projects supported by the ODA and those supported by independent charitable giving. However, that does not mean that the £2,000 million a year that the House votes to the ODA is always well spent.

In its report on the Pergau dam, the Select Committee on Foreign Affairs revealed not only that the millions of pounds of British aid committed to the project had been used to support the pursuit of a British arms contract with Malaysia, but that, in the words of the permanent secretary to the ODA, the aid had been spent in a way that was "an extremely bad buy" in development terms. In fact, it has been calculated that the Pergau dam will cost the Malaysian people £100 million more than alternative means of generating electricity.

The National Audit Office report on aid to Indonesia, which will be debated by the Public Accounts Committee next week, reveals ineffective use of British aid—for example, a £5 million investment in the Ombilin coal mine which showed a negative return—and inappropriate use of aid, such as two cases in which aid projects were supported by the Foreign Office in order to help to secure British arms exports.

The purpose of the Bill is simply to improve the quality of British aid both in terms of effectiveness, by targeting aid on poor people in poor countries, and in terms of appropriateness, by prohibiting the use of the aid budget, directly or indirectly, to promote the sale or supply of military equipment. The Bill will also set clear social, environmental and human rights standards that will have to be met by all British aid projects.

I do not in this speech want to dwell on the cut in the real value of the aid budget. The case for changing the priorities of the ODA is the same whether that budget grows or declines. But when it is declining in value, it is more important than ever to ensure that every penny of it is well spent.

This weekend in Bangladesh, the Prime Minister promised more aid for rural areas of that country. I welcome that statement. Bangladesh is one of the poorest countries in Asia, and it has suffered a cut over the past five years in United Kingdom bilateral aid—from £55 million to £47 million a year. But the question that this House must answer is: where will the extra money for rural development in Bangladesh come from? The Red Book which we considered in last night's debate on the Finance Bill makes it perfectly clear that it will not come from the Treasury. It would be wrong to take the money from development programmes in other countries that are as poor as Bangladesh. It must come from aid to high and middle-income countries.

[Mr. Hugh Bayley]

In recent years, however, the reverse has been happening. Over the life of this Parliament, the proportion of the British aid budget going to poor countries has fallen from 80 to 69 per cent. British aid to India has been cut by 23 per cent., while aid to Indonesia, a country with an average income three times higher than that of India, has increased by 79 per cent.

Recently, the ODA published its latest volume of British aid statistics, which reveal some shocking anomalies in British aid spending over the past five years. St. Helena, a middle-income territory with a population of just 7,000, received £44 million in overseas aid—twice as much as the poorest Commonwealth country in Africa, Sierra Leone, which has a population of 4.5 million. The Cayman islands, the offshore banking capital of the Caribbean, with a higher gross domestic product per capita than the UK, received £7.67 per person in British aid, while Jamaica, the poorest Commonwealth Caribbean island, received £5.33 per person in aid over the past five years.

In the same period, India got 53p per person; Hungary, with a standard of living more like ours than like India's, received £2.65; and Singapore and Hong Kong, which both have a higher per capita GDP than the UK's, received more aid per person over the five years than Vietnam, the poorest country in Asia.

The Bill seeks to end aid to high-income countries; to phase out aid to middle-income countries, using the sort of graduation strategies recommended by the Foreign Affairs Select Committee in its report on the ODA's fundamental expenditure review; and to use the money instead to increase aid for sustainable development for poor people in poor countries.

This is entirely consistent with the ODA's published mission statement, which reads:

"ODA's purpose is to improve the quality of life for poorer people in poorer countries by contributing to sustainable development and reducing poverty and suffering."

I accept that there are reasons of national self-interest that lead the Government to spend public money on other things, such as promoting trade with emerging economies, encouraging democracy in central and eastern Europe, and fulfilling our historic obligations to British dependent territories. But those aims are not consistent with the ODA's mission statement, and they should be paid for from other sources—perhaps directly by the Foreign Office, in the same way as it funds the BBC World Service and the British Council. Or perhaps Parliament should vote the ODA a separate budget for these specific purposes.

My support for overseas aid for the world's poor is based partly on compassion and a belief that we should help human beings who are less fortunate than ourselves—a basic mark of civilisation—and partly on self-interest. A Bob Marley song uses the lyric:

"A hungry man is an angry man"—

and an angry man is a dangerous man. If it addresses the causes of that anger, the ODA can make the world safer for people in developing countries and in Britain.

I am a realist. I realise that the Bill is extremely unlikely to reach the statute book this Parliament, but I want to start the debate now and to return to it in the next Parliament, after the general election.

I warmly welcome the concern for the world's poor shown by the Princess of Wales, and by the Princess Royal in her support for Save the Children, but the House cannot delegate the debate, or the responsibility for overseas development policy, to the royal family. We are responsible for public expenditure, for scrutinising Government policy and for providing the legislative framework for that Government policy. The Bill proposes good and necessary legislation, and I hope that the House will give me leave to introduce it.

Question put and agreed to.

Bill ordered to be brought in by Mr. Hugh Bayley, Miss Joan Lestor, Mr. Peter Temple-Morris, Sir David Steel, Mr. Mike Watson, Mr. Cynog Dafis, Rev. Martin Smyth, Mrs. Anne Campbell, Dr. Joe Hendron and Miss Emma Nicholson.

Overseas Development Co-operation

Mr. Hugh Bayley accordingly presented a Bill to amend the Overseas Development and Co-operation Act 1980: And the same was read the First time; and ordered to be read a Second time upon Friday 14 February, and to be printed [Bill 70].

Orders of the Day

Crime (Sentences) Bill

As amended (in the standing Committee), further considered.

New clause 7

TESTING AND TREATMENT ORDER

'.The Powers of Criminal Courts Act 1973 shall be amended in Schedule 1A by adding the following paragraph—

"7.(1) This paragraph applies where a court proposing to make a probation order or a combination order is satisfied—

(a) that the offender is using a Class A drug;

(b) that his use caused or contributed to the offence in respect of which the order is proposed to be made; and

(c) that his use is such as may be susceptible to treatment.

(2) The court shall not form such an opinion as is mentioned in sub–paragraph (1) above unless it has obtained a pre–sentence report and a drugs test.

(3) The probation order or combination order shall, subject to sub–paragraph (6) below, include a requirement that the offender shall submit to drug testing and drug abuse treatment by or under the direction of a person having the necessary qualification or experience with a view to the reduction or elimination of the offender's drug use.

(4) The testing required by such an order and by sub–paragraph (2) above shall be by provision of a sample of urine for the purpose of ascertaining whether he has any drugs in his body.

(5) The treatment required by any such order shall be such one of the following kinds of treatment as may be specified in the order—

(a) treatment as a resident in such institution or place as may be specified in the order;

(b) treatment as a non–resident in or at such institution or place as may be so specified: or

(c) treatment by or under the direction of such person having the necessary qualifications or experience as may be so specified.

(6) A court shall not by virtue of this paragraph include in a probation or combination order a requirement that the offender shall submit to testing or treatment for his drug use unless it considers that such a requirement is appropriate in all the circumstances and it is satisfied that the arrangements have been made for the testing and treatment intended to be specified in the order.

(7) The court shall review the offender's progress four weeks after making the order, and thereafter at intervals of not more than four weeks and not more than four months.

(8) While the offender is under treatment as a resident in pursuance of a requirement of the probation or combination order, the probation officer responsible for his supervision shall carry out the supervision to such an extent only as may be necessary for the purpose of the revocation or amendment of the order.

(9) Where the person by whom or under whose direction an offender is being treated for dependency is of the opinion that part of the treatment can be better or more conveniently given in or at an institution or place which—

(a) is not specified in the order; and

(b) is one in or at which the treatment of the offender will be given by or under the direction of a person having the necessary qualifications or experience.

he may make arrangements for him to be treated accordingly.

(10) Where any such arrangements as are mentioned in sub–paragraph (9) above are made for the treatment of an offender—

(a) the person by whom the arrangements are made shall give notice in writing to the probation officer responsible for the supervision of the offender, specifying the institutions or place in or at which the treatment is to be carried out; and

(b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the probation or combination order.".'.—*[Mr. George Howarth.]*

Brought up, and read the First time.

Question proposed [13 January], That the clause be read a Second time.

4.46 pm

Question again proposed.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): I remind the House that with this we are discussing new clause 13—*Court to be aware of provision in custody for certain dependent offenders—*

'It shall be the duty of the Secretary of State to make available to any court passing a custodial sentence upon any offender whom the court believes to be dependent on drugs or alcohol an assessment of the provision available in any prison or other custodial institution to which the offender is liable to be committed of facilities for providing treatment appropriate to his condition.'.

Mr. Clive Soley (Hammersmith): When this debate was adjourned on Monday, I was speaking about the need to consider the needs of people when we imprison them. I was critical of the Minister and of the Government for having no concept of the purpose of prison. I am pleased that the debate was adjourned, because today I was supported, in effect, by none other than the previous Home Secretary, the right hon. Member for Witney (Mr. Hurd), who said this morning on the Radio Four "Today" programme that we needed to think more carefully about what we were doing with prisons. He said that prison was an expensive way of making bad people worse.

I am frequently impressed—or, if you like, amazed—by the way in which the Government go in for all sorts of tough language about crime. They say that they are going to lock people up, and the Home Secretary's favourite phrase is, "If they don't want to do the time, they shouldn't do the crime." The Government seem to believe that, if they come out with such politically correct statements and throw a lot of public money at the problem by building more and more prisons, somehow or other crime will go away. It does not, and cannot, work like that.

We are wasting a vast sum of public money on building prisons that will not deter crime. When the Government discover that they will appease neither the tabloids nor members of the public who seem to think that more and more prisons are the answer, capital punishment will be reintroduced, as has happened in the United States. That also does not work.

To give the Home Secretary credit, he has made it clear that he does not support the reintroduction of capital punishment—not least because, if a person is wrongfully convicted, we cannot undo the damage once that person has been executed—but the Government are still not thinking about the purpose of prison. We lock people up without any concept of treatment.

[Mr. Clive Soley]

I was addressing new clause 13, which deals with drugs and alcohol. It was tabled by my hon. Friend the Member for Blackburn (Mr. Straw), and states that we need to be able to show courts what prisons or other penal institutions can offer people who are sentenced, so that the court will know. I gave a number of examples, citing in particular an alcoholic with whom I had worked many years ago as a probation officer, and the difficulty even then of securing appropriate treatment programmes in prison. There were some, but not enough. As I said on Monday, there were many more facilities for such people outside prison.

Sadly, a large number of those facilities have now gone. As the Minister conceded on Monday, the Government must now recognise that, if we acknowledge that the majority of those committed to prison have a history of alcohol or drug abuse—that does not necessarily mean that they are addicted to drugs or alcohol; it merely means that alcohol or drug abuse plays a part in the commission of their offences—it is surely time that we thought about the problem in a rather more sophisticated way, and took the action towards which we were moving in the 1970s.

We should try to assess every prisoner on the basis of his needs, so that we can produce a treatment programme for prisoners that at least attempts to make some use of their time in prison. At present, we are still locking people up without any real concept of what we are doing, other than keeping them off the streets for a time.

We are tending to institutionalise people, so that the only thing they learn in prison is how to live in an institution. It should be no surprise to us that, when people are fully institutionalised, they cannot survive outside for long: they commit other offences, and return to prison—or, in many cases, to hospitals of one kind or another, including psychiatric hospitals. We know that from years of research in this and other countries.

Could the Minister not see his way to asking each prison to produce for the courts that refer to them the treatment facilities that they can offer prisoners, especially those with a history of drink or drug problems? I stress that I am not just talking about the full-blown alcoholic; I am talking about the sort of person who appears all too often in prisons and in court, who, in response to fairly peremptory questioning, will say that, before he committed the offence, he had a few pints with his mates. That is a common picture—the fairly low-level offender who offends quite frequently after going out drinking late at night and then wandering the streets. His offence may be car theft, criminal damage or burglary, but he will end up in prison.

We know that that is a problem, and we know that such people are more at risk when they have been drinking. That does not necessarily mean that they will not offend when they have not been drinking, but they are much more likely to do so when they have. If we could do something to help them to cope with the problem, we might make more progress.

The Government have, after all, conceded that anger management programmes and the like are useful in prison, although there is a limit to what such programmes can achieve. Surely, if we acknowledge the usefulness of those programmes, we should acknowledge the usefulness of treating alcohol and drug abuse, which has a much longer history. If we accept—as hon. Members on both sides of the House accept—that there is a problem of drink and drug abuse preceding offences, it ought to be possible to assess the drink and drug history of a prisoner as soon as he is admitted, and to start directing treatment programmes towards him.

It is not just a matter of having a good drug unit in a prison—as we do—or, indeed, a good alcohol unit. Some prisons have outstanding records in such treatment programmes. My point is that there is a low level of alcohol and drug abuse that we are not addressing. It is, at best, addressed from time to time by small group therapy sessions in prisons, depending on the availability of skilled prison officers, probation officers or visiting psychiatrists who can lay on such programmes. We are not dealing with the problem in a serious way.

That is why, in Monday's debate, I was so critical of the Minister. I wanted him to say, "Yes, we will devise a programme in which every prisoner, when he or she enters prison, is assessed in a more sophisticated and thorough manner for such problems." The current programme is too superficial.

Each prison should examine its staff resources to determine what they can offer people with drug and alcohol problems. The same programme could not be offered in every prison, but I should hope that some prisons would develop skills in dealing with prisoners with certain types of problem.

We should be prepared to consider moving people around the prison system for that purpose, although I understand the difficulties involved in doing so—such as keeping prisoners near their homes to maintain home links. Nevertheless, we could develop a much more sophisticated policy in offering prisoners treatment, rather than continuing the absurd approach of simply locking up criminals, throwing away the key and hoping that that will solve the crime problem.

I remind the Minister that, although the Home Secretary thinks that he is riding a wave of public opinion in favour of tough sentencing, such waves do not last. In 1979, the Tory party came to power with a strong commitment to get tough on crime and to lock up people. The short, sharp shock was the idea of the day. Lord Whitelaw, who was the Home Secretary after the 1979 general election, came in talking about such a shock; however, within a year or two, the policy had been abandoned, because the Government discovered that it did not work.

After the failure of that policy, successive Conservative Home Secretaries were accused within the Conservative party of being too soft on crime. The right hon. Member for Witney (Mr. Hurd), a previous Home Secretary—who has now taken up a position with the Prison Reform Trust; I welcome the appointment—was one of the Home Secretaries criticised for being too soft on crime.

The current Home Secretary says that he will get tough on crime, lock up criminals, throw away the key and build splendid new prisons, at a cost of millions of pounds. However, it is only a matter of time before he discovers that that is the most appalling waste of public money and that it will only delay the onset of further offending, by keeping people off the streets for a short time and then releasing them with as many problems as they had before, if not more.

The Minister is not an insensitive man, and he is prepared to think about these matters. I ask him to give careful consideration to new clause 7, because it

demonstrates the type of thinking that we should be doing and gets away from simplistic nonsense, which I suppose has been fuelled by the proximity of the general election. If Ministers think that the public are fooled by tough talk, they are wrong. Crime levels are still rising; therefore—no matter how tough the talk or the sentences—the public will continue to feel that the Government are failing on law and order.

We must pay far more attention to crime prevention and detection, and to the conviction of offenders. After we convict and imprison offenders, we must have sensible education and social policies to reintegrate them upon their release back into society. We are doing very little of that now.

Mr. John Hutton (Barrow and Furness): New clauses 7 and 13 are very sensible provisions to improve the Bill, and they should be incorporated into it. In his comments on new clause 7 in Monday's debate, the Minister—perhaps unintentionally—struck a rather complacent tone. He implied that the new clauses were not necessary, because sufficient powers were available to magistrates and other courts to require convicted defendants to undergo treatment for drug or alcohol dependency.

The Minister was right to mention those powers. As I am sure he is aware, however, the new clauses, particularly new clause 7, in two respects provide significantly greater confirmation of those powers than provided for in paragraph 6 of schedule 1A of the Powers of Criminal Courts Act 1973, which also confirms the powers.

First, under the provisions of paragraph 6 of schedule 1A, before the court imposes such a treatment order, it has to be satisfied that the person being convicted is dependent on drugs. If the Minister studies new clause 7, he will note that that test would no longer have to be satisfied.

I am aware that paragraph 6(9) of the schedule tends to broaden the concept of dependency by referring to a person simply having a propensity to misuse a serious drug, even though that in itself is a rather vague concept. The new clause cuts through such difficulties by making it clear that, if the defendant is using a class A drug, the power to compel him to undergo treatment is exercisable. That is a significant improvement.

Secondly, new clause 7 is more extensive, and therefore, I think, more effective. It provides the power to compel a person who has been convicted to undergo testing. As I understand it, paragraph 6 of schedule 1A of the 1973 Act provides that the court can compel a person to undergo treatment but has no powers to compel that person to undergo regular testing.

Of course, many people will argue that it is difficult to formulate an effective treatment programme if it is not accompanied by a power to require the person undergoing that treatment to be tested regularly in order to establish his or her level of dependency on drugs. If the test reveals that the person is using drugs continually and illicitly, the treatment programme is unlikely to be effective. The Minister might have inadvertently got the wrong end of the stick when he tried to dismiss the relevance of the new clause by saying that the necessary powers were already available to the courts—they are not.

In those two significant respects—compelling a defendant to undergo testing and broadening the court's powers to require a person to be tested—new clause 7 would significantly improve the provisions of the 1973 legislation.

My hon. Friend the Member for Hammersmith (Mr. Soley) spoke extensively about the problems that our prisons face in dealing with drugs. There is a huge problem, which I am sure the Minister recognises. Of course, there is a huge drug problem in society at large so perhaps we should not be surprised by signs of drug abuse in the prison population, too. If we are to tackle the problem of drugs in prisons, it is hugely important that we are not complacent and do not rest on our laurels, saying that the existing legislation cannot be improved and that the necessary arrangements are already in place.

The Addictive Diseases Trust, which now calls itself the Rehabilitation of Addicted Prisoners Trust and which is doing excellent work in some prisons, estimates that drug abuse in prisons is widespread. It also estimates that more than 50 per cent. of prisoners have a chronic and often severe addiction, but very little specialised intensive addiction treatment is available in prisons. It estimates that, in some prisons, as many as 80 per cent. of prisoners are using drugs. Many inmates who were not addicts when they entered prison have become addicted—often under pressure from drug pushers—by the time they are released.

The drug culture in many prisons is sinister, not only because it directly challenges the authority of the prison governor and staff but because it establishes a counter-culture, in which power is wielded by drug pushers who use their control of the supply of drugs and their consequent influence in profoundly unhelpful and damaging ways. In this context, it is important that we constantly examine how we respond to the problem of drugs in prison and whether more work cannot be done by the Home Office and the Prison Service. The drug culture is a direct challenge to the way in which we run our prisons.

Anyone who has visited a prison and talked to prisoners knows how grim the reality is in prison. That is not to say that many prisons are not trying to develop effective strategies to deal with drug abuse, because they are, and we should congratulate the Prison Service on its work in that respect. Nevertheless, the picture is pretty horrifying in many prisons.

I do not whether the Minister read *The Guardian* of 10 August 1994. It may not be his usual reading—it is not usually mine—but it contained a letter from a prisoner. I read it at the time, and it struck me as painting an horrific picture of drug abuse in prison. I shall quote from it, as it is relevant to our debate.

The prisoner in question, who was serving a long sentence, described his drug taking—he was taking them intravenously—in this way:

"The syringe that we used today had been used approximately 100 times before by approximately 15 different prisoners.

It is a disposable insulin syringe, which I will describe briefly for you: the rubber at the end of the plunger has disintegrated completely through constant use. Instead of a rubber, we have a small piece of black polythene from a dustbin liner wrapped around the plunger and held in place by cotton thread.

The plunger itself is snapped in half and so the barrel of the syringe has been cut down accordingly. Each time the syringe is used, butter is smeared on to the polythene to facilitate the plunger to be depressed.

[Mr. John Hutton]

> The needle, of which we have only one, has been cut in half with nail clippers to remove a blockage. We use a matchbox to sharpen it.
>
> It is not possible to clean either the syringe or the needle in between injections as this would entail removing the polythene and tying it all back on again. Thus the risk of infection is monstrously high . . . The highest number of prisoners I have seen using a similar syringe, one after the other, is nine."

The prisoner says that he considers himself lucky to have contracted only hepatitis B and hepatitis C through the use of shared needles in prison. He has managed to avoid becoming infected with the HIV virus, but I suspect that he will not be successful for very much longer.

The prisoner also writes:

> "Despite many efforts to bring my addiction to an end, the sheer availability and the large number of addicts in prison mean that I consistently fail. There is no means of rehabilitation for addicts in prison and every reason for the addicts—particularly long-termers and lifers—to conceal their addiction."

That is a pretty grim and depressing picture, although things may have improved a little since 1994, when that letter was written.

For example, I am aware that the Rehabilitation of Addicted Prisoners Trust is now running a number of drug rehabilitation programmes in prisons such as Downview, Coldingley, Pentonville and Wandsworth. That is an exceilent sign of progress, but there are still not enough rehabilitation programmes within the prison estate. It would be interesting if the Minister could say—perhaps not today but in the future—how many programmes there are and what their likely success rate is.

When Judge Stephen Tumim was the chief inspector of prisons, he commented favourably on the drug rehabilitation work being done at Downview. After his inspection, he recommended that the Home Office provide sufficient funding properly to evaluate the impact of that programme and the extent to which it had a more general application across the prison estate.

Taken together, new clauses 7 and 13 take us in the right direction. It would be a catastrophic mistake, in terms of the very purpose and function of prisons and certainly in terms of securing value for money for the taxpayer, if we continued to do so little about the problem of drug abuse.

As much as half of all property-related crime may well be drug-connected. There is undeniably a connection between drug abuse and property-related crime. The need of drug addicts to feed their habit, which may require £500 or £600 a day for heroin or crack cocaine, is having a huge impact on crime in many of our communities.

Drug problems are present not just in the inner cities, but in towns and cities across the country, and even in some rural areas. When offenders are sent to prison, we have a unique opportunity to try to correct their pattern of drug abuse. If we do not take that opportunity, the likelihood is that they will show up in prison again two or three years after being discharged—sometimes sooner than that—because their drug addiction was not effectively addressed while they were in prison. As the RAPT evidence has shown, there is a risk of drug abuse problems getting worse rather than better in prison, and feeding through to higher crime levels.

The two new clauses would take us forward. They would require more work from the Home Office in establishing rehabilitation programmes in prison, and would give the courts useful additional powers that they do not possess. I urge the Minister to think again about his position on the new clauses. He may feel that the wording is not perfect, although it draws heavily on the wording of schedule 1A of the 1973 Act, so it may be hard to criticise the new clauses for that. The new powers available to the court would take their testing and treatment powers in a positive direction. I therefore hope that the Minister is prepared to be more positive than he was on Monday.

Mr. George Howarth (Knowsley, North): I congratulate my hon. Friends the Members for Hammersmith (Mr. Soley) and for Barrow and Furness (Mr. Hutton) on their excellent speeches. With his customary knowledge of these subjects and his huge experience, gained partly in the probation service before he came to the House, my hon. Friend the Member for Hammersmith gave some useful insights and an effective critique of the lack of thought behind the Minister's speech on Monday. I shall say more in a moment about the deficiencies in the Minister's reaction to the new clause.

My hon. Friend the Member for Barrow and Furness made some very useful points. I associate myself with his congratulations to the Prison Service on the work that it already does to rehabilitate drug offenders. From my experience of visiting prisons, I know that a lot of work is done. There is an increasing realisation that prisoners must be forced to confront their behaviour, particularly their addictive behaviour, towards certain types of drug. That is successful. The problem is that there is no systematic rehabilitation programme for drug offenders in prison.

Drug abuse in prison is still too common. Everybody, from Her Majesty's chief inspector to the Prison Service, acknowledges that the problems are severe. I do not want to bandy statistics about, but every hon. Member, irrespective of their opinion of the Bill or the new clause, would be horrified by the amount of drug abuse that still goes on in prison. My hon. Friend the Member for Barrow and Furness made that point well, and I join him in congratulating the Prison Service.

My hon. Friend also made the good point that the House must consider the opportunities that exist prison by prison for people to confront their drug abuse and get into a programme that gives them a chance to get away from drug abuse and into a cleaner life style. We have had a useful debate, and my two hon. Friends have made constructive contributions.

5.15 pm

I should like to refer to what happened on Monday. On Tuesday morning, I was travelling to Staffordshire to campaign with a colleague. I picked up a paper, only to find that the Home Secretary had apparently said that the Government had chosen not to move the 10 o'clock motion, thereby terminating Monday's debate, because of the delaying tactics of the Opposition.

I read the entire *Hansard* report of our debates on the new clauses on Monday, and I found no evidence of any hon. Members on either side of the House wasting any time. Those comments show gross disrespect to the Chair. If any of my hon. Friends or I had practised any delaying tactics, we would have been called up by the

Chair. Perhaps I should correct the impression that I have just given; the hon. Member for Northampton, North (Mr. Marlow) occasionally wasted the House's time, but the Opposition were not responsible for it. That is his responsibility and he will have to deal with his Front Bench.

It is not true that we were wasting time. If the Government had had patience, we could have reached Third Reading on Monday night, or perhaps in the early hours of Tuesday. There would have been no problem with that. Theirs was the decision to terminate the debate, and theirs is the responsibility for the Bill not yet completing its Commons stages. The Opposition bear no responsibility for that. The Home Secretary should be ashamed of trying to play cheap politics when we are making constructive suggestions.

The Government's opposition to the new clauses is based on a confused interpretation of what is happening in prisons. The Minister has some contradictory and muddled arguments about the purposes of our new clauses and their effects. On Monday, he said:

"The hon. Member for Knowsley, North (Mr. Howarth) is absolutely right to sing the praises of drug treatment as an alternative to prison and to say that there should be such treatment in prison".

That is fair enough. He went on to say:

"schedule 1A to the Powers of the Criminal Courts Act 1973, supported by the Criminal Justice Act 1991, provides all the necessary legislation to give the courts the power to pass community sentences that are conditional upon following drug treatment."

However, the Minister failed to provide supporting evidence for those assertions. He did not take into account the need to mandate those offenders in prison to treatment. There is no compulsion—a point that he also made. The purpose of new clauses 7 and 13 is to mandate treatment during community and prison sentences. If, as he asserts, all the necessary legislation has been on the statute book since 1991 and

"nothing more needs to be added",

why, by the end of 1996, could the Home Office not provide even a rough estimate of the amount of drug rehabilitation in prisons? I shall happily give way if the Minister wants to provide evidence, but the evidence to support his contentions simply does not exist.

I was told in a recent parliamentary answer that the only information available on drug rehabilitation related to time spent in detox. Although we recognise the value of detox, there is clearly a desperate need for rehabilitation programmes that force offenders to address their drug use. Although detox has a valuable role, we cannot get people off drugs simply by the physical process; they have to understand why they need to come off them, what their habit is doing to their lives and the potential of their becoming clean and free of drugs.

On Monday, the Minister made a rough estimate that

"There are now between 50 and 60 schemes in prisons."

He made no estimate of the number of prisoners undergoing treatment. Nor do any of the schemes force prisoners into treatment. He cited a scheme in Plymouth

"where the Devon probation service is running a drug assessment and stabilisation programme."

He praised the scheme's success, and I join him in that. He continued:

"It appeared that all those who were on the programme were not simply avoiding prison, but wanted to get off drugs and had been offered an opportunity to do so."

However, the success of one community scheme in no way supports his argument that nothing more needs to be done. He does not appear to have grasped the size of the problem or the inadequacy of the Government's current response.

Let me refresh the Minister's memory. In 1995, there were 37,164 registered addicts. Empirical evidence suggests that around half all property crime is committed by people seeking to fund a drug habit. That is not an excuse; nobody would excuse any crime committed for that reason, but many drug users commit crimes to feed their habit.

Yesterday, I spent some time in Staffordshire. The police confirmed that drugs are a major cause of crime in the county. The Merseyside police and the Metropolitan police have made the same point. Any chief constable in England, Wales and probably Scotland would confirm it. The Commissioner of Police of the Metropolis recently estimated that, in London, the proportion of drug-related crime is closer to 60 per cent.

We need to have an idea of the scale of the problem to evaluate the inadequacy of the Minister's response. In 1996, there were 158 establishments holding prisoners, but according to the Minister's own figures, there are only 50 to 60 drug rehabilitation schemes in prisons, so less than 40 per cent. of the prison estate has a scheme in place. There is no universal standard across the Prison Service, and although most prisons have a drug problem, only around 40 per cent. of prisons have any means of dealing with it. There is no room for complacency, as some 60 per cent. of prisons have no means of rehabilitating those involved in drug abuse. It is a serious problem that needs to be addressed. New clauses 7 and 13 seek to do so in a responsible and intelligent way.

There are no universal standards across the Prison Service. I have no clear idea—nor, I suspect, has anyone in the Home Office—that one scheme works better than the others. There are contentious issues involved, such as those surrounding the use of methadone, and some schemes need to be evaluated more thoroughly. Unless we conduct evaluations and set and adhere to universal standards, the problem will continue.

People still go into prison without a drug habit, pick up a drug habit there, and come out addicted. Unless we can apply universal standards across the Prison Service, the problem will continue. The complacency of the Minister's response is a matter for serious concern.

The Prison Service has no estimate of the time spent on rehabilitation or the number of prisoners who pass through existing schemes. There is a similar problem in the community outside. There are no national standards for rehabilitation, so there are significant regional variations. If an addict lives in an area where rehabilitation schemes are available but does not know where to go for treatment, he will not have the opportunity to get off drugs and into a drug-free life style. Given the scale of the problem nationally, we have to address it in a co-ordinated way by applying standards across the country and by providing opportunities for people to get out of drug abuse.

Sentencing practices lack consistency across the country, even within prison catchment areas. That highlights the need for guidance and direction from the Home Office towards diversion into treatment, or treatment in prison, as appropriate.

[Mr. George Howarth]

The provision of treatment for drug-using prisoners who wish to kick the habit will solve only part of the problem. The Minister seems to think that provision for less than 40 per cent. of the prison estate will satisfy the needs of all prisoners who wish to address their addiction. Frankly, that is inadequate. The Minister appears to have overlooked the options that force offenders into treatment. On Monday he said:

"Treatment has been stimulated further by mandatory drug testing in prisons. However, it is not necessarily possible to accelerate further the process . . . because prisoners who have drug treatment or who enter drug-free wings are essentially volunteers."

That is true. The Minister implied that enforced treatment simply would not work, but the evidence, if he bothered to read it, is that enforced treatment can be just as successful as voluntary treatment. A Home Office report by Michael Hough entitled "Drugs Misuse and the Criminal Justice System" published in 1996 noted:

"legally coerced treatment is no less effective than treatment entered 'voluntarily'".

Treatment that includes an element of compulsion can be highly cost effective. American research suggests that every $1 spent on treatment saves $7 in criminal justice and other social costs. Schemes that focus on early intervention and intensive supervision of drug-addicted offenders can lead to immediate savings in criminal justice costs.

In addition, the costs of mandatory drug testing—the introduction of which we supported—may have unintentionally acted as a drain on resources for rehabilitation. To date, no evidence has been put forward to support the Minister's claim that mandatory drug testing has stimulated rehabilitation; as the Opposition suggested on Monday, it may be quite the opposite. A small but definite trend in the statistics show that there is a shift in drug abuse in prisons away from the use of cannabis towards the use of opiates such as heroin and cocaine.

On Monday, the Minister stated:

"I do not want to sound complacent, because for years there was very little progress on drug treatment in prisons. We witnessed the ridiculous spectacle of people who may not have been drug users but who came out, typically, as heroin addicts."—[*Official Report*, 13 January 1997; Vol. 288, c. 110-11.]

I agree with him. Unfortunately, what he described is still happening. He speaks as if, as a result of the introduction of mandatory drug testing, all the problems have gone away—they have not; they are still there. We have tabled new clauses 7 and 13 because we believe that more action must be taken.

5.30 pm

The Minister's logic seems remarkable. He accepts anecdotal evidence that, prior to the introduction of mandatory drug testing, offenders entered prison without a drug habit but left "typically, as heroin addicts"; now we have substantial evidence to demonstrate the disturbing shift to opiate use, he disputes it. The logic of that escapes me, so I hope that he will spend some time explaining it to the House.

There is evidence that, between 1 March and 30 September 1996, the percentage of random drug tests showing positive for opiates increased from 5.94 per cent. to 6.35 per cent. That represents—I think that the Minister now accepts this figure—an increase of about 7 per cent. in the proportion of prisoners testing positive for opiates. If we project that on to the prison population as a whole, the number of prisoners regularly using opiates has increased from about 3,192 to 3,595.

A report in the journal *Druglink* published in June last year stated:

"The inmate population is well aware of the mechanics of urine testing and already there is an alarming degree of anecdotal evidence of drug mis-users favouring heroin (an opiate) over cannabis in certain situations, as it does not show up in tests so long after use."

The Minister suggests that he does not understand a number of our proposals, but he ought to understand that such a shift is taking place and that inmates understand what they are doing when they move from soft to hard drugs. In some respects, rightly or wrongly, they do so to evade capture.

The Minister rightly pointed out that amphetamines, when not injected, are class B drugs and would therefore be excluded from the provisions proposed by new clause 7. I accept that, but he ought to take into account two facts. First, the new clause's purpose is to target the most problematic and addictive users, who tend to have opiate-based addictions that often involve other drug types. Typically, they may prefer to use cocktails of drugs on occasions. Secondly, the Minister's observation in no way weakens the argument for either new clause 7 or new clause 13. Indeed, if anything, it is an argument for increasing the powers in them.

Not enough thought has been put into the Government's opposition to our proposals. All we got from the Minister on Monday was a knee-jerk reaction: if the Opposition propose it, it must be wrong. The general public are sick and tired of the Government's negative approach and of important problems such as drug abuse in the prison system and elsewhere being used as a political football. When the Opposition come up with a good idea, the Government simply reject it, yet the public rightly want co-operation on such matters. If we make useful suggestions, the Government should simply take them on board.

If, as my hon. Friend the Member for Hammersmith said, there are problems with the new clauses, we can put them right during subsequent stages of the Bill, "But no, it is unnecessary," says the Minister. Even when we prove that action is necessary, he still does not relent. The new clauses may be imperfect. If there are drafting problems, we are willing to co-operate in putting them right in another place—but no. The only defect of new clauses 7 and 13 is that the Opposition rather than the Government have proposed them. That is a pathetic way of dealing with such problems and certainly not one of which I want to be part.

We hope that those who sent us to the House will note that, although we have tried to play a constructive role by suggesting improvements to the Bill, particularly where it affects those who are abusing drugs, the Government have not wanted to co-operate. I hope that, in future, even in the Government's dying days, we can co-operate on such important issues and make progress. On the evidence of Monday's response—I hope that the Minister is prepared to make a constructive response today—that will not happen. It is wrong to play politics with such issues and

not to listen to constructive suggestions, and the public will note that, if such an attitude prevails, the sooner the Government leave office, the better.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): I must comment briefly on what has been said today and on Monday. The hon. Member for Hammersmith (Mr. Soley) suggested that the approach to treatment in prisons is unco-ordinated, and the hon. Member for Barrow and Furness (Mr. Hutton) said that very little is being done. I take issue with that. I said that there are between 50 and 60 schemes in operation in prisons. In fact, there are 59. They are by necessity very diverse. Drug treatment is relatively new to prisons, and many of the services being provided are themselves relatively new. One cannot, overnight, install drug treatment or rehabilitation schemes throughout the prison system as though they were something physical, such as central heating.

Mr. Hutton *rose—*

Mr. Sackville: I shall not give way; we have spent a long time debating these new clauses.

The services need to be brought in, and the right ones need to be found. All sorts of methods are being used, from total abstinence—the Minnesota method as it is called—in a group of prisons, including Downview, right through to detoxification units and services run by Phoenix house. Those are very different services, and we shall see in time which are the most successful. It is my impression that all of them are having a considerable effect. They are being well used, and I am optimistic. We should not be so negative about what has been achieved through the efforts of my right hon. Friend the Minister who is in charge of prisons in getting such services up and running.

It has been suggested that additional powers are needed. I remind the House that a judge can order that a sentence be served in the community by a person who has been convicted so long as he or she follows a drug treatment programme. That programme may or may not include mandatory testing. The decision is essentially not up to the judge; it is up to the provider of the treatment to decide—the decision must be acceptable to the judge as a precondition—whether it contains mandatory drug testing. I suspect that most programmes would contain it.

The programme that I have held up as a model—the one in Plymouth, which is not the only model—does contain mandatory drug testing. If any person following that treatment does not fulfil all the programme's requirements, they are in breach and they are in gaol. That is the important thing. It is really up to the provider of the treatment to be the first person to indicate when such a breach has occurred.

I have great respect for the knowledge of the hon. Member for Hammersmith in these matters, given his long professional background and the fact that he has a well-known prison in his constituency. I accept that this place occasionally obliges even the most sensible and serious hon. Members to trade insults across the Floor, but if I did not I might take considerable personal offence at being told that I am complacent about drugs. I should remind the hon. Gentleman that I was co-founder of the all-party drug misuse committee and was its secretary for three years. I founded that committee 11 years ago, and in the same year published a slim volume on the subject of heroin misuse called, "Heroin: Threat to a Generation" of which I shall be happy to send the hon. Gentleman a copy.

In the past year and a half, since taking on my present job, I have been round the country visiting every drug prevention initiative run by the Home Office. I have talked with most of the drug action team chairmen and I have been as far afield as Ankara and Bogota in pursuit of new agreements between this and other countries to address the drug problem. I seriously believe that, on this issue, I am perhaps one of the least complacent Members of Parliament.

Mr. Soley *rose—*

Mr. Sackville: If the hon. Gentleman does not mind I shall not give way.

For the reasons I have outlined, I am pleased to say that there has been good progress—although we need to go further—in providing drug treatment in prisons. It cannot all be done overnight. I am also pleased to say that I believe that all the powers are available to courts to issue conditional sentences, which are an excellent means of diversion from prison for those with a drug problem. Although the new clauses may represent a good opportunity to discuss this serious problem, I do not believe that they are necessary, and I am unable to commend them to the House.

Question put, That the clause be read a Second time:—

The House divided: Ayes 253, Noes 296.

Division No. 39] **[5.41 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Mrs Margaret
Beith, A J
Bell, Stuart
Benn, Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Dr John
Dalls, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald

Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ennis, Jeff
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Mrs Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Ms Mildred
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Henderson, Doug
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd–on–A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Robert *(Ab'd'n N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Johnston, Sir Russell
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretf'd)*
Llwyd, Elfyn
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Maddock, Mrs Diana
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Ms Estelle *(B'ham Yardley)*
Morris, John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Ms Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Ms Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Wallace, James
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas–Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel–Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson–Wickes, Dr Charles
Gorman, Mrs Teresa

Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Peter
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mayhew, Sir Patrick
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riddick, Graham
Rifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John D *(Strangf'd)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Roger Knapman and
Mr. Sebastian Coe.

Question accordingly negatived.

New clause 14

CORPORAL PUNISHMENT

'—(1) Where a person of not less than 14 years of age is convicted of an imprisonable offence, the court by or before which he is convicted may make an order that he shall be subject to corporal punishment.

(2) The Secretary of State shall, by statutory instrument, subject to annulment in pursuance of a resolution of either House of Parliament, make rules for the administration of the sentence of corporal punishment.'.—*[Mr. Marlow.]*

Brought up, and read the First time.

Mr. Tony Marlow (Northampton, North): I beg to move, That the clause be read a Second time. I tabled the new clause with the support, after a short trawl, of 29 of my hon. Friends. I am committed to the powers and sovereignties of the House and, in general, I do not believe that any international involvements or commitments should stand in the way of the House doing what it believes to be right for this country in this country.

It may seem to some bloodthirsty, even Neanderthal, to propose anything as mediaeval as the reintroduction of corporal punishment, but unfortunately—as everyone in the House must know—most of our citizens, especially the law abiding, the old, the poor and defenceless, are daily threatened by an escalating savagery and barbarism that is much more bloodthirsty and Neanderthal than corporal punishment while their tormentors, who so readily and callously destroy peace of mind and quality of life, have nothing to fear. As we all know, crime—particularly hooligan crime—is getting worse. As yet, no effective solution has been proposed, still less enacted.

That is fine for us in this place who, by and large, have a good standard of living. We are privileged, and we have a choice as to the area in which we live. We are cocooned in our relative prosperity. But for many of our constituents, life is hell. It is different out there. If hon. Members had to live in the intimidatory conditions imposed upon many of our constituents, we would be less precious, less squeamish and less elitist in our approach to the problem. As the problem has worsened, we have wrung our hands—but otherwise looked away.

6 pm

We have a duty that for too long we have neglected. We need to make an urgent impact, and to do that we must be imaginative. We must break away from the parrot cries—one of which we heard earlier from the hon. Member for Knowsley, North (Mr. Howarth)—about the need for better rates of detection. Of course we need better rates of detection, which will help. But we need effective deterrents—deterrents that truly deter. We need effective treatments—treatments that reform. By no stretch of the imagination are either of those available yet.

I recommend two approaches. First, for those who have gone off the rails for the first time, I recommend the judicious development of a system of outward bound training. Those who, perhaps, have had a bad start in life or who have taken a wrong turning can be sent on a course into the mountains to work with and take responsibility for others as part of a team. They can be challenged and, perhaps, they will succeed. If they satisfy the rigorous training conditions, they can pass out with an award of esteem. For many of our confused and alienated young, such a scheme could establish a basis of purpose and confidence in their lives on which they could build to become useful and satisfied citizens, rather than being sucked deeper into a vortex of a criminal sub-culture.

Those who are more hardened and contemptuous of society—and only them—I would threaten with the new clause. Corporal punishment should be made available to the courts in place of imprisonment, with a system of corporal punishment introduced later by statutory instrument. At whom would I target this punishment? Basically, anti-social youth—the mugger, the ram-raider, the vandal, the graffiti artist, the hooligan, those who seek to intimidate potential witnesses and the tin-pot Napoleons who seek the admiration of their peers by ever more outrageous behaviour.

Why should we apparently seek to turn back the pages of history? I believe that our first duty is to safeguard the quality of life of many of our citizens whose lives have been made miserable by these malcontents. I believe that no current deterrent or penalty is effective, and I do not believe that any Member of this House can honestly say that corporal punishment would not be a deterrent. I do not believe any historical analysis that suggests that corporal punishment fell into disuse when it was last available because nobody wanted to use it as it was not effective. However, circumstances at that time were different from those of today. At that time, we had a disciplined society—now we do not. Corporal punishment would have a great effect on criminal patterns of behaviour. Bullies are also cowards.

I do not envisage corporal punishment as a daily occurrence, and some judges and magistrates may be reluctant to impose it. In most of our cities the cane could be kept in the cupboard, but threats—along with reports of the circumstances of its occasional use—would be sufficient for it to work. Some hon. Members may feel that such a proposal is out of date—even barbaric. They have had more than a generation to prove their case and to suggest alternative remedies. They have manifestly failed.

Mrs. Elizabeth Peacock (Batley and Spen): Does my hon. Friend agree that we are often told that there is no evidence to suggest that corporal punishment would work, and we are asked why we propose it? Does he further agree that there is no real evidence to suggest that corporal punishment would not work as a deterrent?

Mr. Marlow: Common sense, our experience of history and evidence from other countries in, for example, the middle east—although I am not suggesting that we follow the line taken in the middle east—suggest that such policies are a deterrent.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Has the hon. Gentleman studied the effect of secure training orders on young people? The Government introduced those orders only recently. Is he saying that they have already failed?

Mr. Marlow: I am not saying that any particular course of action or proposal from the Government has failed, but everyone would agree that the levels of crime—particularly hooligan crime—and disruption on some of our poorer estates are much greater than those of the past. We have a continuing social problem and although some measures are doing some good, we have not solved the problem yet.

Without the reintroduction of corporal punishment, we will not satisfy the needs of our constituents—whatever pious hopes we have and however liberal we might feel. Something has to be done. The present system is not working and we do not have a solution yet. My final point is that a truth—an unpleasant truth, but a truth nevertheless—that has been proved by history is, sadly, that civilisation cannot be maintained without an element of barbarism to protect it.

Mr. Llwyd: I did not intend to contribute to the debate, as I have other—if I may say so—more important matters that I wish to discuss later. I have seldom disagreed so vehemently with any hon. Member.

Mrs. Peacock: Rubbish.

Mr. Llwyd: I thank the hon. Lady for that—that was typical of her contributions in this House. I disagree root and branch with what the hon. Member for Northampton, North (Mr. Marlow) said. He ignored the fact that a large percentage of young people involved in crime are from traumatised backgrounds themselves. They have seen domestic violence—sometimes severe violence—at first hand. They have seen mother being kicked around and father being dragged out by a brother-in-law, and so on. The sanction that the hon. Gentleman now wants is for society to traumatise those young people yet again. He used the word "barbaric", but that is too soft a word for what he intends. I think that his is the authentic voice of darkness and regression in this House. This is nonsense in what is supposed to be a serious debate about penal policy.

Dame Elaine Kellett-Bowman (Lancaster): More and more in my postbag, I receive requests from quite mild constituents who wish the return of corporal punishment. These often come after pictures of the battered features of elderly ladies and gentlemen—or, not infrequently, stories about 70 or 80-year-old women who have been raped—appear on the front page of our local newspapers.

It has been said that corporal punishment does not work. Yet years ago, I practised as a barrister in the courts in the east end of London. On one occasion, we were discussing corporal punishment before the court commenced. The probation officer was vehemently against it, and said that his client that day had been caned on the Isle of Man but was back before the court once again. There then came a voice from the corner saying, "I wouldn't do it again on the Isle of Man". That is the point. Those who have had a dose of corporal punishment do not come back for a second one. It is not a glorious punishment about which they can boast to their colleagues.

I believe that corporal punishment would act as an enormous deterrent to muggers and those to whom my hon. Friend the Member for Northampton, North (Mr. Marlow) referred—those to whom the dignity of life of others is of no importance. They humiliate people and steal their prized possessions, and they deserve corporal punishment.

Mr. Warren Hawksley (Halesowen and Stourbridge): I support the new clause. I have argued for corporal punishment on many occasions and I am pleased to do so again. Last year, I introduced a ten-minute Bill that attracted more support than I had expected. I served on the Standing Committee on the Bill now under discussion, but I did not table an amendment. However, in 1984, I believe, on the Criminal Justice Bill, there was a whole day's debate on an amendment that I had tabled on the subject. It is an important subject, about which our constituents are concerned. They believe that corporal punishment would be a deterrent, and to my mind that is extremely important.

The Isle of Man has already been mentioned, and my hon. Friend the Member for Batley and Spen (Mrs. Peacock) asked in an intervention whether there was a case against corporal punishment. Before I tabled my amendment in 1984, I visited the Isle of Man to see what the position was. At that time, the law was still on the statute book there, but was not being used.

I was told by the chief constable on the island that when crowds came over from Liverpool and Manchester for football matches, people arriving in the harbour at Douglas would invariably ask his officers on the gates whether it was true that there was still corporal punishment on the island. When they were told that that was indeed the case, the response was, "Don't worry, Guv, we won't cause any trouble while we're here."

Corporal punishment is a deterrent, and that was demonstrated on the Isle of Man. I strongly believe that we should reintroduce it here. The Opposition will no doubt suggest that it is degrading and that the European Court of Human Rights would say the same. When we talk of degradation, we should think of the victims, and how degrading it is for them.

There has been another change since 1984, because the Government have been questioning the powers of the European Court of Human Rights. When the renewal came up, serious doubts were expressed, whereas I remember that when I asked the then Prime Minister in 1980 whether she would withdraw our signature from the convention, she said no. I believe that the time is coming when the court will take so different a view from ours on what the law should be that we will withdraw from it.

On the categories of offenders on whom the courts should be able to impose such punishment, I believe that they should include youngsters who attack elderly people and mug them for only a few pounds. I believe that their treatment of those elderly people is a degrading act, and that corporal punishment would be of great advantage in such cases. When it was known that a court was prepared to order such punishment to be carried out, there would soon be a reduction in such crimes. Even if some benches were initially nervous of introducing it, other benches would quickly prove that it was working as a deterrent. It is with great pleasure that I support the new clause.

Mr. A. J. Beith (Berwick-upon-Tweed): It is no part of the case against the reintroduction of corporal punishment to deny that some young people are recalcitrant, that their crimes against those more vulnerable and weaker than themselves are horrible and that the state has found it difficult to determine a satisfactory system to punish them or to teach them the error of their ways, but the facts do not support the contention that corporal punishment can be brought back to fill that gap.

The experience of the use of corporal punishment in this country was not the glowing success that is implied by the supporters of the new clause. Corporal punishment has proved ineffective in the fight against crime: when it was available for robbery with violence, before its abolition in 1948, three separate Government surveys found that offenders who underwent it committed more subsequent crimes than similar offenders who received other sentences.

Mr. Marlow: The right hon. Gentleman is talking about a different age, with different circumstances, morality and expectations. If that is his argument against the reintroduction of corporal punishment, perhaps he would allow a trial period, to see whether it would work in today's circumstances.

Mr. Beith: I shall go on in a moment to put the case why we should not reintroduce it at all, but I think that I may be permitted to draw on the experience of Britain in the post-war years if others can draw on the experience of the Isle of Man to try to make their point. The comparison that we must make is with the time when corporal punishment existed here.

Before 1948, the number of robberies with violence had been rising steadily, yet it fell in each of the three years after abolition and did not rise again to the same levels until 10 years later. That suggests that corporal punishment was not a crucial or even useful factor in preventing those crimes.

6.15 pm

Many of the young people whom some Conservative Members would consider suitable for corporal punishment have already been the subject of severe physical punishment or attack in the course of their upbringing.

Dame Jill Knight (Birmingham, Edgbaston): Of course, the right hon. Gentleman is right about that, but the new clause would give the power only to the judge, who would have all the evidence at his fingertips. I have

[Dame Jill Knight]

put my name to the new clause because I am happy to leave it to the judge to make what he feels to be the wisest judgment in a particular case.

Mr. Beith: The hon. Lady has a point. If the power were available to them, judges would be likely to use it very infrequently, because they would be persuaded by the arguments that I am advancing. I am arguing against the reintroduction of corporal punishment, as did the right hon. and learned Member for Grantham (Mr. Hogg), who said that it would be the reintroduction of a system that has been unfashionable since the days of Palmerston; he delivered a scathing attack on the idea that it could properly be reincorporated into our system. In the inconceivable event—given the Government's stated opposition—that the House reintroduced corporal punishment, it would be used very little by the courts.

Reintroduction would contravene our international obligations under the European convention on human rights, as was clear from the 1978 Tyrer case and from our experience in relation to the Isle of Man. Those who have begun to try to persuade the Government that we should withdraw from the convention should have regard to the fact that we subscribe to it not simply to set a standard against which to judge what happens here, but to assist the upholding of human rights in countries throughout Europe. To withdraw from the convention would be to withdraw our support for the upholding of human rights in all respects, and that would be an extremely bad step for Britain to take.

Reintroduction would also create problems in relation to the medical professions and the law. A medical practitioner would have to be present when corporal punishment was administered, which would contravene the World Medical Association's 1975 Tokyo declaration, which laid down that doctors should not participate in, or be present at, any procedure during which

"cruel, inhuman or degrading treatment"

is used.

Mr. Hawksley: When I tabled my amendment in 1984, the British Medical Association issued a press statement saying that it would not support it, but I had letters from doctors throughout the country saying that they were prepared to carry out their responsibilities if the law approved.

Mr. Beith: I have said in another context that one can find some doctor somewhere to support any proposition. In a very different area of argument and policy, I have argued strongly against the idea that two doctors signing a form demonstrates that something is acceptable. That, however, is another subject.

The medical profession contains a wide variety of people, but there is a prevailing assumption in it, here and abroad, that the skills of medical science should not be used in support of degrading or cruel punishment.

The true burden of the case is that corporal punishment is not effective: its record would in no way justify the sacrifice of principle and international obligation that would be involved in reintroducing it.

Mr. Marlow: Will the right hon. Gentleman give way on that point?

Mr. Beith: No, I am coming to the end of my remarks, because I am looking forward to hearing the official Labour party view, which I take to be strong opposition, although these days one cannot be entirely sure; I do not know precisely what methods are considered appropriate to sweep the squeegee merchants and graffiti artists off the streets, but I hope that that will soon become abundantly clear.

Mr. Alun Michael (Cardiff, South and Penarth): I should be grateful if the right hon. Gentleman, when commenting on the Labour party's policies, would refer to what Labour Members have said and not to the inaccurate phrases used in *The Times*. We are precise in what we say, and our opposition to this new clause is clear, so we do not need to make a meal of it.

Mr. Beith: I hope that that opposition will take the form of a short and concise speech setting out in terms that the Labour party will oppose the amendment. Labour Members must be trying to keep a low profile if we have to rely on a mere intervention in my speech, whereas the Government will not be able to keep a low profile. I look forward to a stalwart rebuttal of the case for the new clause from the Government.

Mr. John Townend (Bridlington): I want to take up Opposition Members' point that corporal punishment is not a deterrent. In recent years, there has been an explosion in crime and vandalism by young people. We are seeing a decay as a result of the ending of caning in schools.

I can give an interesting example of a headmaster of one of the large comprehensive schools in my constituency, who is now retired and whose school I visited seven or eight years ago. He was well known for his left-wing views—he is certainly not a member of the Conservative party—yet he said to me, "John, you would be surprised that, when it comes to the cane, I agree with your views. I have never used the cane very much. I have used it sparingly, but I believe that I have saved five or six boys from a life of crime, because I caned them at a critical stage in their school career when they were turning into bullies and little thugs." That is very true.

Ten or 15 years ago, it would have been inconceivable that 12, 14 or 15-year-olds would be capable of stealing not one but five, 10 or 15 cars. I cannot help but believe that it would be far better for them, and far more effective, if they were given six strokes of the cane the first time they were caught, rather than being warned or freed to steal more cars and to put their lives and those of many others at risk.

Mr. Andrew Mackinlay (Thurrock): The hon. Gentleman referred to the explosion of crime in the past 10 or 15 years. Has it occurred to him that one of the hallmarks of the Thatcher-Major period is the creation of a selfish society, in which avarice is at the forefront?

Among the consequences of the Government's policies in a range of areas are the growth in crime and the lowering of values.

Mr. Townend: That is a load of nonsense. Young children who steal cars do not do so to use them. I own a hotel, and I can tell hon. Members that such young people play Monopoly. They go up to the hotel at the top of the hill and steal a blue car, and they bring it down and dump it at the hotel at the bottom of the hill and steal a red car. They steal cars because they think that it is a great game. I am convinced that if they were given six of the best they would not do that.

What is the ultimate deterrent in schools now that we do not use the cane? It is exclusion from school. Youngsters are excluded and end up on the streets. Is that not an invitation for them to become involved in crime and to commit vandalism? There has been an enormous increase in crime. We cannot possibly have enough places for so many young people. In my constituency, a place for one of those youngsters costs an astronomical £57,000 a year.

We cannot ignore costs. One of the best arguments for bringing back corporal punishment for youngsters is that it is very cheap. If they are caned the first time that they do something and they do not do it again, we save a lot of money. If they do it again, we should perhaps consider other options.

I hope that the Government do not argue against the amendment on the ground that we are signatories to the European convention on human rights. We were one of the founders of the European Court of Human Rights. When we signed the convention, human rights meant no torture, no arrest without trial, a free press and free speech.

Dame Elaine Kellett-Bowman: My hon. Friend will be aware that the convention was never put to the House of Commons. It was signed by the Labour Prime Minister, but no discussion took place in the House—if it had, the document would have been a jolly sight more workmanlike.

Mr. Townend: My hon. Friend is right. If the founders had stuck to their original intentions, there would have been no problem, but, just like the European Union and every bureaucratic body, the court is always trying to extend its competence.

We face appalling problems of crime and juvenile crime. It cannot be right that, if elected Members of the House decide to bring back the cane and judicial corporal punishment, we should be prevented from doing so by a foreign court with foreign judges—except for one British judge—with a completely different history and from a completely different culture. It may be acceptable to the Italian people never to have corporal punishment, but I do not see why there must be conformity on this matter.

In my constituency, people are pig-sick of vandalism, thuggery, old people not daring to go out at night and cars being stolen and vandalised. If we do not do something about the problem in the next 10 years—I say this seriously—we will have what none of us want: an increase in vigilantes. I support the amendment.

The Minister of State, Home Office (Mr. David Maclean): This has been a short but interesting debate. I listened carefully to my hon. Friends the Members for Northampton, North (Mr. Marlow), for Lancaster (Dame E. Kellett-Bowman), for Halesowen and Stourbridge (Mr. Hawksley) and for Bridlington (Mr. Townend). My hon. Friends know from which direction I come on these matters, although I confess that my hon. Friend the Member for Welwyn Hatfield (Mr. Evans) thinks that I am going slightly soft in my old age. He has accused me of being an unreconstructed wet, and has threatened to put me through the wringer to dry me out a bit. However, most of my hon. Friends do not take that view of my attitude to these matters.

I am not satisfied that corporal punishment would, in practice, be a useful punishment today, or that we should seek to provide for it in the Bill. It is now almost 40 years since corporal punishment was abolished as a sentence of the court. My hon. Friends argue that corporal punishment would be a deterrent. If it were to act as a deterrent, it would have to be used regularly, predictably and immediately. Frankly, I do not believe that that would be the case.

Mr. Townend: Will my right hon. Friend give way?

Mr. Maclean: I shall give way in a moment.

Corporal punishment has a role to play for parents who administer sensible discipline to their children owing to the immediacy of the infliction of the punishment on the youngster who is doing wrong. Judicial flogging in the cool light of day after many months or, I suspect, years later after dozens of appeals—as in some of the cases in the United States—would not be an effective deterrent.

Sir Ivan Lawrence (Burton): Does my right hon. Friend agree that, if we were able to use corporal punishment in schools—as we always did—it would not be necessary to have judicial corporal punishment, which he condemns?

Mr. Maclean: That is an entirely different area, into which I will not stray, because we have a lot of other business to conduct. No doubt, a philosophical debate on the merits of corporal punishment at all levels of society—in schools, by parents on their children or judicial flogging—would be an interesting occasion at some point, but I do not want to get into that at the moment.

Mr. Townend: My right hon. Friend said that if we reintroduced corporal punishment it would have to be used regularly to be a deterrent. Does he accept that it is a deterrent in the Isle of Man, although it is used only once or twice a year on average? It was also an effective deterrent in schools, although the headmaster to whom I referred used the cane only once a term.

Mr. Maclean: The climate was different when we last had corporal punishment. Many people would assert—although I may not be one of them—that judges in those days were more robust than some are these days and that they had harder attitudes to the punishment of criminals in the 1930s and 1940s. If, in that climate and with that sort of judge, corporal punishment was not used then, do my hon. Friends seriously think that if it was back on

[Mr. Maclean]

the statute book today judges would rush to use judicial flogging? I cannot imagine it happening. If judges in the 1940s did not use it, I am fairly certain, without impugning the integrity of any of today's great judges, that few would use it now.

There is another dimension, and this is not an excuse that I am hiding behind but a practical legal fact, as the infliction of judicial flogging would almost certainly be contrary to the UK's obligations under the European convention on human rights. If my hon. Friends want to debate the convention, they can table a suitable subject that may be selected by Madam Speaker for debate on the Adjournment or on some other occasion.

I will not now debate the merits or demerits of Britain's signing the convention. We are party to it and the British Government have no proposals to withdraw from it at the present moment. That means that we are bound by the European Court of Human Rights, which ruled in 1978 in the Tyrer case, which involved a birching on the Isle of Man, that such punishment was incompatible with article 3 of the convention. It found that the birching imposed on Tyrer constituted degrading punishment within the meaning of article 3 and emphasised that it considered corporal punishment to be "institutionalised violence", with the individual being

"treated as an object in the power of the authorities".

6.30 pm

Mrs. Peacock: I am listening carefully to my right hon. Friend, but what about the almost institutionalised violence that many elderly people suffer in their own homes? Rightly, they and their relatives believe that some pain should be inflicted on the young people who cause that damage.

Mr. Maclean: Such violence is deplorable, which is why we have increased the penalties for those who commit it. Clauses 1, 2 and 3 propose some of the most dramatic action taken since the war to deal with habitual, persistent and violent criminals. Clause 1 introduces automatic life sentences for the most violent criminals. Clause 2 proposes seven-year sentences for the evil people who peddle drugs. Clause 3 deals with persistent burglars who terrorise people by their activities. My hon. Friend supported those measures. The Opposition could not make up their mind, but one day I hope that they may vote for them. That is the action that we are taking. Such penalties, the increasing numbers in prison and our success in getting crime down over the past three years mean that the policies of imprisonment have worked. We will continue those policies.

Mr. Walter Sweeney (Vale of Glamorgan): I am sure that Conservative Members warmly welcome tougher penalties for persistent offenders, whether they are violent offenders, burglars or sex offenders, but does my right hon. Friend agree that the short, sharp shock of corporal punishment might deter less-experienced offenders from carrying on with a life of crime, so that they would not reach the stage envisaged in the Bill's first three clauses?

Mr. Maclean: I have listened to what my hon. Friends have said on that matter. We could have an interesting, and long, philosophical debate on the deterrent value of corporal punishment, but that is irrelevant to today's debate. It is crystal clear that the reintroduction of corporal punishment would be contrary to article 3 of the European convention on human rights. There is no point in speculating on the merits of something that the House could not introduce while Britain is party to the convention. That is why we have concentrated on making the present range of punishments as effective as we can by strengthening the powers of the courts, increasing the sentences of imprisonment that can be imposed on the most violent offenders, increasing financial penalties and toughening community sentences with the rigorous new standards that we have introduced.

New clause 14 would reintroduce judicial punishment. I have given good, practical reasons why we cannot accept that, without entering into philosophical arguments about deterrence. That and the Isle of Man case are separate from the use of corporal punishment in schools or in the home. I do not want to be drawn into discussing those contentious issues because they are outside the scope of the debate. I emphasise that a parent correcting a child with a smack as an immediate response to misbehaviour is wholly different from a court, perhaps many months after the event, ordering a flogging.

As there is no prospect of corporal punishment being restored—even if it was, I see no prospect of judges ordering judicial flogging instead of any of the available penalties—we should not whistle in the wind for something that will not happen. We must make our range of penalties tough and punitive. The prospect of a long spell in prison is likely to be a highly effective deterrent. We can already see the success of our "Prison Works" policy, which will take out of circulation many of the persistent and dangerous criminals whom my hon. Friends abhor. I commend that course of action to them and, with the greatest respect, I must tell my hon. Friend the Member for Northampton, North that I cannot accept his new clause.

Mr. Michael: The Minister had a difficult row to hoe in responding to the debate, but he should not have misrepresented our position on the Bill. We have made it clear that we want consistency and progression of sentencing in our courts so that appropriate sentences are given, particularly to repeat offenders. We have explained the best methods to achieve that, especially in Monday's speech by the shadow Home Secretary.

New clause 14 is a diversion from the serious debates in which we have been seeking to make the Bill more effective and improve its consistency. We will return to some of those important issues when this new clause has been dealt with. The Minister rightly referred to it as whistling in the wind. We oppose it and will vote against it, if it is put to a vote.

Mr. Marlow: By leave of the House, I have the greatest respect for my right hon. Friend the Minister, particularly for the massive and good work that he is doing in his current job. Although his arguments might convince a minority in this House, beyond the Home Office insiders and professionals, he would not begin to have an audience outside it. He said that the prospect of

prison is a deterrent, but it manifestly is not for the people for whom corporal punishment would be appropriate. Violence, hooliganism, vandalism, graffiti and the mugging of old ladies are going on apace and are increasing day by day. Prison is there as a deterrent, but it is not working and we need something else.

My right hon. Friend the Minister made several arguments. First, the European convention on human rights is not supported by and is not an acceptable argument to Conservative Members. It has to go. We have a Government in our own country and we have to decide in our own Parliament. We ran the affairs of a third of the world until 30 or 40 years ago. Surely we are allowed to govern ourselves now. Cannot we make our own decisions? We are a mature democracy.

Secondly, the Minister said that it would be months before sentences were carried out. That is not an argument against corporal punishment but against the judicial system. Vandals and hooligans should be in court on Tuesday and punished on Wednesday; if they do it again on Thursday, they should be back on Friday.

My right hon. Friend knows in his heart and in his bones that there is a massive problem out there. He is doing what he can, but the new clause is a weapon that we could use. If he is uncertain whether it will be successful, we could use it for a trial period and suck it and see.

My right hon. Friend has listened to the arguments and we have had a good debate. It is my intention—the large number of my colleagues in the House reveals that it is also their intention—to give the subject an airing. It is time that we started to fight back and moved to defend the people who are suffering. We are all right; we have a privileged life style, but many of our constituents are suffering and we are not doing enough to help them.

I see no purpose in pushing the new clause to a vote, but this is the beginning and its time will come.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

MANDATORY LIFE SENTENCE FOR SECOND SERIOUS OFFENCE

Mr. Llwyd: I beg to move amendment No. 6, in page 1, line 17, leave out from 'that' to end of line 18 and insert

'it would be in the interests of justice to impose another sentence'.

Madam Speaker: With this, it will be convenient to discuss also the following amendments: No. 1, in page 1, line 18, at end insert

'or, where the offence is an offence under section 18 of the Offences Against the Person Act 1861, the court is of the opinion that it would be in the interests of justice to impose another sentence'.

No. 32, in page 1, line 23, at end insert—

'(4A) Where a person is convicted of an offence the sentence for which would otherwise fall to be imposed under section 1(2) above and the conditions mentioned in section 37(2) of the Mental Health Act 1983 are satisfied, the court may if it sees fit conclude that the satisfaction of those conditions constitutes exceptional circumstances which justify its not imposing a life sentence.'.

No. 7, in clause 2, page 2, line 42, leave out from 'that' to end of line 43 and insert

'it would be in the interests of justice to impose another sentence'.

No. 33, in page 3, line 6, at end insert—

'(4A) Where a person is convicted of an offence the sentence for which would otherwise fall to be imposed under section 2(2) above and the conditions mentioned in section 37(2) of the Mental Health Act 1983 are satisfied, the court may if it sees fit conclude that the satisfaction of those conditions constitutes exceptional circumstances which justify its not imposing a custodial sentence for a term of at least seven years.'.

No. 8, in clause 3, page 3, line 31, leave out from 'that' to end of line 32 and insert

'it would be in the interests of justice to impose another sentence'.

No. 34, in page 3, line 40, at end insert—

'(4A) Where a person is convicted of an offence the sentence for which would otherwise fall to be imposed under section 3(2) above and the conditions mentioned in section 37(2) of the Mental Health Act 1983 are satisfied, the court may if it sees fit conclude that the satisfaction of those conditions constitutes exceptional circumstances which justify its not imposing a custodial sentence for a term of at least three years.'.

No. 35, in schedule 4, page 60, leave out lines 2 to 10.

6.45 pm

Mr. Llwyd: I wish to speak to amendments Nos. 7 and 8 and the lead amendment, amendment No. 6, which are principally the same. I am privileged to have had the support of the hon. and learned Member for Montgomery (Mr. Carlile), who is an experienced criminal Queen's Counsel, and the support of the right hon. Member for Fareham (Sir P. Lloyd), who has been a Home Office Minister with direct responsibility for prisons. That is an example of cross-party co-operation on one of the most important sections of the Bill.

The amendments widen the circumstances in which the courts may pass sentences—other than automatic life sentences under clause 1 and the minimum sentences of seven and three years under clauses 2 and 3 respectively. Courts would not have to find "exceptional circumstances" in order to depart from the mandatory or minimum sentence, but would be able to pass another sentence if it would be in the interests of justice to do so. The effect would be to provide for presumptive sentences rather than automatic or mandatory sentences in the circumstances covered by the clauses. The amendments propose a formulation similar to that proposed by Lord Bingham, the Lord Chief Justice, in a recent interview on the Frost programme in November 1996.

Clause 1 requires courts to impose automatic life sentences on those who are twice convicted of certain serious violent or sexual offences. Of course, I have no truck with those criminals, but requiring courts to pass automatic life sentences on all serious repeat offenders in all but exceptional circumstances would be unjust. Judges already have the discretionary power to pass life sentences for serious violent and sexual offences when the gravity of the crime or the dangerousness of the offender justifies it.

To require courts to pass life sentences in cases which they consider deserve fixed sentences seems to contravene the fundamental principles of justice. Unlike a mandatory life sentence, fixed sentences reflect an individual assessment of the case and of the offender's just deserts. The provision to allow departures from the mandatory sentence only in exceptional circumstances will do little to mitigate that injustice. In Committee, the Minister was unable to refer to any example of an exceptional

[Mr. Llwyd]

circumstance, save that of assisting the police, to which the Home Secretary referred in the Second Reading debate. That is not good enough.

The circumstances of offences within the categories vary greatly. The White Paper, "Protecting the Public," published in 1996, observed that of the 3,121 people convicted of such offences in 1994, 65 per cent. received custodial sentences. That means that 35 per cent. of the cases were regarded by the courts as not meriting custody when the full circumstances of the offence and the offender were taken into account. Yet the Bill proposes that such offences would trigger an automatic life sentence.

The White Paper further, and rightly, acknowledged that

"long sentences are frequently imposed on offenders convicted of violent and sex offences".

However, it argued that the proposal would increase public safety for two reasons. First, it stated that determinate sentences mean that

"the offender must be released once that sentence has been served, even if there is every reason to believe that he or she will commit further serious offences".

When life sentences are passed, however,

"before potentially dangerous offenders are released an assessment must be made to see whether they still pose a risk".

Secondly, it stated that an offender released from a life sentence

"will remain on licence and subject to recall for the rest of his or her life".

However, the courts can already pass life sentences on such offenders if they consider that the seriousness of the offence or the dangerousness of the offender justifies it.

The White Paper referred critically to the fact that 10 of the 217 offenders convicted of a second serious violent or sexual offence in 1994 received discretionary life sentences. That point was reiterated by the Home Secretary in his statement on the White Paper in the House on 3 April 1996. Yet it is the Attorney-General who has the power to refer cases to the Court of Appeal where it is considered that the sentence was unduly lenient. He referred only six of the 207 cases in which determinate sentences were passed. It therefore seems surprising that the Home Secretary should argue that the courts' sentencing in such cases is inadequate when his fellow Minister, the Attorney-General, evidently considers that that is so in only a small fraction of cases.

Mr. Maclean: Does the hon. Gentleman accept that the Attorney-General can refer a case as being lenient only if it stands out from the generality of similar cases in the leniency of the sentence given? There are hundreds of cases on which the Court of Appeal has determined—and which are within the sentencing framework—where it is not possible for the Attorney-General to refer them, and only the House can decide whether the generality of cases is too serious or too lenient.

Mr. Llwyd: The Minister raises a serious point and I agree with him to a certain extent; the mechanism by which the case initially comes to the Attorney-General's attention is questionable. Surely, what the Minister and I have said constitute reasonable arguments for increasing the number of Attorney-General's staff and for having a better and statutory form of supervision and research into the various sentences being handed down. Perhaps the system needs changing—I know not. At present, it is not adequate and does not seem to work.

The matter was referred to in a lengthy article in *The Times* of 26 November 1996, which stated that in regard to the annual total of references by the Attorney-General there were 26 in 1990 and 81 in 1995. Most of those references were for grievous bodily harm and robbery—22 and 26 per cent. respectively. Curiously, and interestingly, rape came in a poor fourth or fifth—at 11 per cent. It is important to consider that subject. I agree with the Minister to a certain extent that perhaps it would be reasonable for the set-up for initially referring matters to the Attorney-General to be changed; he cannot be expected to do everything with the staff available to him.

In serious cases which do not attract a life sentence, offenders normally receive long fixed sentences. Those are followed by lengthy periods of supervision on licence from which the offender can be recalled at any time if his behaviour causes concern. Those arrangements provide substantial public protection. If a serious repeat offence occurs we should ask why, if re-offending was genuinely predictable, the power of recall to prison was not used. If it was not predictable, even with an automatic life sentence the Parole Board might well have decided in favour of release with no consideration given to recalling the offender.

Automatic life sentences could actually weaken public protection by increasing the risk of wrongful acquittals. In an interesting speech at King's college, London on 6 March last year, the former Lord Chief Justice, Lord Taylor of Gosforth, commented:

"Minimum sentences are incompatible with an existing and important strand in our criminal law. The courts have long followed a policy of discounting sentences for timely pleas of guilty . . . Defendants who know they will receive a mandatory sentence of lengthy imprisonment, and even more so, a mandatory life sentence, are not likely to plead guilty."

Similar comments made in *The Times* of 12 March 1996 by Helena Kennedy QC have already been referred to, so I shall not quote them again.

In addition to an increase in not guilty pleas, with attendant delays in the courts and probable increased distress to victims who have to give evidence, the prospect of an automatic life sentence will undoubtedly deter some victims and witnesses from giving evidence against the offender. That is an important point and one that was raised on Second Reading by a senior Member of Parliament on the Government Benches, who knew what he was talking about.

Similar considerations apply in cases of domestic violence. On Second Reading, the right hon. Member for City of London and Westminster, South (Mr. Brooke) said:

"grievous bodily harm with intent is not uncommon in a domestic context . . . Would the family be prepared to give evidence if life imprisonment were the consequence?"—[*Official Report*, 4 November 1996; Vol. 285, c. 952.]

That is an important point, which we should all ponder carefully.

The mandatory life sentence will provide an incentive for a greater use of plea bargaining so as to avoid such problems—for example, agreements to accept a plea of

guilty to indecent assault in a rape case, or to accept a guilty plea to a charge of assault occasioning actual bodily harm in a case of wounding with intent to cause grievous bodily harm. Such downgrading of offences can cause great distress to victims, who cannot accept or, indeed, understand the justice of, for example, accepting a plea of guilty to indecent assault when a rape has taken place.

The Bill provides that the court would have discretion not to pass the automatic life sentence in the exceptional circumstances to which I have referred and which we were unable to obtain from the Government during the whole of the Committee stage, with the exception of a single example, to which I have also referred. However, the White Paper emphasised that that provision would apply only to "occasional quite unforeseeable circumstances".

The Government reached the correct conclusion on the issue of mandatory sentencing in their earlier White Paper, "Crime, Justice and Protecting the Public", which was published in 1990. It stated:

"The Government rejects a rigid statutory framework, on the lines of those introduced in the United States, or a system of minimum or mandatory sentences for certain offences. This would make it more difficult to sentence justly in exceptional cases."

With regard to minimum sentences, clause 2 requires courts to impose mandatory minimum sentences of seven years on offenders convicted of trafficking in class A drugs. I have not a shred of sympathy for people who peddle drugs—they deserve everything they get. Clause 3 provides a minimum sentence of three years for offenders convicted of domestic burglary if they have had two or more previous convictions for similar offences. Here, again, the court would have discretion not to pass the mandatory minimum sentence if there were "exceptional circumstances". However, the White Paper emphasised that:

"it will certainly not be open to the courts to set aside the mandatory sentence merely because it is higher than the sentence they would otherwise have been minded to impose."

In other words, the court could not pass a lesser sentence simply because it considered that to impose the minimum length of sentence would be unjust.

I believe that that is a highly objectionable proposal. At present, the main statutory principle governing sentencing is that sentences should be proportionate to the seriousness of the particular offence. To require the imposition of minimum sentences, whatever the circumstances, will prevent courts from achieving proportionality and justice in sentencing. As Lord Taylor commented on 12 October 1995 in a statement on the Home Secretary's speech at the 1995 Conservative party conference:

"Judges . . . must be free to fit the particular punishment to the particular crime if justice is to be done. Minimum sentences are inconsistent with doing justice according to the circumstances of each case."

The seven-year minimum sentence will apply not only to the repeat offender who directs large-scale trafficking, but to the small-time addict sharing drugs with those in a similarly dire position. As Lord Taylor said in another place, the proposal

"will simply fill our prisons with addicts who sell small quantities to support their own addiction."—[*Official Report, House of Lords*, 23 May 1996; Vol. 572, c. 1026.]

The three-year minimum sentence for repeat burglars will apply not only to the professional burglar against whom, I am sure, the measure is aimed, but to the drunken opportunist offender and the inadequate youngster, whose amateurish attempts at burglary are bound up with a range of problems that could best be tackled by an intensive prevention programme.

As the right hon. Member for Fareham—from whom, no doubt, we shall hear later and I look forward to hearing his contribution—said last year:

"there will be quite a few cases where such sentences will be visibly unjust and counter-productive.

For example, young drug addicts who sell small quantities of drugs to other addicts will get the same sentence as professional drug pushers . . . The same applies to opportunistic inadequates stealing from the homes of other people getting similar sentences as career housebreakers".—[*Official Report*, 19 June 1996; Vol. 279, c. 908.]

I know that other hon. Members on both sides of the House share my concerns about this aspect of the Bill.

The proposals will not only cause injustice, but will have a range of practical ill-effects. For example, they will damage intelligence gathering about drug trafficking operations because small-scale user-dealers will have little incentive to co-operate with the police in helping to build a case against major traffickers if the seven-year minimum sentence prevents courts from reflecting that co-operation in a reduced sentence.

On Second Reading, the Home Secretary argued that that sort of assistance would fall within the definition of "exceptional circumstances". However, co-operation with the police does not amount to what the White Paper called "quite unforeseeable circumstances" because it is neither unusual nor unforeseeable. Even if the court were to regard it as an exceptional circumstance, the Bill would require the judge to give his or her reasons for a reduced sentence in open court. That could put the informant at serious risk and thereby destroy any incentive to co-operate and it would put out an entirely wrong message to individuals in a similar position.

The Criminal Justice Act 1991 provided that courts could pass suspended sentences only if there were "exceptional circumstances". The Court of Appeal has interpreted that provision very narrowly. As Lord Bingham, the present Lord Chief Justice, said on "Breakfast with Frost" on 10 November 1996:

"In a very closely related context the courts have had to construe this exception recently and they have done what Parliament intended and they have put a narrow construction on it. They have treated psychiatric problems, financial pressures, family difficulties and threats of suicide as not being exceptional. In the run of criminal cases, these kinds of explanations are coming up all the time and so a judge is going to have to, to be true to the intentions of Parliament, put his hand on his heart and say 'Is this exceptional?' and usually it will not be."

The Court of Appeal has made it clear that a combination of factors which in themselves are features common to many cases—youth, an early plea, provocation, mental breakdown—does not amount to exceptional circumstances justifying a suspended sentence.

I return to what the right hon. Member for Fareham said on 28 October:

"It will not be sufficient to allow judges discretion just in cases where there are exceptional circumstances, as the Bill presently does. The problem will come with cases in which a"—

I cannot read the next word—

Sir Peter Lloyd (Fareham): Concatenation.

Mr. Llwyd: I am obliged to the right hon. Gentleman; he remembers his speech better than I can read it out. To continue:

"a concatenation of ordinary factors makes the mandatory sentence the wrong one. The court will be left with no option but to pass it."—[*Official Report*, 28 October 1996; Vol.284, c. 365-6.]

7 pm

Mr. Michael: English being the hon. Gentleman's second language does not help.

Mr. Llwyd: It certainly makes matters more difficult, but one tries.

Mandatory sentences also often prevent courts from passing the sentence most likely to prevent reoffending. An increasing number of burglaries are driven by the need to feed a drug habit. A survey done in March 1996 by the Cleveland probation service of a wide sample of offenders convicted of three or more burglaries found that 36 per cent. of them had serious drug problems. Often this underlying factor does not become evident until after an offender has been convicted on a number of occasions. When such an offender is willing to co-operate with a probation order, combined with participation in a drug rehabilitation programme, that is much more likely than imprisonment to prevent further offending. But if a mandatory prison sentence is in operation, the court is forbidden to use the alternative option.

Although courts would have the power not to impose the minimum sentence in exceptional circumstances, these situations, I submit, are far from exceptional.

It has been argued that minimum sentences for repeat burglars are necessary because there is not enough progression in the sentences currently passed on those with previous convictions. But the figures cited in the White Paper showed considerable progression in sentencing. A sample of domestic burglars sentenced in 1993-94 showed that 59 per cent. of those sentenced at Crown courts received custodial sentences on a first conviction, 71 per cent. on a second conviction, and 75 per cent. on a third or subsequent conviction. The percentages at magistrates courts were roughly similar: 15 per cent., 27 per cent. and 36 per cent., respectively.

The conclusion that I inevitably draw is that, by giving the courts a wider discretion to depart from the mandatory or minimum sentence when the interests of justice require that, the amendments would greatly reduce the injustice that would result from clauses 1 to 3—as well as reducing the extent to which those clauses would deter offenders from pleading guilty or co-operating with the police. I therefore commend the amendments to the House and ask hon. Members to support them in the Lobby later.

I do not often pray in aid the other place, but many people there are highly qualified lifelong practitioners in the judicial system. I am sure that they will bring the necessary pressure to bear to enable common sense ultimately to prevail with respect to these clauses.

Sir Peter Lloyd: The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) has made a compelling argument this evening. I congratulate him on that and on tabling amendments Nos. 7 and 8. I had the same intention myself, but he beat me to it. I am therefore happy to add my name to his and to that of the hon. and learned Member for Montgomery (Mr. Carlile). I believe it essential that the Bill eventually be changed along these lines.

Before I say why, I should also like to pay tribute to the Home Secretary and the Minister of State, although that is probably the last thing they are expecting at this moment. It is significant to note that these important and necessary amendments were tabled not by Labour Front Benchers but by a Back Bencher. That shows with revealing clarity how far my right hon. Friends have rendered the Opposition leadership terrified of appearing soft on crime. From opposing everything that the Government did to deal more effectively with crime, the Opposition have moved to accepting almost everything—even when the Government's zeal plainly carries them beyond wisdom or justice.

Mr. Michael *rose—*

Sir Peter Lloyd: I thought the hon. Gentleman might want to intervene.

Mr. Michael: The right hon. Gentleman should not cloud his attack on the Minister by attacking the Opposition too. He knows full well that we have dealt seriously with this and every other issue in the Bill pertaining to law and order, to try to produce what is effective and not just to oppose for the sake of opposition. We have sought to amend and to improve so as to achieve consistency and progression in sentencing.

Sir Peter Lloyd: I understand why the hon. Gentleman says that, but it was instructive to read the Committee proceedings, where the hon. Gentleman led for the Opposition. He probed and questioned and—as he would put it himself—teased; but what he said was not really very constructive. I realise that he was deploying his considerable skills in following instructions from his party superiors, to the effect that he must on no account be quotably out-toughed by the Tories.

Perhaps I do the hon. Member for Cardiff, South and Penarth (Mr. Michael) and his fellow spokesmen an injustice, however. Perhaps in Committee he was merely biding his time. Maybe he passed amendments Nos. 7 and 8 to the hon. Member for Meirionnydd Nant Conwy out of the kindness of his heart. Perhaps in a moment he will give those amendments such a ringing endorsement that his party colleagues will emerge from the Tea Room or the Library, or wherever they are—they are certainly not in the Chamber—and surge through the Lobby in support of the amendments: we shall see.

I do not want to amend clause 1, unlike the hon. Member for Meirionnydd Nant Conwy by means of amendment No. 6, or even the Opposition by means of amendment No. 1. Clause 1 introduces life sentences where the judge himself decides the minimum tariff. I shall confine my remarks to clauses 2 and 3 and mandatory sentences for drug trafficking and burglary, because it is here that real injustice will inevitably arise.

There may not be many cases when the interests of justice will not be served by the mandatory sentences introduced in the Bill, but there will be enough of them to bring the new arrangements into disrepute—just as the system of unit fines was brought into disrepute by a small number of cases where the courts had to impose fines

which they knew were ludicrous. Plainly the Government now accept that the courts must have some discretion as to whether to impose mandatory sentences. They would not otherwise have included the phrase

"unless the court is of the opinion that there are exceptional circumstances which justify its not doing so."

The trouble is, as the hon. Member for Meirionnydd Nant Conwy pointed out, and as my hon. and learned Friend the Member for Burton (Sir I. Lawrence) argued in Committee from the vantage point of a distinguished recorder, that those words do not give the judges very clear guidance to follow. There will be exceptional circumstances, as the Government acknowledge, when a less harsh penalty is needed; but there will be others when a mandatory sentence will be equally or even more unjust or counterproductive. The circumstances, however, will be far from exceptional; they will be all too banal and ordinary: the youth of the offender, his mental health, the occasion in question, the nature of the crime. All these coming together—hence the reference to concatenation—will make the mandatory sentence the wrong one, but no particular aspect of the case will be exceptional.

I shall not take up the time of the House by giving examples—I have done that in earlier debates. The hon. Member for Meirionnydd Nant Conwy was kind enough to repeat some of them and to add some more of his own. It is easy to think them up, just as it is easy to dismiss them as contrived, but the trouble with such contrivances is that they occur from time to time. It will not serve justice and the public's respect for the law's firm application to put a judge in a position where the mandatory sentence is plainly wrong but he must pass it, unless he can descry circumstances that make it exceptional—but not if they make it simply unjust.

My hon. and learned Friend the Member for Burton argued forcefully that, not being given a clear form of words, the judges will interpret them broadly—in effect recreating, in large measure, the discretion that the Bill is designed to remove. He hopes that he is wrong. It appears that the Lord Chief Justice thinks that he is, as he has said that he expects the court to interpret exceptional circumstances narrowly. In Committee, my right hon. Friend the Minister of State said that he thought so too, a decisive reaction on his part as the courts seeking guidance as to Parliament's intention will no doubt construe his words accordingly.

"Quite right" say the enthusiasts—including some of my hon. Friends, who happen not to be here—for clauses 2 and 3. A few sentences may be heavier than justice might otherwise require, but that must be balanced against the benefit to society in that mandatory sentences will deter far more effectively, so there will be less burglary and less drug trafficking, with the essential corollary that that deterrent effect will be nullified if the court, in its wisdom, is allowed to substitute a lesser sentence on those occasions where the needs of justice require it.

I know of no convincing evidence, commonsensical or statistical, to support that view. The interesting articles by Charles Murray in *The Sunday Times*, under headlines suggesting that more prison was always the answer, did not. He appeared to say that the essential ingredients that had been lacking in the UK to reduce crime were detection and prosecution. He also said, very relevantly to this debate, no doubt to the disappointment of some of my hon. Friends—and certainly to my surprise—that UK judges were just as likely to send to prison people appearing before them now as they were in the stern old days of 1954, after which, he said, it all began to go wrong.

Nevertheless the statistics that emerged with the White Paper and the Bill showing that repeat offenders suffer penalties little harsher than first timers, do prompt questions about the justice and good sense of current sentencing practice. "May" is the operative word here. Those statistics may conceal more than they reveal. The courts may not be being inconsistent. They may be making wholly justified distinctions between cases, which are obscured by averages.

My hon. and learned Friend the Member for Burton suggested, and he is well-placed to know, that some judges are firm and coherent sentencers but others are not. Before passing a Bill such as this, we should have had a much more comprehensive and objective picture of sentencing as it is currently practised and of sentencing's relationship with deterrence and rehabilitation. We should have had a fully fledged inquiry on this crucial issue, which could absorb the Charles Murray findings and other research, and which could commission others to fill the gaps.

Meanwhile, it seems that judges do not work to any comprehensive guidance from the senior judiciary—at least there is no such guidance on burglary—as they do for some of the more serious crimes. If that is so, it is a grave lack. There should be guidelines and they should be accessible to anyone who is prepared to take reasonable time and trouble to find them out. Sentencing should not be a mystery to which only the few are admitted.

Perhaps my right hon. Friend the Minister of State will be able to add to what was said on Monday and tell us what the position is, but it looks to the layman as if the judges had been slow to respond to public disquiet. However, it also looks as if the Government were keen to legislate before the judiciary had managed to show either that all is as it should be, despite appearances, or that the senior judiciary is willing and able to produce new guidance that would meet the shortcomings that have been revealed. I hope, however, that my right hon. Friend will not simply say that the amendments enabling the courts to substitute another sentence for the mandatory ones when the interests of justice require it will drive a coach and horses through the Bill, because they will not. The amendments would still mean that the courts are generally expected to impose the mandatory sentence.

Mr. Maclean: I am sure that my right hon. Friend has studied the transcript of the Lord Chief Justice's comments on "The Frost Programme", when he was asked what the effect would be of any amendment to substitute the present words with words such as, "according to the justice of case". He said that it would enable the judge to avoid passing a mandatory sentence in any case where he considered it simply anomalous to do so.

7.15 pm

Sir Peter Lloyd: I was aware of those words. It shows that it is difficult to find the right ones. The Government have not done so. The hon. Member for Meirionnydd Nant Conwy, who moved the amendment, might not have found the right ones, but I am sure that, before the matter returns to the House from the Lords, even if we do not make a change here, the right ones need to be found because the present ones are simply not satisfactory.

[Sir Peter Lloyd]

The Lord Chief Justice was not as confident in his own form of words as perhaps he should be because the form of words on the amendment paper would still mean that the courts—this is the way in which the Bill is constructed and my right hon. Friend the Minister of State, if he reconsiders it, will find that that is so—would generally be expected to impose the mandatory sentence. They would be able to substitute a lesser one only when the judge had explained why that lesser sentence was necessary in the interests of justice. It will have to be the mandatory sentence, unless there are good reasons why not. Those reasons will no doubt be subject to guidance from the Lord Chief Justice and—this is an extra point that is not in the amendments—the prosecution should be able to appeal against them if they find them unacceptable. Far from a retreat, the Government should regard that as giving them a victory on all the essential points, while enabling them to avoid the injustices that the Bill's present wording will certainly produce.

If my right hon. Friend the Minister of State is just going to reject the amendments without the qualification that the Government will reconsider, especially in another place, he will be saying that, in these particular cases, he does not want the courts to take the needs of justice into account. Inevitably, with mandatory sentences, he will, in practice, be writing occasional injustice into the law.

If nevertheless, as I say, the House does not accept the amendments, I hope that another place will give us a second chance. For some of the reasons that I have already given, in a way that would be better. Their Lordships may find a form of words that more effectively meets the needs of justice without frightening the Government that nothing will be changed. Their Lordships should certainly be able to illuminate sentencing practice and show how it can be improved not just for offences that attract mandatory sentences, but for the whole range.

It would be doubly satisfactory if these amendments were first made in the other place. The Labour party would see the undemocratic second Chamber that it wants to replace doing the Opposition's proper job for them, while the Government, who want to preserve the present Lords as a revising Chamber, are obliged to benefit from its revisions. Perhaps that is our subtle Home Secretary's grand design: to demonstrate the usefulness of the other place as it is presently constituted while giving a powerful incentive to the judiciary to turn its collective mind more thoroughly to matters of sentencing, which worry, rightly, many people, so enabling him to accept gracefully a suitable amendment there, "exceptional circumstances" having served its purpose as a catalyst.

Mr. Beith: I have rarely heard a complex case deployed so brilliantly in the House as it has been by the right hon. Member for Fareham (Sir P. Lloyd), after the amendment was competently and ably moved by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd). The amendments go to the heart of the Bill. I will deal with the general principles that they raise, but first I want to refer to amendments Nos. 32 to 35.

Those amendments, tabled by Liberal Democrats, are designed to enable the courts to pass mental health disposals on mentally disordered offenders who would otherwise have to be given automatic life sentences under clause 1, or mandatory minimum sentences under clauses 2 and 3. At present, when a court is satisfied that an offender is suffering from a mental disorder falling within the provisions of the Mental Health Act 1983, it can make a hospital order, if appropriate combining that with a restriction or guardianship order. Those options are ruled out by the Bill.

Mental disorder could not be interpreted automatically as amounting to an exceptional circumstance. It is just possible that the Minister thinks that it could be treated as such a circumstance; I hope that in due course he will say whether he thinks that it should automatically be regarded in that way, or whether a court could in any appropriate set of circumstances regard it as such. I consider this a pretty far-reaching use of the word "exceptional", and I think that a court would find it difficult to apply such an interpretation. I therefore proceed on the assumption that, other than in a case that is itself exceptional even within that category, the option is ruled out.

The Home Office and Department of Health guidance document entitled "Mentally Disordered Offenders: Inter-Agency Working", published in 1995, states:

> "Detention in prison is likely to be damaging to the mental health of a mentally disordered person, and the Prison Service is not equipped to provide treatment equivalent to that available in hospital."

I ask the Minister to talk to prison officers about the problems that they now experience with people whom they believe to suffer from mental disorder who ought to be in hospitals rather than prisons. The task of running a prison and providing a regime that will rehabilitate at least some offenders is made immensely difficult when—as seems to be the case now—an increasing proportion of those offenders are suffering from mental disorder, and that increase will be very much greater if the court does not have the option to take the mental health route in circumstances such as those that I have described.

According to a briefing prepared by the Law Society's mental health and disability sub-committee, in conjunction with the Royal College of Psychiatrists,

> "While the Committee agrees that the public needs protection against persistent offenders, it believes that this will not be achieved by sending mentally disordered offenders to prison for a minimum of three years. Indeed, imprisonment is likely to have the opposite effect, since the mental health of the offender is likely to deteriorate while in prison, before being released untreated and unsupported into the community . . . Those mentally disordered prisoners who are eventually released are more likely to continue to pose a risk to the public, since their disorder may well have remained untreated during their imprisonment and it will prove far more difficult to ensure continuity of effective care from prison to the community, than from hospital to the community."

We all know how difficult it is proving, within the community care programme, to cater for mentally disordered people with a tendency to commit offences who are now at large in the community. If such people are released from prison without treatment and without follow-up from mental hospitals, there will be even more of a problem.

It is feared that hospital orders made under the Mental Health Act would be inadequate to protect the public from some mentally disordered offenders. I presume that that is why the Government are closing off that option. It is worth emphasising, however, that in practice most offenders who are given hospital orders combined with

restriction orders are kept in hospital for longer than they would have spent in prison. They are kept "out of harm's way", as the Home Secretary might like to think of it, and will not be able to commit offences for longer than would be the case if they received prison sentences.

A restriction order can be made when the court considers it necessary to protect the public from serious harm. Most restriction orders are made without time limits: they subject the offender to indeterminate detention. Decisions on release are made by a mental health review tribunal, and the patient is discharged under conditions that entail permanent liability to recall to hospital. All that gives the public much more stringent protection than is available under the mandatory sentence procedure. The procedures are similar in effect to a discretionary life sentence, but they require detention in a mental hospital rather than in prison.

To remove the court's discretion to pass an order ensuring that a mentally disordered offender receives the care and treatment that he or she needs is surely unacceptable. The amendments would retain that discretion, enabling the court to consider alternative disposals more suited to the needs of mentally disordered offenders, which in the long term are likely to protect the public more effectively. If the Home Secretary's watchword is that he is doing all this to protect the public, in the case of mentally disordered people he ought to take a route that is likely to provide that protection.

Let me turn to the wider issues raised by amendment No. 6. It would insert the words

"in the interests of justice".

The arguments advanced so far are very persuasive—for example, the argument that unless that wording is included far more guilty people could be acquitted, and the argument that the abandonment of the parole system, with its system of automatic recall, will seriously undermine the protection of the public. I believe that the Bill's provisions have a more political than penal purpose, and that the Government do not seriously intend them to be carried out. If those provisions are passed unamended, the number of people committed to prison, and the time for which they are committed, will be such as to require—according to the Government's own estimate—the building of 12 new prisons, with 11,000 more prisoners. Other estimates are much higher.

There is no provision in Government finances for the building of those prisons. There is provision for the building of eight other new prisons, but they are intended to deal with existing overcrowding rather than the effects of the Bill.

The provisions will not come into effect fully for 12 years. That, too, is stated in the Bill's financial memorandum. The Government seek to convince the House that, unless the Bill is passed unamended—without amendments such as amendment No. 6—the public will be denied the immediate protection that they would secure from the commitment of large numbers of people to prison very soon, but that is simply not the case. If the Bill's provisions were implemented at all, it would be over an extremely long period. The fact that, without an amendment of this kind, the Bill would require so many prison places is an admission that the Government do not believe that it will deter crime. Far from keeping people out of prison because they do not commit crimes, it will lead to the admission of many more prisoners. That in itself constitutes an acceptance that the measures will fail to achieve their supposed purpose.

If the measures were real and serious in their intent, there would have to be a huge reduction in the funds available for other Home Office functions, particularly those relating to policing and crime prevention. I know of no Minister who has gone on record as saying that he is prepared to sacrifice £1 billion or more from funds for his departmental programmes to provide for those functions, and I know of no indication from the Treasury that it has found resources elsewhere for the purpose. The money is bound to come from somewhere in the Home Office budget. If the courts do not have discretion to apply sensible sentences and are trapped in the mandatory system, the effect on policing and crime prevention will allow many more crimes to be committed, thus weakening protection of the public.

Labour's apparent support for this part of the Bill, and its unwillingness to amend it, imply a similar commitment to the expenditure of substantial resources. I wonder what the right hon. Member for Dunfermline, East (Mr. Brown) has to say about that. He is supposed to have enjoined all his Front-Bench spokesmen not to make spending commitments, but there is a huge spending commitment at the heart of the Bill.

As I understand it, by not objecting to the mandatory sentence principle and not supporting the kind of amendment tabled by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), Labour is also accepting built-in injustice in the sentencing system. The purpose of amendment No. 6 is to ensure that the courts can take into account justice in the passing of sentences. If we deny them that power, we accept that unjust sentences will be passed, because the circumstances are not sufficiently exceptional. I do not know how the Labour party can stand by that principle, but it appears to be doing so.

It is vital that an amendment along the lines of amendment No. 6 is included in the Bill. I endorse what others have said: if this House does not do it, it will have to be done in another place. I also ask the Minister, however, to look carefully at the points about mentally disordered convicted persons which I made earlier.

7.30 pm

Sir Ivan Lawrence: I do not want to take up the time of the House repeating the argument on this matter—to which my right hon. Friend the Member for Fareham (Sir P. Lloyd) referred—that I made in Committee, but we are no further forward than we were then. I agree with hon. Members who have suggested that this matter is a very important part of the Bill. The heart and soul of the Bill is minimum sentences, and the issue we are debating is whether judges have a large or narrow gate to pass through if they want to avoid the consequences of minimum sentences.

In this debate, we are talking about whether the phrase "exceptional circumstances" is better than the phrase "in the interests of justice". The answer depends on the point of view with which one begins. If I were a judge, pure and simple, and shared the views of the previous Lord Chief Justice and some other senior judges, I might feel very distressed at the thought that my judicial discretion had been curbed in this manner, and I should like as big a gate as possible to avoid the consequences of minimum

[Sir Ivan Lawrence]

sentences. However, I am a politician. As I have spent more time in the past 23 years in the practice of politics than in practice in the courts, I hope that I am more a politician than I am a lawyer.

My experience in politics tells me that the Government are right to introduce minimum sentences, and that they are reflecting the wishes of the people. The people have a right to have their wishes respected, and they have said that the sentences that the courts have been apt to pass on persistent professional offenders—whether they are drug traffickers, burglars or violent criminals—have been inadequate to protect them.

Therefore, I approach the matter in a manner different from that of some senior judges and judges—although not all senior judges, and certainly not all judges. We must provide as small an opportunity as we can for judges to brush away the Bill's provision of minimum sentences, which I anticipate that the House should like to pass into law. The question is whether we should provide a big or a small gate through which exceptions may pass.

In Committee, I expressed the view, which I shall not repeat in detail, that "exceptional circumstances" was still too vague a term, without elaboration, for judges to understand its meaning. More importantly, it is too vague for villains to understand that the commission of a third burglary or drug offence, or a second rape or serious violent offence, will lead to certain consequences. I expressed that view even after attempting to consider the matter through the eyes of the Government and through the eyes of those of us who support the Government's view that the minimum sentences provisions are vital, and that there should be as little opportunity of avoiding them as possible.

I am a believer in deterrence. I believe that the certainty of consequences is important, and that we would be making a mistake if villains thought that there was sufficient possibility of avoiding the consequences of a three-years, seven-years or life sentence.

Mr. Beith: Will the hon. and learned Gentleman give way?

Sir Ivan Lawrence: I should be grateful if the right hon. Gentleman did not stop my train of thought now, because I am not reading from notes, and I cannot return to a previous note. In a moment, I will of course give him an opportunity to intervene.

I am concerned that we provide sufficient guidance for villains and deter them by letting them know in advance the consequences of their second or third wrong action. As a recorder, I am also concerned that I should know—when I have to apply it—the meaning of "exceptional circumstances". In practice, with time, judges and the Court of Appeal will establish guidelines on the meaning of "exceptional circumstances", because they will have to.

When we direct a jury, we will have to open our red book and state what we mean by "exceptional circumstances", because the jury may also want to decide whether the case's circumstances are such that they should convict. The issue of "exceptional circumstances", however, must be dealt with by the sentencer; lack of clarity is no help to the sentencer.

Goodness knows how long it will take judges to work out the meaning of "exceptional circumstances" or—if we change the phrase—"the interests of justice". Meanwhile, while confusion remains in the minds of the judges, the Bill's purpose may not always be effected.

I had hoped that, between Committee stage and today, my right hon. Friend the Minister and my right hon. and learned Friend the Home Secretary would have consulted senior judges, and particularly the Lord Chief Justice. Once the Lord Chief Justice had been convinced that the Government knew their own mind and the intentions of Parliament, he would honourably help to fulfil those intentions. Perhaps we could have debated the proper meaning of the phrase "exceptional circumstances", or—had the Lord Chief Justice persuaded my right hon. and learned Friend that it was a better form of words—the phrase "the interests of justice" . But that has not happened, and we are none the wiser and not even better informed.

We will have to say to their Lordships in another place, "Please help yourselves and help to express the intention of Parliament, and therefore of the people, by suggesting a form of words that the Government can accept as realising Parliament's intention. We can then write it into the Act, and we will not have to go through the business of waiting, over many years, as guidelines are developed, during which time many villains may go on committing repeat offences because they are not certain that the consequences of minimum sentences will follow." So all is not lost, because the Bill still has another stage to go—during which time, hopefully, the most brilliant legal minds in the land will give their input.

I should tell my right hon. Friend the Minister that I am as dissatisfied now, during this more advanced stage of the Bill's passage, as I was in Committee. If it is defined in a certain way, I do not think that "the interests of justice" will have any different effect from "exceptional circumstances". The meat is in how the phrases are defined. The substance will be in their Lordships accepting that it is the will and intention of the Government—with the support of the Opposition, and therefore with the support of the entire House of Commons—that we should introduce tough minimum sentences which more closely reflect the people's desire to deter villains. Unsatisfactory though the proposal is, it is not completely unsatisfactory. I only hope that the other place will not only assist the Government in carrying out the intentions of Parliament but clarify the law, so that there is no confusion in the courts or in the minds of villains.

Mr. Michael: Now that we are debating serious amendments, it is a pity that we no longer have with us a single one of the phantom soundbite warriors—the supporters of new clause 14—who did not even have the courage to vote on their spurious proposal. They are not interested in the serious business of scrutinising and improving legislation.

There have been some serious contributions to today's debate, not least that from the hon. and learned Member for Burton (Sir I. Lawrence). He has just made a thoughtful and considered speech, which the Minister should take seriously, as it builds on comments that he made in Committee.

We heard an entertaining speech from the right hon. Member for Fareham (Sir P. Lloyd), for whom I have a great deal of respect. He was a good, hard-working

Minister, which is probably why he was sacked. However, I was a little sad that he today criticised the Opposition unkindly and unfairly. He is rather like the former Home Secretary, the right hon. Member for Witney (Mr. Hurd)—I have been provoked into making this point by something that the right hon. Member for Fareham said earlier—in that they talk tough and toe the line in government. The right hon. Member for Fareham was complicit in the massive increase in crime that has occurred under this Government—especially the increase in violent crime—and in the inconsistency of sentencing which we are now trying to tackle.

I agree with the hon. and learned Member for Burton that there is a cross-party wish to achieve more consistent sentencing. Indeed, it was my hon. Friend the Member for Blackburn (Mr. Straw), the shadow Home Secretary, who identified the fact that people who commit a second and third very serious offence are often no more likely to receive a longer or tougher sentence than they did on their first conviction. There is no sense in that. The emergence of the right hon. Members for Fareham and for Witney from the chrysalis of office and their being born again as radical reformers is damaged by their record in office.

Sir Peter Lloyd *rose—*

Mr. Michael: Of course I shall allow the right hon. Gentleman to defend himself.

Sir Peter Lloyd: I just want to correct the hon. Gentleman on one small fact, although I do not suppose that he wants facts to spoil his flow. While I was the Minister responsible for prisons, reported crime fell. The point that I directed to him was that we are discussing important issues that go to the heart of the Bill, and that I hope that he will bring his party out in support of them and not leave it to others.

7.45 pm

Mr. Michael: I am coming to the amendments, but the right hon. Gentleman indulged in some unjustified knockabout, and his comments require a response. There was a minimal fall in recorded crime, but that fall has been reversed in certain categories—violent crime, for instance. In any event, the right hon. Gentleman was talking about recorded crime. It is not the subject of this debate, but he cannot defend the Government's record, or even his period in office, by saying that the Government succeeded in tackling crime—they did not. The Government have an appalling record, and the Bill does little to recover any ground for them.

The hon. Member for Berwick–upon–Tweed (Mr. Beith)—

Mr. Beith: Right honourable.

Mr. Michael: The right hon. Member for Berwick–upon–Tweed—I beg his pardon before I get stuck in—was also self-indulgent. The fact is that the Liberal Democrats did not regard the subject as serious enough to want to participate in the Standing Committee. They are not so good at the hard work.

We did, however, have the company of the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) from a minority party, and he made a significant contribution. It is all very well for the right hon. Member for Berwick–upon–Tweed to criticise the Labour party and the Government on the Floor of the House in an attempt to look purer than pure, but, as he was not on the Committee, perhaps he should at least have the courtesy to read *Hansard* and see the constructive way in which we sought to debate the issues.

Mr. Llwyd *rose—*

Mr. Michael: Of course I shall give way to the hon. Gentleman, who did participate constructively in the Committee.

Mr. Llwyd: I have not entered into any party political knockabout, because I believe the subject is too important. Far be it from me to defend the Liberal Democrats, but my place on the Committee was in effect given to me by them, as I asked for it. It was agreed that I, rather than a Liberal Democrat, should sit on the Committee. I say that to be fair.

Mr. Michael: I am delighted that the hon. Gentleman sat on the Committee, as I was about to comment on the fact that there were serious contributions from members of all parties represented there. My point is that I am not going to accept knockabout comments from the right hon. Member for Berwick–upon–Tweed; I want to concentrate on the serious debate to which the hon. Member for Meirionnydd Nant Conwy contributed consistently in Committee, as did the hon. and learned Member for Burton.

We may not have agreed all the time, but the Committee was a good one, and the contributions by the hon. Gentleman and the hon. and learned Gentleman were consistent with what they have said today. Those who indulge in a bit of knockabout deserve to be put right. Now let me move on to the amendment.

We all want consistency from the courts, and, indeed, progression, which means that those who commit serious offences more than once receive a tougher penalty as a result. To balance that, we also want a mechanism that avoids the anomalies that can arise from very specific or mandatory sentences. We want Parliament to make its intentions clear, and something to protect against those anomalies.

The Government's method has been to set mandatory sentences. That was their position at the time of the White Paper, but—and they were right to do so—between that time and the publication of the Bill, they have accepted that they needed to shift their position, and came up with the phrase "exceptional circumstances". The problem is that their complete refusal to explain what it means has undermined the credibility of Bill's phrasing—a point made in Committee by members of all parties.

The Government have available to them the resources, parliamentary draftsmen and advisers to ensure that they get legislation right. We have been right—on Second Reading, in Committee and again today—to prompt the Government and make sure that they realise that they have not got it right yet. Of course, there is a way that they could move in the right direction.

The hon. and learned Member for Burton said that the real matter at issue is whether there should be a big or small gate for exceptions. We need to understand

[Mr. Michael]

Parliament's intentions, and the options are either better wording or an explanation of "special circumstances". The Pepper *v.* Hart judgment shows that the explanation of the intentions of Parliament is significant to the courts. That explanation has not been given.

As the hon. Member for Meirionnydd Nant Conwy said in his introductory remarks, the only example of an exceptional circumstance is that cited by the Home Secretary on Second Reading:

"Sometimes, someone appearing before a court gives the police exceptional help, which enables them to bring a number of other serious criminals to justice. That would be an important factor, which I would regard as an exceptional circumstance justifying the passing of a sentence shorter than the minimum mandatory length."—[*Official Report*, 4 November 1996; Vol. 285, c. 914-5.]

The trouble is that we have not moved on from there. The hon. and learned Member for Burton made clear the lack of progress in explaining that.

The one example that has been provided creates some difficulties. Co-operation with the police does not amount to what the White Paper described as "quite unforeseeable circumstances". It is neither unusual nor unforeseeable. Have the Government abandoned that definition? What is their definition? The Minister was challenged time and again in Committee at least to give illustrations, if he could not give a definition, to allow us to understand the Government's thinking, but that thinking remains opaque.

That single example also creates problems on the other side of the equation. Chief constables are unhappy with the one example given by the Home Secretary, because, even if giving the police special help were regarded by a court as an exceptional circumstance, the Bill would require the judge to give his reasons for a reduced sentence in open court. That could put the informant at serious risk, thereby destroying any incentive to co-operate.

How would the court get around that problem, except in the devious way suggested in Committee by the Minister? He may have reflected on those remarks, when he seemed to suggest that a court could more or less ignore the problem and dance around it. I hope that we shall have some clarification from the Minister today, because we have had none so far. I shall not labour the point further, because we brought it up time and again in Committee, and it was raised on Second Reading. I am beginning to despair of getting clarification from the Minister.

Amendment No. 1 addresses an important anomaly highlighted by my hon. Friend the Member for Blackburn, the shadow Home Secretary, and the hon. and learned Member for Montgomery (Mr. Carlile) on Second Reading, and by the hon. and learned Member for Burton and me in Committee.

The amendment provides that, in the case of offences under section 18 of the Offences Against the Person Act 1861, the court should be able on a second conviction to pass a sentence other than life imprisonment if it considers that to be

"in the interests of justice".

We are dealing only with that narrow group of offences, but the amendment would give the court wider discretion than the "exceptional circumstances" formulation to pass sentences other than life imprisonment for section 18 offences.

On Second Reading, my hon. Friend the Member for Blackburn said:

"The law relating to section 18 is wholly unsatisfactory, as the Law Commission has repeatedly pointed out; and the range of conduct covered by this section is extremely wide."—[*Official Report*, 4 November 1996; Vol. 285, c. 930.]

We had an interesting debate in Committee, during which I reiterated our belief that that would lead to anomalies, and that the Minister had not sufficiently taken into account the danger of anomalies. From his experience in the courts, the hon. and learned Member for Burton reinforced my points strongly and constructively. He said that there was merit in the points that I had raised, and that, if the provisions covered all section 18 offences, a number of consequences would follow: first, an offender would be more likely to plead to a section 20 offence; secondly, the offender would be less likely to plead to a section 18 offence—a point made by my hon. Friend the Member for Islwyn (Mr. Touhig); and thirdly that the inclusion of section 18 in all its width would make it more likely that the Crown Prosecution Service, in its discretion, would decide whether to prosecute under section 20 or section 18. In other words, people would be going round the intention of the law.

The hon. and learned Member concluded:

"But we must give a little thought to how extensive is the arm with which we enforce the mandatory life sentence if, at the margin, it will do more harm than good to the system to implement it."—[*Official Report, Standing Committee A*, 14 November 1996; c. 64.]

I call in aid the remarks of the hon. and learned Member for Burton in saying that this important issue has still not been resolved.

In an offence under section 18, the wound can be any wound that breaks the skin, even a minor wound. A kick in the leg that draws blood counts as wounding, provided that there is deemed to be intent to cause grievous bodily harm or resist arrest.

Grievous bodily harm has been defined by the Court of Appeal in some cases, notably DPP *v.* Smith in 1961, as "really serious harm", but in other cases it has been defined as either "really serious harm" or "serious harm." A broken wrist, for example, could be regarded as serious harm. An offence under section 18 therefore need not necessarily involve the intention to cause serious bodily harm, but can involve wounding with intent to resist arrest. As the hon. Member for Meirionnydd Nant Conwy said in that Committee debate, a section 18 offence could be knocking a person's tooth out.

The problem can be illustrated by a series of examples, but I do not intend to delay the House by recounting them. I hope that the Minister has given the matter some thought since the Committee debate, and has something positive to tell us or is willing to accept the amendment. The variety of offences under section 18 are all serious and involve violence, and many are very serious. However, many section 18 offences are at a different level of seriousness from offences such as homicide and rape. Even if the case for automatic life sentences for repeat offenders were accepted for those offences, a wider discretion for section 18 offences would be appropriate.

Only two days ago, the Minister asked us in a debate on a new clause not to devalue the currency when comparing the way in which we deal with violent offenders and sex offenders. We are in danger of devaluing the currency on the less serious section

18 offences. On Second Reading, the right hon. Member for City of London and Westminster, South (Mr. Brooke) noted that

"grievous bodily harm with intent is not uncommon in a domestic context",

and asked:

"Would the family be prepared to give evidence if life imprisonment were the consequence?"—[*Official Report*, 4 November 1996; Vol. 285, c. 952.]

I have already referred to the greater reluctance to plead guilty to a section 18 offence, and the increased likelihood that the charges will be plea-bargained down to a lesser offence.

When we debated this issue in Committee, the Minister initially refused to acknowledge that section 18 offences could be anything other than very serious. He said:

"Section 18 is used to prosecute the most appalling assaults committed by dangerous violent criminals. It is exactly these kinds of people from whom the public need protection and against whom the public will be better protected by an automatic life sentence."—[*Official Report, Standing Committee A*, 14 November 1996; c. 65.]

We agree with him about the people he was describing, but not with the width of his description of what is prosecuted under section 18. That point was made strongly by the hon. and learned Member for Burton.

The Minister responded by arguing that different cases could be dealt with by variations in the length of the tariff that a life sentence prisoner must serve before being considered for release. Hon. Members—particularly the hon. Member for Lancaster (Dame E. Kellett–Bowman), who is more interested in waving and going home than in listening to the debate—should pay particular attention to the Minister's remarks. He said:

"We should stick with the automatic life sentence for all those convicted of a second offence of grievous bodily harm and let judges reflect in the tariff, as at present they do for life sentences, their view of the person's culpability . . . I am not aware of a minimum or maximum being imposed on judges. I understand that they have complete discretion in imposing the tariff."—[*Official Report, Standing Committee A*, 14 November 1996; c. 66.]

He confirmed in later exchanges that the discretion was so wide that a life sentence could, in the setting of a tariff, turn into a three-month sentence, because there is no limit on the discretion available to the judge.

I clarified the Minister's remarks during that debate, when I explained:

"The judge can give as light a sentence as he wants and still call it a life sentence. . . . he"—

the Minister—

"tells us that a life sentence leaves the judge with such wide discretion that the words are virtually meaningless."—[*Official Report, Standing Committee A*, 14 November 1996; c. 68.]

That is surely unsatisfactory, as the objective of the Bill is supposed to be honesty in sentencing. It applies exclusively to section 18 offences, which is why amendment No. 1 is so important.

Surely it would be far more sensible to give the courts wider discretion to pass sentences other than life imprisonment in section 18 cases, so that the more serious offences that the Minister described in Committee would be dealt with in the way he suggests, and offences at the other end of the spectrum could also be dealt with appropriately, without ludicrously having to describe a much shorter sentence as a life sentence.

8 pm

Mr. Beith: The hon. Gentleman said that that would put me right. He has not yet put me right on whether he is prepared to vote for amendment No. 6, or on whether, in believing that mandatory sentences are generally acceptable with only limited exceptions, he agrees with the expenditure of £3.6 billion on building new prisons that will be required, according to the Government's own estimates.

Mr. Michael: We shall come to Government expenditure in a later debate. I should tell the right hon. Gentleman that it gets worse. Some of the Government's amendments increase the cost quite considerably. The Government are responsible for their own amendments to the Bill and for making sure that its clauses are accurate and clear. It would be ludicrous for the Bill to catch people it was not intended to catch. Amendment No. 1 seeks to clarify that anomaly in relation to section 18 offences.

There are a number of ways of addressing the wider aspects involved. One is for the Government to come clean about what is meant by "exceptional circumstances", so that there is sufficient clarity for the definition to apply in the courts and to be taken into account under Pepper *v.* Hart, or, alternatively, for the intention of the House of Commons to be clarified.

I was most surprised that the Government did not draft amendments to clarify the issue and respond to the points that have been raised by hon. Members on both sides of the House in Committee and on Report. The Minister may provide that clarification in his reply to this debate. I suspect that he will not, in which case the prediction of the hon. and learned Member for Burton that the issues will be addressed again in another place is far more likely to come true.

Amendment No. 1 deals with section 18 offences. It is surely far more sensible to give the courts wider discretion to pass sentences other than life imprisonment in that narrow range of offences. The amendment would retain a life sentence as the presumptive sentence on a second conviction for a section 18 offence, but it would give judges wider discretion to tailor sentences to the wide variations in the circumstances of section 18 offences.

Mr. Gary Waller (Keighley): I shall make a brief speech warmly to endorse and pay tribute to the speeches of the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), the right hon. Member for Berwick–upon–Tweed (Mr. Beith) and my right hon. Friend the Member for Fareham (Sir P. Lloyd). Interestingly, from a rather different perspective, I found myself in agreement with much of the speech of my hon. and learned Friend the Member for Burton (Sir I. Lawrence).

Back Benchers on both sides of the House have referred to the need to do justice. The Bill, by introducing mandatory life sentences and minimum sentences, will make it more difficult, rather than easier, to do justice. I agree with those who have said that the Bill needs to be amended if we are not to fall into the serious trap of going down that path.

Some time ago, I introduced a ten-minute Bill entitled Determinate Sentences for Murder. It attracted considerable support in the House. It would not have prevented judges from passing life sentences in many,

[Mr. Gary Waller]

probably most, cases of murder—I am sure that a life sentence will be appropriate in some cases for which it will become mandatory under this Bill—but I feel that the Bill is moving in entirely the wrong direction.

I believe that, as it stands, the Bill will bring the law into disrepute. If we do not amend it, attacks on the state of the law will be emblazoned across the newspapers when manifestly unjust sentences are imposed because the judges have no alternative. If there are no adequate changes, I am sure that we shall have to return to the issue in the foreseeable future, just as the House found it necessary to do so soon after it introduced the regime of unit fines.

It is interesting that there has been something of a consensus about the current form of words in the Bill and those proposed in the amendments being unsatisfactory. I hope that some changes will be made before the House of Lords has done with the Bill.

Although the Opposition will not like me to say this, I regret the fact that, despite the strong reservations that must exist among their supporters, they decided to walk away from the issue. Those reservations are also felt by many of my right hon. and hon. Friends, some of whom have expressed them elsewhere.

There is still an opportunity for us to pull back from the brink. I hope that the other place will enable us to do that, and believe that before we have done with the Bill we shall have some more interesting debates.

Mr. Maclean: This has been a fascinating debate. All the amendments concern circumstances in which a court may set aside the automatic life sentence for a second serious violent or sexual offence in clause 1 or the mandatory minimum custodial sentences for a third time class A drug trafficking or domestic burglary offence in clauses 2 and 3.

This is a vital issue that goes to the heart of the Bill. I must congratulate my right hon. Friend the Member for Fareham (Sir P. Lloyd) on an outstandingly good speech. It is difficult for me to say so without sounding patronising, but I have heard many speeches over the years, and I felt that my right hon. Friend's speech tonight was one of his best ever. However, that does not necessarily mean that I found it entirely persuasive.

The view expressed by my right hon. Friend, the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) was straightforward, simple to understand and espoused a principle. They expressed a deep belief that the exceptional circumstances test is too narrow, and they wish it to be replaced with a justice of the case test. I understand that position, and in the next few minutes I shall explain why I disagree.

I was completely perplexed by the view of the Labour party on the issue and the long speech that we heard on an issue that is irrelevant to the principle—whether the grievous bodily harm test should be practically split in two, with much more serious offences at the top of the scale and lesser offences at the bottom of the scale. That is irrelevant to the issue of principle. One can only conclude that some of the darts that were placed by the right hon. Member for Berwick-upon-Tweed, and some of the superb stilettos inserted by my right hon. Friend the Member for Fareham, were true. I shall not intrude further on the Labour party's difficulty with supporting us, or opposing us, tonight. I assume that it will have to take the position that it took on Second Reading: to decide later on, perhaps nearer the election.

The amendment tabled by the hon. Member for Meirionnydd Nant Conwy would replace the exceptional circumstances test in clause 1 with a very different test. The test he proposes would allow the mandatory penalty to be set aside in any case where the trial judge took the view that it would be in the interests of justice to impose another sentence. Amendments Nos. 7 and 8 would, similarly, replace the exceptional circumstances test in respect of the minimum sentences for drug traffickers and domestic burglars in clauses 2 and 3.

My right hon. Friend the Member for Fareham perhaps knows me too well. He tried to head me off from saying that, if accepted, such a change would drive a coach and horses through the Bill. I must say to him that it would drive a coach and horses through the Bill. That is not only my view; I base it on the words of the Lord Chief Justice during an interview on "Breakfast with Frost". I shall quote his words exactly so I am not in error. One can only conclude after reading his interpretation of the interests of the justice of the case that the change would drive a coach and horses through the Bill. I am not trying to pick on my right hon. and learned Friend; I am basing my judgment on the Lord Chief Justice's opinion.

Dame Elaine Kellett-Bowman: He is not learned.

Mr. Maclean: I consider my right hon. Friend learned, although perhaps he is not in the House's technical sense.

The essence of mandatory penalties is that they should be imposed as a matter of course in the generality of cases. If they are not, they will not have the salutary effect that we intend and expect. There is no doubt that the amendments would substantially widen the discretion of the court not to impose the mandatory sentence.

The Lord Chief Justice recently said on "Breakfast with Frost"—the hon. Member for Meirionnydd Nant Conwy quoted part of the interview—

Dame Elaine Kellett-Bowman: The hon. Member for Cardiff, South and Penarth (Mr. Michael) is not listening.

Madam Deputy Speaker (Dame Janet Fookes): Order. I think that the hon. Lady is concerned that all rules should be punctiliously observed. She will therefore be aware that seated interventions are out of order.

Dame Elaine Kellett-Bowman: Is it in order for Opposition Front Benchers to be chatting among themselves when my right hon. Friend the Minister is winding up? That is the rule.

Madam Deputy Speaker: I will be the judge of such matters.

Dr. John Reid (Motherwell, North): On a point of order, Madam Deputy Speaker. Those of us who wish to listen cannot hear because of the hon. Lady's sedentary interventions.

Madam Deputy Speaker: I call Mr. Maclean.

Mr. Maclean: Those of us who wish to proceed cannot do so because of interventions.

I was trying to suggest that the hon. Member for Meirionnydd Nant Conwy should have quoted further from what the Lord Chief Justice said on "Breakfast with Frost". He quoted the Lord Chief Justice's view, which I believe to be correct, that the term "exceptional circumstances" will be construed very narrowly. I believe and hope that that is the correct interpretation. My hon. Friends may not like that view, but that is the Government's wish.

Mr. Llwyd: Although I think that that may be right, the way in which the Minister is interpreting the question is clearly extremely narrow. Time and again in Committee he was asked to cite examples, and in one speech he said:

"I could put together a list of 20,000 hypothetical examples".—[*Official Report, Standing Committee A*, 14 November 1996; c. 43.]

Would he care to give us 10 or 20 of them now?

Mr. Maclean: Of course not. The hon. Gentleman was obviously not listening in Committee. I said that it would not help interpretation of the Bill to cite many examples of general cases that I or anyone else dreamt up when the court was dealing with individuals before it. Exceptional circumstances will have to be defined in the individual circumstances of each accused or convicted person before the court—not on hypothetical, generalised examples that politicians may bandy across the Floor of the House, which would then, because of the Pepper *v.* Hart ruling, be read into the law as examples that have to be followed in every case. I went on to say that it would soon be the business of clever lawyers to devise the defence of their accused person around some of the examples that we had bandied about.

Mr. Llwyd: Do I take it, therefore, that the Minister is content, as the hon. and learned Member for Burton (Sir I. Lawrence) suggested in his very thoughtful speech, that the Court of Appeal should at some point hand down guidelines that can be followed by the courts? If so, the Minister is negating the whole point of the Bill. He started off with much bluster, saying that we cannot trust the courts and the Court of Appeal to hand out sentences, since they have had years to do it and have not done it. That was the Minister's raison d'etre for the Bill.

Mr. Maclean: We know what "exceptional circumstances" means. We know that it will be interpreted narrowly. Because the Government are satisfied that "exceptional circumstances" will be interpreted by the courts as it has been in the past, we are content to use it and rely on it.

The Lord Chief Justice said when interviewed:

"One can paraphrase 'exceptional' but it clearly means 'very unusual' at the very least and most of these explanations"—

he was referring to the examples given—

"are not very unusual".

The Government are satisfied that the test of exceptional circumstances will be used only in exceptional cases and that it will be interpreted strictly according to the Lord Chief Justice's view as expressed on "Breakfast with Frost".

8.15 pm

Mr. Michael: The question that has to be answered, though, is what is the nature of the gate that is being provided. The Minister must accept that one example has been given—that given by the Home Secretary—which did not stand up to scrutiny; it fell apart on examination. The Government should not then give up and not cite any examples. They have three options. They can change the wording, which they have not, since they have not tabled amendments; they can give examples so that we can understand what they are getting at; or they can seek to explain in a way that would help under the Pepper *v.* Hart ruling what they intend the courts should do. At the moment, the Minister must accept that he is just abrogating responsibility.

Mr. Maclean: Absolutely not. It is the Government's intention that the courts should interpret "exceptional circumstances" in exactly the same way as they have been in other legislation over the past five years.

Mr. Michael: Will the Minister give way?

Mr. Maclean: No, I will not. Such a view is the view that was expressed by the Lord Chief Justice in the interview. Other hon. Members have been relying on the fact that his opinion on that is correct. I believe that it is correct. It is not for the hon. Gentleman to keep insisting on hypothetical examples when he knows full well that any such examples, no matter how nonsensical, will be used in future to interpret the law in the courts and to drive a coach and horses through the Bill.

The hon. Member criticised me for not giving examples and said that we have not tabled an amendment. He has not tabled an amendment. The Liberal Democrats, the Welsh nationalists and my right hon. Friend the Member for Fareham have. I happen to disagree with my right hon. Friend because I think that his definition is far too wide and I want to maintain the present restricted exceptional circumstances test. The hon. Gentleman is trying, as the right hon. Member for Berwick-upon-Tweed said, to hide the fact that the Labour party is in a dither over the matter. It does not like the term "exceptional circumstances", and the best that it can think of is to try to get me to quote dozens of hypothetical examples that it will either try to shoot down in the House or in another place or use in future years to frustrate the intention behind the Bill.

Mr. Michael: I have not said that the Minister must cite examples. I said that he has three options: to amend, to exemplify or to define. He has chosen none of them. I shall therefore put a direct question to him. He is wrong to say that we have not tabled an amendment. We did, I spoke to it and he has not yet addressed it. Would the lower end of section 18 offences, which he has accepted exist and which the hon. and learned Member for Burton addressed especially in Committee, therefore be covered in some circumstances by the phrase "exceptional circumstances"? The answer would help us a little way forward.

Mr. Maclean: The hon. Gentleman is getting into irrelevancies and talking drivel. The minor Opposition parties and my right hon. Friend the Member for Fareham have a philosophical objection to the term "exceptional

[Mr. Maclean]

circumstances". I understand their argument; I disagree with it. They are offering substitute words for the term "exceptional circumstances".

It is the Government's view that the only alternative form of words offered at the present moment by the Lord Chief Justice, the Welsh nationalists, the Liberal Democrats and my right hon. Friend would drive a coach and horses through the Bill. It would widen the phrase "exceptional circumstances". We have heard nothing from the Opposition, and there is nothing in their amendment which has anything to do with the principled debate. Do we have "exceptional circumstances" and construe the Bill narrowly, or do we have the "interests of justice" which, in the Government's opinion, would construe the Bill widely? I shall discuss the Opposition amendment in a moment, but I must make some progress.

I have not yet managed to get on the record the words of the Lord Chief Justice, and I intend to do so. When he was asked to define the phrase, the "justice of the case" he said:

> "It would enable the judge to avoid passing a mandatory sentence in any case where he considered it simply anomalous to do so."

In any case where the trial judge thought that it would create an anomaly to impose the mandatory minimum sentence, he could avoid it. In our opinion, that means that the mandatory penalty would be set aside in many cases. That would make a nonsense of the concept and purpose of mandatory penalties and it would drive a coach and horses through the Bill. Those are the alternative forms of words on offer tonight.

My right hon. Friend the Member for Fareham said that other forms of words might come from another place in due course. I will be happy to consider any other forms of words, but if it is our view that they can be interpreted as widely as the Lord Chief Justice believes that the "justice of the case" terminology can be interpreted, they would not be acceptable to the Government.

I do not believe that mandatory penalties will lead to injustices. On the contrary, I contend that, without mandatory penalties, justice is not being done to the wider community now. Let me remind the House of the figures. A recent sample showed that the average sentence imposed by the Crown court on offenders convicted of domestic burglary for the first time is 16.2 months. After three or more convictions, the average rises to only 18.9 months and after seven or more convictions it rises to 19.4 months. A total of 28 per cent. of offenders in the Crown court with seven or more convictions for domestic burglary were not sent to prison at all. Our constituents are asking where the justice is in that. It is not justice. We believe that if the stringent qualifying conditions set out in clauses 1 to 3 are met—we intend that they shall be—mandatory sentences should be imposed as a matter of course in most cases.

We recognise that there may be occasional cases where the mandatory penalty would be unnecessary or inappropriate. That is why the discretion is in the Bill to set aside the penalty in exceptional circumstances.

I believe that we have achieved the right balance and that to go further and accept the view of the Welsh nationalists, the Liberal Democrats, my right hon. Friend the Member for Fareham and my hon. Friend the Member for Keighley (Mr. Waller) would be to go too far and undermine the effectiveness of the penalties.

The hon. Member for Cardiff, South and Penarth raised a point about section 18. I can see no good reason for treating section 18 offences differently from other offences covered by clause 1. The maximum penalty for offences under section 18 is, like other offences covered by clause 1, life imprisonment. Section 18 is used to prosecute the most serious assaults committed by dangerous and violent criminals, such as wounding or causing grievous bodily harm with intent. Such offences are always extremely serious. Frequently they are life threatening or leave the victim permanently disfigured and injured. It is exactly that type of person from whom the public need protection. That is what the automatic life sentence is designed to achieve. Criminals who persist in committing violent assault such as grievous bodily harm—not a simple fracas or a tiny punch-up outside a pub—need to know that they will face a stiff sentence such as life imprisonment. It would be anomalous for such offences not to attract the automatic life sentence.

The hon. Member for Meirionnydd Nant Conwy has suggested that, without the change he proposes, minor offences would attract the automatic life sentence and that that would be unjust. I do not agree. For a lesser assault, a lesser charge can be brought, such as section 20 charges, for example, wounding without intent, or section 47 charges. In such cases, the maximum penalty under section 20 is five years. I do not think that we hear many complaints from the police or our constituents that the Crown Prosecution Service has overcharged people with grievous bodily harm. We all hear, in many cases erroneously, that the CPS has undercharged. That is the view of many of our constituents. If there was any suggestion that the charge of grievous bodily harm was wrongly placed, I am certain that there would not be a conviction. It would not pass the intention test.

Mr. Beith: Apart from the official Opposition we are all anxious to get on with the Division. Between now and the Bill reaching the other place, will the Minister consider the risk that, if the other amendments I have tabled are not considered carefully, we may have more mentally disordered people in prison when the courts, given the option, would have provided a more appropriate regime?

Mr. Maclean: I believe that the right hon. Gentleman was wrongly informed about the mental health element that he proposed in his speech. The court may not simply set aside the automatic life sentence. To set it aside would upset the balance that the Bill provides between the need to protect the public from repeat offending and the need to enable effective medical treatment to be given to mentally disordered offenders. A disposal under the Mental Health Act 1983 cannot provide the lifetime supervision needed. The key point about the automatic life sentence is that there will be lifetime supervision.

If someone with a psychiatric problem is given an automatic life sentence, the Home Secretary can use his powers, and would intend to continue to use them, to move that person for psychiatric treatment. When the treatment is over, the life sentence can continue, including the element of supervision for life. That is the key point. In clauses 2 and 3, a sentence of a mental health restriction order can be imposed instead.

I want to challenge another point raised by the right hon. Member for Berwick–upon–Tweed. He said that the proposals would not be introduced for 12 years. That is untrue. It is true that it may be 12 years before the final burglar who has committed his third and final offence is locked up, but, when the Bill receives Royal Assent, we intend to introduce the important provisions as soon as possible, some time later this year. As resources permit, and as we can build the prison places through the private finance initiative, we intend to bring in the other provisions in the Bill, and by 1999 we intend to bring in the burglary provisions. That will protect our constituents better than any of the suggestions made by the Opposition tonight.

Mr. Llwyd: We have had a high-quality debate with speeches from both sides of the House. There have been thoughtful contributions from people who know a great deal about the subject.

I am singularly unconvinced by the Minister's response. It is much the same as we heard in Committee. I do not know whether Sir David Frost realises the constitutional implications of his programme on that fateful Sunday morning. I suspect that law students will seek videos of that programme and depart from their normal studies in order to learn about constitutional law.

I believe that this is the core of the Bill. If this part of the Bill remains unaltered, it will be flawed. In the other place the Bill will be examined by people who are judicially qualified as well as ex-Home Office Ministers and so on. I hope that they will look at the Bill again and amend this part of it.

I am indebted to those on both sides of the House who have contributed to this debate. I am sure that it will be read carefully in the other place, and I sincerely hope that there will be a positive result. With the greatest respect, the Minister's response was typical. It takes us nowhere at all. He stuck to a poor brief. We have heard the quotation from Sir David Frost's programme before and, as the hon. and learned Member for Burton (Sir I. Lawrence) said, we are no nearer now than we were in Committee, and that is disappointing.

Question put, That the amendment be made:—

The House divided: Ayes 35, Noes 266.

Division No. 40] **[8.28 pm**

AYES

Alton, David
Ashdown, Paddy
Beith, A J
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Chidgey, David
Dafis, Cynog
Davies, Chris *(Littleborough)*
Flynn, Paul
Foster, Don *(Bath)*
Godman, Dr Norman A
Harvey, Nick
Hughes, Simon *(Southwark)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross C & S)*
Kirkwood, Archy
Lester, Sir Jim *(Broxtowe)*
Lloyd, Sir Peter *(Fareham)*
Llwyd, Elfyn
Lynne, Ms Liz
Marek, Dr John
Michie, Mrs Ray *(Argyll Bute)*
Nicholson, Miss Emma *(W Devon)*
Pickthall, Colin
Purchase, Ken
Rathbone, Tim
Skinner, Dennis
Steel, Sir David
Taylor, Matthew *(Truro)*
Thurnham, Peter
Tyler, Paul
Wallace, James
Waller, Gary
Wigley, Dafydd

Tellers for the Ayes:
Mrs. Diana Maddock and
Mr. David Rendel.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas–Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson–Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Hamilton, Sir Archibald
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat–Amory, David
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Jack, Michael
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett–Bowman, Dame Elaine
King, Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox–Boyd, Sir Mark
Lidington, David

Lilley, Peter
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mawhinney, Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Redwood, John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew
Rumbold, Dame Angela
Sackville, Tom
Sainsbury, Sir Timothy
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Peter Ainsworth and
Mr. Roger Knapman.

Question accordingly negatived.

Clause 10

AWARD OF EARLY RELEASE DAYS FOR GOOD BEHAVIOUR

Amendment proposed: No. 11, in page 6, line 19, leave out 'three months or more' and insert 'more than two months'.—[*Mr. Maclean.*]

Mr. Michael: I welcome this amendment, which will go some way towards ensuring that there is more recognition of the award of release days for good behaviour for those serving short sentences. I welcome the fact that the Minister has modestly moved forward, and the amendment is an improvement to the Bill that I welcome.

Amendment agreed to.

Clause 12

PROVISIONAL AWARDS FOR REMAND PRISONERS

Amendments made: No. 12, in page 7, line 31, leave out 'three months or more' and insert 'more than two months'.

No. 13, in page 7, line 36, leave out 'three months or more' and insert 'more than two months'.

No. 14, in page 8, line 1, leave out 'three months or more' and insert 'more than two months'.—*[Mr. McLoughlin.]*

Clause 13

RELEASE SUPERVISION ORDERS

Mr. Michael: I beg to move amendment No. 2, in page 9, line 9, leave out '15' and insert '25'.

In Committee we highlighted the importance of supervising offenders after release and stated that the time for supervision should be adequate to ensure that rehabilitation can take place to make sure that offenders are more likely to live settled and constructive lives, rather than being tempted into reoffending. During the debate, I moved an amendment that would have increased the supervision period after release from 15 per cent. of the sentence to 25 per cent., in the belief that this would provide an adequate period of supervision.

At the conclusion of that constructive debate, the Minister gave a positive response and said that if we would withdraw the amendment to allow him to reflect and listen to our views on another amendment that was debated on Monday in relation to violent crime, he was willing to come back on Report, where he hoped to be able to say that he was happy with the 25 per cent. that we recommended. Offenders who have a relatively short prison sentence may suffer considerable disruption of their lives, and may need, perhaps, to settle elsewhere, to re-establish family links and to be more positive in their attitude to life.

It is in society's interests that good supervision takes place, and we had a discussion—in which the Minister and I were in complete agreement—about how to make sure that the supervision of those who come out of prison is effective. I keep my remarks brief in the hope that the Minister will be able to say that he has continued his reflections after our discussions and will accept the amendment. I believe that that would be wise, and would reflect the positive nature of at least some of the discussions that we had in Committee.

Mr. Maclean: The Government accept the amendment.

Amendment agreed to.

Clause 22

CONTINUITY OF SENTENCING

Mr. Michael: I beg to move amendment No. 5, in page 16, line 19, leave out from 'to' to the end of line 21 and insert—

(a) two-thirds of any term of four years or more which, at that time, it would have held to be appropriate if the offence had been so committed;

(b) 60 per cent. of any term of less than four years which, at that time, it would have held to be appropriate if the offence had been so committed.'.

Madam Deputy Speaker: With this, it will be convenient to discuss amendment No. 38, in schedule 2, page 49, line 11, at end insert—

'(2A) In section 3 of the 1984 Act (transfer of prisoners into the United Kingdom), in subsection (3), after subsection (b) add—

"or

(c) would result in a prisoner serving longer than two thirds of the term which the Secretary of State would have considered appropriate if the transfer had taken place before the commencement of Chapter 1 of Part II of the Crime (Sentences) Act 1997."'.

8.45 pm

Mr. Michael: On Second Reading, the Home Secretary suggested that prisoners should, in practice, serve no more or no less after the implementation of the Bill than they would serve at present under the law as it now stands. During the Committee, it was clear that Ministers accepted our argument that, in some cases, prisoners would serve shorter sentences as a result of the Bill as drafted. They then introduced amendments that, in some cases, will lead to higher sentences being served. That not only breaches the principle that the Home Secretary established—that there should not be a practical change in terms of the length of sentences—but has implications in terms of resources.

Given the Home Secretary's question to me on Monday about resources—following which, I am afraid, I had to correct his assumptions—we must ask whether he has the authority of the current Chancellor of the Exchequer for the amendment that he tabled in Committee which, it is calculated, would add some £40 million a year to the prisons budget and would involve the building of three additional prisons of the size of Dartmoor. As far as I am aware, there has been no amendment to the financial resolution or to the assessment of the costs of the legislation that was given on Second Reading.

The policy that the Home Secretary has called honesty in sentencing means that offenders sentenced to imprisonment will serve the full period of their sentence in prison, other than a small amount of remission—up to six days a month—that could be earned by good behaviour and positive co-operation. The Government have said that this is not intended either to increase or decrease the time that offenders spend in custody, but is simply to introduce honesty in sentencing.

Clause 22 of the Bill therefore requires courts to shorten their sentences by fixing them at two thirds of the current level. In the case of prisoners serving four years or more, it is true that, on average, this would roughly approximate to current periods in custody. Prisoners serving sentences of this length are released under supervision after two thirds of their sentence—earlier if they get parole, later if they receive additional days for disciplinary offences. Taking both the present rules and the proposals in clause 10 for earned early release days into account, the average term in custody would be similar to the present position.

That is not true of offenders serving under four years, as clause 22 would have the effect of increasing the time spent in prison compared with now. For example, a prisoner now sentenced to three years would instead be sentenced to two years. Under the new early release rules, even if he earned the maximum possible amount of remission, he would still have to serve 20 months in prison compared with 18 months now. That was acknowledged by the Minister of State in Committee on 3 December.

I will not rehearse what the Minister said at that time, but it was clear from the figures that he gave that prisoners sentenced to terms of under four years would serve 11 per cent. longer in custody than at present. That would increase the daily prison population by more than 1,800 and would cost more than £40 million a year—the estimate that I gave a few moments ago. It would also require three additional prisons the size of Dartmoor. In fact, the increase is likely to be higher than that, because those figures assume that all prisoners will earn the maximum possible remission, which is of course highly unlikely.

The increase would result not from a decision that all offenders sentenced to less than four years deserved to spend at least 11 per cent. longer in prison but from a clause that states that its aim is to ensure that an offender

"serves approximately the same time in prison as he would have served if the offence had been committed immediately before commencement."

The Minister may profess to be relaxed about that completely unnecessary increase in the prison population, but an overstretched Prison Service, already desperately trying to cope with rising numbers, with expedients ranging from floating prisons to converted Royal Air Force camps, will be unlikely to take the same relaxed view. It would be interesting to know the views of prison governors about the increased pressure in their establishments.

The amendment, by requiring courts to fix their sentences for a particular group of offenders at 60 per cent. of the current level, would achieve the aim set out in subsection (1) of ensuring that prisoners serve approximately the same length of time in prison as at present. In the amendments that the Minister tabled in Committee, he corrected one anomaly and created a fresh one, and the amendment is designed to bring us back towards the target that the Home Secretary espoused on Second Reading.

Sir Ivan Lawrence: In Committee on 5 December 1996, at column 256, I raised my concern about the repatriation proposals in clause 35. I tabled new clause 11, which has not been selected, and amendment No. 38, to give a full airing to a problem caused by the Bill and tentatively to suggest a way of dealing with it.

[Sir Ivan Lawrence]

The problem, I believe, will be acknowledged by the Government and by hon. Members of all parties, so the question will be how best to address it. Under existing law—I refer particularly to the Repatriation of Prisoners Act 1984—British criminals serving prison sentences abroad can be transferred back to serve their sentences in the United Kingdom, where they can more easily be visited by their families and where they may be more likely to be rehabilitated.

When that happens, the sentence imposed by a foreign court is adopted unchanged, unless it exceeds the British maximum sentence for a like offence, in which case the United Kingdom maximum is substituted. Otherwise, as in most cases, no adjustment is made to the sentence.

However—this is the rub—prisoners are subject to the systems of parole, remission and early release operating in the receiving country, so under our existing law those transferring to the United Kingdom from sentences abroad are eligible for release on parole after serving at least half their sentences in custody. Prisoners sentenced to less than 12 months in prison are automatically released altogether after serving half their sentence; prisoners serving 12 months to four years are automatically released on licence, and therefore under supervision by the probation service, until the licence period ends, which is usually three quarters of the way through the sentence; and prisoners sentenced to four years or more are eligible—it is not automatic—for release on licence after serving half their sentence and automatically released on licence after serving two thirds of their sentence.

At present, sentences imposed by foreign courts are sometimes considerably longer than sentences imposed for similar offences in the United Kingdom, and Parliament and the courts have always accepted that the Home Secretary would use his powers to grant early release on parole to remedy any injustice arising from the imposition of a disproportionately long sentence.

The problem in the Bill is that, as it substantially abolishes remission and parole, the sentence served will be the sentence passed, and that could be very much longer than a British prisoner would have to serve for the same offence in similar circumstances. The problem of unfairness would appear to be exacerbated by the provisions of the Bill, because when the sentences passed here are more closely related to the sentences served, the differences between the sentences for the same offence in similar circumstances will be even more glaring.

If British prisoners abroad are to serve far longer sentences, few will want to be transferred to this country to serve them, and the humanitarian aims of the 1984 Act will have been unintentionally negated.

The reciprocal position of a foreign national convicted in our courts who returns to his home country to serve his sentence makes the injustice yet more glaring: under the Bill he will get what is nominally a lesser sentence—one closer to the sentence that he is expected to serve—and in his country he will be subject to the local parole and remission conditions, which will of course be unaffected by our new legislation.

If it is accepted that there is not only an apparent injustice, of differences in sentences served by similar offenders in similar circumstances in different countries, but an actual injustice, involving British prisoners serving longer sentences than the court sentencing them may have intended, the only question is how to remove it.

The organisation Prisoners Abroad, which has many eminent and distinguished supporters, not all by any means on the left of the law and order spectrum, proposed two amendments to the Bill, both of which I tabled. Amendment No. 38 was the one selected.

Sections 1 and 3 of the Repatriation of Prisoners Act 1984 empower the Secretary of State to issue a warrant authorising the detention of a prisoner transferred into the United Kingdom. Section 3(1)(c) gives the Secretary of State a wide discretion to incorporate in the warrant provisions appearing to him

"to be appropriate for giving effect to the international arrangements in accordance with which the prisoner is transferred."

In exercising that power, section 3(3) requires the Secretary of State to

"have regard (inter alia) to the inappropriateness of the warrant's containing provisions which—

(a) are equivalent to more than the maximum penalties (if any) that may be imposed"

for a similar offence in the United Kingdom. When such a sentence is encountered, it is reduced to the maximum sentence under UK law for the equivalent offence.

If the Secretary of State were required to undertake the same exercise when issuing a warrant that the UK courts will undertake when sentencing, the inequities arising from the proposed changes would be remedied. Amendment No. 38 would take us some way toward the achievement of that aim.

It may be argued that the powers of the Secretary of State as expressed in the 1984 Act are already wide enough to enable him to achieve that end, but the decision of the House of Lords and the arguments of the Executive in the leading case of Reed make it clear that only a statutory change of the kind suggested could effect the remedy that is sought.

It may also be argued that clause 9 provides a remedy in that

"The Secretary of State may at any time release a prisoner if he is satisfied that exceptional circumstances exist which justify the prisoner's release on compassionate grounds."

But such a provision is surely inappropriate for dealing with a class of offenders rather than with an individual. It would surely be wrong to seek to remedy a fundamental injustice by relying on such a limited Executive discretion. In my respectful submission, it requires a statutory change, and I ask my right hon. Friend to give that serious consideration.

May I ask my right hon. Friend about the related problem of the reciprocal arrangements for foreign prisoners sentenced in the United Kingdom who choose to serve their sentences in their home country? The British public, the police and, I think, the judiciary were last week appalled to hear that Valerio Viccei, the mastermind of the £40 million to £60 million Knightsbridge vault robbery in 1987, who received a 22-year prison sentence at the Old Bailey and who chose to serve his sentence in his home country of Italy, is now out and about after only seven years, and is enjoying his ill-gotten gains.

9 pm

To be fair, when Viccei was sentenced in 1989, British law required only a third of the sentence to be served before parole. This wise Government toughened the sentences actually served to half in the rather unfairly and oft maligned Criminal Justice Act 1991. We are now in the process of toughening even further actual sentences served by the provision of minimum sentences and more honest sentences.

Once the Bill is enacted, Viccei, with his record of armed robberies, would, in similar circumstances, be likely to receive a sentence of life imprisonment in this country. The Italian justice system is justified in applying the one-third provision in his case—that was before we toughened the minimum sentences. The position is unsatisfactory, because, under our parole rules, it is highly unlikely that Viccei would have been granted parole after a third of his sentence had been served in the United Kingdom, as he did not assist in the recovery of any of the millions of pounds—or its value—stolen during the Knightsbridge robbery. Viccei is living the life of Riley in Italy, which is not what the British Parliament, the British criminal justice system or the British people either intended or expected.

If sentences are to be served in the home country, the circumstances of serving them ought surely to be the same. If representations have not already been made to the Italians about the displeasure of our courts, our Parliament and our people, I ask my right hon. Friend that they be made, so that in future the comparative system in Italy may be improved. After all, the Italians are our colleagues in the European Union—although I hope that nothing that I say will be taken as a suggestion that home affairs and justice matters should become the competence of the European Union. I am sure that better provision for future eventualities can be arranged through nation state co-operation under the third pillar of Maastricht.

Will my right hon. Friend confirm that, when the Bill becomes law, it will be highly unlikely—unless the law is changed in Italy to permit it—that a future perpetrator of a serious violent crime, from which the offender, who has committed another serious violent offence in the past, has gained millions of pounds, could live the life of Riley on the proceeds after only seven years in prison?

Mr. Jack Straw (Blackburn): As the hon. and learned Member for Burton (Sir I. Lawrence) said, his remarks about the Italian justice system underline the wisdom of both main parties in the House in resisting any notion that home affairs should be part of the European Union's competence, save under the third pillar. Given the story that the hon. and learned Gentleman told, and many similar ones, I shudder to think what state British justice would be in if it were to be harmonised on the basis of the standards of Italian justice.

I was not a member of the Standing Committee, but I have read the report of the debate on clause 35, to which the hon. and learned Gentleman referred. He has raised an important issue. In Committee, the Under-Secretary said that he would

"consider whether there is any way of improving the provision."—[*Official Report, Standing Committee A*, 5 December 1996; c. 288.]

I hope that the Minister of State will respond to the very reasonable points made by the hon. and learned Member for Burton.

Mr. Maclean: I listened carefully to the debate and will respond to the point raised by the hon. Member for Blackburn (Mr. Straw). I must warn him that he is on dangerous ground in taking a swipe at the Italians. He may get away with that, but I advise him not to insult the Scots, who seem to be much thinner skinned.

We intend that prisoners should serve approximately the same time in prison once the Bill is in force as at present. We want the courts to take account of the changes in early release arrangements, which is the purpose of clause 22. That will mean that, when sentencing, courts will need to compare the sentence that they would have given before the changes in the Bill with the sentence that is to be imposed and adjust it accordingly to take account of the new early release arrangements. However, we want them to do that broadly, approximately and sensibly, and in a way that is easy for them to operate without reaching for laptop computers and calculators. That is what clause 22 provides.

The hon. Member for Cardiff, South and Penarth missed the fact that prison sentences imposed by the courts are typically in multiples of three months: six months, nine months, 18 months and so on. Asking judges or magistrates to impose sentences equal to two thirds of a 12-month sentence involves an easy calculation. I am not sure about the mathematical rules or whether the common integer is three or four, but the figures are all easily divisible. I shall not bore the House with a complete analysis of all the permutations up to four years.

The result of the process will be sensible sentencing. Divisions by two thirds are simple to calculate. Two thirds of 18 months is straightforward: it leads to a sentence of 12 months. Asking judges or magistrates to impose a sentence equal to 60 per cent. of a 12 or 18-month sentence is not such a simple calculation. Calculations that involve dividing by six tenths lead to incredible nonsense. They would produce sentences of seven months, six days or nine months, six days and various split months and split days. The Government's proposals involve a simple division.

I admit that prisoners serving sentences of less than four years will serve longer before they can be released: if the sentence imposed is eight months rather than seven months, six days, they will serve 18 days longer. Prisoners will generally serve a few days or months longer before they can be released under clause 22 as drafted than they would if it were to be amended as proposed by the Opposition. Prisoners will also spend longer under supervision following release. That does not unduly concern me. Offenders know that they could face prison sentences before they commit offences and that they will be subject to supervision on release. They do not have good grounds to complain that under our proposals they will serve an extra 18 days compared to what they would serve under the Opposition proposal.

Mr. Straw: I have been listening to the Minister's remarks with great care and witnessing the instructions that he has been given by hand signal by the Whip. He says that prisoners may not complain about 18 days, although I think that they probably will. However, what

[Mr. Straw]

has the Treasury had to say about this? What does he think will be the additional cost of the Government's proposal?

Mr. Maclean: That is a key point, which I was about to address. In "Protecting the Public", we made it clear that we had made our calculations in drawing up the document. We calculated that the sentences imposed would be broadly similar. Clause 22 provides the mechanism for that. As has been said, there was some confusion. Three different Front-Bench spokesmen understood it in three different ways. However, we came to the view that it could have resulted in undershooting, in some prisoners serving less than we had intended. We therefore made this proposal, which means that some prisoners who serve less than four years will serve a bit more than we intended.

Our calculations were based on the assumption that whatever the wording of clause 22, the sentences would be broadly similar. Our calculations had parameters that ranged from £375 million to £435 million. We did not calculate an exact cost—I do not think that one could be exact—but the change in clause 22 is financed within those parameters. The old wording would have led us closer to the lower level of £375 million. With the changes that are proposed, however, the calculated costs will be closer to £435 million—in other words, to the upper band of the parameters. That being so, there is no need to ask my right hon. and learned Friend the Chancellor of the Exchequer for supplementary funding. The proposed changes mean that some prisoners who will serve longer sentences are already catered for in the financial calculations that have been made. For those reasons, amendment No. 5 is wrong and I cannot accept it.

I shall deal briefly with amendment No. 38, proposed by my hon. and learned Friend the Member for Burton.

Sir Ivan Lawrence: Before my right hon. Friend does that—I am conscious of the time—will he take on board the concerns of the criminal law sub-committee of the Council of Circuit Judges, which feels that the way in which clause 22 is worded gives a substantial increase to magistrates' sentencing powers, something which was not really considered in Committee, nor on Report? I have no doubt that the issue will be considered in another place. If we are suddenly to increase magistrates' sentencing powers, there will be an impact on the distribution of court work. I think that the judges are worried about that consequence. Will my right hon. Friend consider the matter? I will write with details as soon as my right hon. Friend resumes his place.

Mr. Maclean: I will certainly do that. One of the benefits of the Bill, however, is that effectively it gives magistrates slightly increased powers. I welcome that. At present, the maximum term of imprisonment that they can impose is six months, which is automatically cut to three months. The Bill will give them an extra month of sentencing power.

Amendment No. 38 is a thoughtful proposition. It is designed to ensure that prisoners who are repatriated to serve a prison sentence in the United Kingdom are not disadvantaged by the changes in early-release arrangements that will be introduced by means of the Bill.

I listened carefully to what my hon. and learned Friend said. I agree that we need a solution that is flexible enough to take account of the wide range of sentencing regimes in other countries. We believe that administrative measures are likely to offer the best way forward. We believe also that they would be legally permissible. We understand that such measures can be introduced within the existing legislative framework and that of the Bill. That will go a considerable way towards meeting the concerns expressed by my hon. and learned Friend. The issue is complex and we are considering the final details. We believe, however, that it will be possible to administer the sentences of those who are repatriated following the implementation of chapter I of part II in such a way that it will mitigate any potential disadvantages to prisoners returning to the United Kingdom from abroad.

We have in mind that the balance of the sentence to be served on return to this country will be calculated in taking account of the supervision period that will be required under the Bill's provisions. That means that the total time served, or deemed to be served, by the prisoner abroad, when added to the time to be served here and the required period of supervision, will not exceed the headline sentence imposed abroad. In view of these assurances—we shall explain the final details when they have been completed—I hope that my hon. and learned Friend will feel that we are dealing with these matters satisfactorily and will not wish to pursue his amendment.

As for Valerio Viccei, he was repatriated to Italy under the provisions of the Council of Europe convention on the transfer of sentenced persons on 11 November 1992. As the Italians have followed the convention, I do not think that it would be appropriate to protest to them about their following of the convention in terms of Italian law in the granting of parole. If my hon. and learned Friend does not like the behaviour of the Italians, it would be necessary to renegotiate the convention.

If Valerio Viccei had remained in custody in England and Wales, he would have been eligible for release on parole licence on 13 December 1994, once he had served one third of his sentence, not the one half quoted in the Sunday newspapers.

Following repatriation, the question of a prisoner's suitability for release from custody in a foreign jurisdiction, including any temporary release, is a matter for the authorities in that jurisdiction. My hon. and learned Friend is right, however, that in future, when the Bill is enacted, any criminals with previous convictions such as those of Valerio Viccei, committed in the United Kingdom, will come within the automatic life sentence provisions. They will be eligible for release once the Parole Board has concluded that that would be safe. In other words, there would be quite heavy sentences. In view of these assurances, I hope that my hon. and learned Friend will not wish to press amendment No. 38 to a Division. I hope also that he is satisfied on Valerio Viccei.

Mr. Michael: We have probed the issue and demonstrated that the Government went too low and that some people would have had shorter sentences. As a result of the amendments made in Committee to try to put that right, some people will now have longer sentences.

In view of the Home Secretary's intervention on Monday, I have to say that Home Office Ministers appear to be quite cavalier about their calculation of the exact

impact of variations on Government finances. Nevertheless, we have succeeded in our aim, which was to highlight the problem. We recognise that it is difficult to be precise about the impact of the introduction of these measures or absolutely certain that the same sentence will be the practical outcome in the future as it was in the past—a point that we made at the beginning of the series of debates on this issue. Having achieved our aim, I do not think that we need to take up any more time, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

9.15 pm

Clause 27

DURATION AND CONDITIONS OF LICENCES

Amendment made: No. 39, in page 19, line 24, at end insert—

'(6) In relation to a life prisoner who is liable to removal from the United Kingdom (within the meaning given by section 20(2) above), subsection (2) above shall have effect as if the words in parentheses were omitted.'—*[Mr. Maclean.]*

Schedule 2

REPATRIATION OF PRISONERS TO THE BRITISH ISLANDS

Amendments made: No. 21, in page 49, line 6, leave out 'sub–paragraphs' and insert 'sub–paragraph'.

No. 22, in page 49, line 10, leave out '(ii)'.—*[Mr. Maclean.]*

Schedule 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 23, in page 58, line 26, after 'summarily)' insert '(a)'.

No. 24, in page 58, line 27, at end insert 'and

(b) for the words "and section 62(6) of this Act" there shall be substituted the words ", section 14(3) of the Crime (Sentences) Act 1997 (committal for breach of conditions of release supervision order),".'.

No. 25, in page 61, line 12, leave out 'subsection' and insert 'subsections'.

No. 26, in page 61, line 13, after 'if' insert—

'(a) any hospital direction under section 45A above were a transfer direction under section 47 above; and

(b)'.

No. 27, in page 61, line 15, at end insert—

'(5) Sections 80(5), 81(6) and 85(4) above shall have effect as if any reference to a transfer direction given while a patient was serving a sentence of imprisonment imposed by a court included a reference to a hospital direction given by a court after imposing a sentence of imprisonment on a patient.".'.—*[Mr. Maclean.]*

Schedule 5

TRANSITIONAL PROVISIONS AND SAVINGS

Amendments made: No. 40, in page 64, line 13, leave out 'made' and insert 'having effect'.

No. 41, in page 65, line 10, leave out from 'court' to end of line 11 and insert

'less any period by which the sentence falls to be reduced under section 67 of the Criminal Justice Act 1967.

(9) In sub–paragraph (8) above "the appropriate proportion" means one–half in the case of a term of less than four years and two thirds in the case of a term of four years or more.'

No. 28, in page 65, line 26, after 'if' insert

'—

(a) after paragraph (b) of subsection (3), there were inserted the words 'and

"(c) the provisions of this section as compared with those of sections 33(2) and 35(1) of the 1991 Act"; and

(b)".' —*[Mr. Maclean.]*

Schedule 6

REPEALS

Amendments made: No. 29, in page 68, line 43, column 3, at end insert—

'In section 42(1), the words "or section 62 of the Criminal Justice Act 1967".'.

No. 30, in page 68, line 44, column 3, at beginning insert—

'In section 37(4), the words "in the event of such an order being made by the court".'.

—*[Mr. Maclean.]*

Clause 31

FINE DEFAULTERS: GENERAL

Mr. Straw: I beg to move amendment No. 3, in page 22, line 25, leave out from 'things;' to end of line 26.

Madam Deputy Speaker: With this, it will be convenient to discuss also amendment No. 4, in page 23, line 7, leave out from 'things;' to end of line 8.

Mr. Straw: This a short point and we would be grateful for a response from the Minister. It relates to welcome arrangements being made in the Bill to provide for community service or curfew orders imposed for fine default. Our question is about how the courts should deal with those matters when there is a breach of the order for community service or curfew.

My understanding is that, in other respects, where an offender breaches his community service order the court is able to take into account whether the offender has completed none of the original order or has completed all but a few hours in deciding what penalty to impose for the breach. The Bill as it stands takes an all-or-nothing approach, whereby an offender who does not complete his community service order or obey his curfew order has—quite rightly—to go back to court to be dealt with for that breach. It is not apparent on the face of the Bill whether the court will be able to take account how much community service has been undertaken by the offender when determining what further penalty should be imposed.

This matter was raised in Committee, but we think that Ministers should give it further consideration.

Mr. Sackville: The purpose of all matters of fine enforcement is to make the offender pay the fine.

[Mr. Sackville]

Under our proposals, a person who is given a community sentence can reduce the term of that order by paying off the fine, just as at present fine defaulters can reduce the period of imprisonment imposed on them by paying off the fine. However, we do not think that offenders should be able to elect to work off part of their fine through partial compliance with a community service or curfew order, which would be the practical effect of the amendment.

Offenders who are fined must pay the fine or face the consequences. If an offender fails to comply with a community penalty that is imposed as a punishment for failing to pay a fine imposed by the court, the fine remains outstanding in full. Under the provisions of the Bill, the court has the power to revoke the community penalty imposed for the original fine default and re-sentence in respect of that default.

The House will understand that serving the community penalty in full will discharge the financial penalty in full, but short of total compliance with the community penalty we do not believe that offenders should have the freedom to take their pick between community service and outstanding financial penalties. It is therefore not our intention that the offender can select a package from among a range of available penalties. Hence I would not recommend accepting the amendment.

Mr. Straw: I am grateful for that explanation, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 35

OFFENDERS

Mr. Beith: I beg to move amendment No. 36, in page 26, line 13, at end insert—

'(2A) Where a court orders a person to be disqualified for holding or obtaining a driving licence under this section, the degree of punishment inflicted by the order, or by the combination of the order and any other order or orders made in respect of the offence, shall be such as in the opinion of the court are commensurate with the seriousness of the offence.'.

The Bill contains the novel principle that someone can be disqualified from driving for an offence that had nothing to do with motor cars. There are, to be sure, related principles in, for instance, the salmon legislation. A person's car can be confiscated if he drives a car to carry out a salmon poaching offence, but in this case a person might travel to an offence on a bus and yet be disqualified from driving his motor car.

I do not oppose the idea in principle but I wish to raise a concern expressed by the Magistrates Association and the Justices' Clerks Society about proportionality in relation to the use of driving disqualification as a penalty for offences unconnected with the motor car.

Driving disqualification has a completely different effect on different people. For someone who hardly uses the car it may be of almost no consequence; for someone whose livelihood depends on it, it could mean a difference of thousands of pounds.

Many pieces of legislation, including the Criminal Justice Act 1991, set criteria requiring a sentence to be commensurate with the seriousness of the offence. The Minister has no difficulty with the principle at stake; indeed his view in Committee was that an amendment was unnecessary because the courts have a general duty to take account of the seriousness of the offence when passing sentence. Obviously the Minister does not have much confidence in the courts' ability to carry out such duties; otherwise he would not have introduced the legislation compelling courts to pass mandatory sentences.

It seems odd that, with this novel penalty, the Minister should have departed from the widespread practice of imposing a statutory requirement for proportionality. The amendment seeks to import precisely that proportionality.

Mr. Llwyd: I support the amendment, but I have reservations about the new form of penalty in any event. As I understand it, the Justices' Clerks Society was not consulted when the idea was first discussed. I acknowledge the need for proportionality, but it represents quite a departure from the usual criminal law to impose a wholly unconnected penalty for such offences. Indeed, it might have a detrimental effect and hamper the rehabilitation of an offender who, on release, might not be able to get employment as a result.

I believe that the punishment must fit the crime, but this is not the right approach. It is laughable to think that the professional criminal will in any way be deterred by the fear that he might lose his licence.

Mr. Maclean: I do not consider the amendment necessary, in view of the established principle of sentencing which already ensures that its aims are met. It is a fundamental principle of sentencing that the punishment should fit the crime. The courts must consider the nature of the offence and any aggravating or mitigating circumstances before deciding what sentence to impose. The sentencer must also have regard to the particular circumstances of the offence and of the offender.

Consequently, a court will not impose disqualification from driving unless satisfied that such a penalty is appropriate to the nature and seriousness of the offence.

The penalty will be introduced by way of pilot schemes; we cannot consult on every single change we wish to make. In this case we have chosen to run pilots before we finalise the scheme. The pilot process will identify the implications before we go for national implementation. The pilots will also identify any need to produce guidelines for the courts, such as those produced in other circumstances by the Magistrates Association. Therefore, as we will have pilot schemes, and in view of the fundamental principle that all sentences must at all times have regard to the particular circumstances of the offence and the offender, the amendment is unnecessary.

Mr. Beith: The Minister's argument is unconvincing. He repeats what he said in Committee. This bit of the Bill is odd, but it is not one of principles on which we would wish to go to the stake. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 40

CURFEW ORDERS

Mr. Beith: I beg to move amendment No. 10, in page 28, leave out line 26 and insert

'for the word "sixteen" there shall be substituted the word "fifteen".'.

Mr. Beith: The amendment relates to the electronic tagging of juveniles. Its purpose is to restrict the use of electronic tagging to young offenders who are 15 or over.

The Government have issued much publicity on the merits of electronic tagging, aided by companies that were involved in the pilot project. I was struck that the press releases that came into my hands after an announcement over Christmas were not from the Home Office, but from Securicor. I began to wonder who was in charge at the Home Office—Securicor seemed to be setting the agenda.

The research has had some useful results. It has demonstrated that considerable progress has been made in dealing with the technology, which failed lamentably at earlier stages. It looks as if it can be made to work, but, from that research, it is difficult to draw useful conclusions either about the cost of tagging or its suitability for very young offenders.

It seems that tagging would have to be used much more than seems likely before it was cost-effective for the companies concerned. I have been told that there was heavy staff involvement from the companies concerned in the project and that one company had 25 staff involved for 50 offenders. That ratio is not going to be maintained. Unless courts make far more use of the electronic tagging system than seems likely, the cost will be high. Even in America, where it is more well established, the proportion of offenders involved in electronic tagging is small, but in the limited time that we have available tonight, I want to concentrate on its applicability to very young offenders—those under the age of 15.

What young, increasingly hardened offenders need is not technology to ensure that they are kept under house arrest, but supervision. They need responsible adult role models—people who give them guidance and set an example. It is no use simply satisfying ourselves that we have confined a youngster embarking on a criminal career to a particular place unless we do some good in that place. If the youngster is under adequate supervision there, electronic tagging is of little importance or significance.

The case for using electronic tagging of an adult offender may be easier to make if we are trying to ensure that that offender does not go into areas where he or she can readily commit crimes, but if we are talking about a 13 or 14-year-old persistent offender, that youngster should be under extensive supervision by a parent, teacher, social worker or probation officer—skilled professionals. If there is no family back-up, skilled professionals will have to do all the work. If there is some family back-up, skilled professionals should be helping the family. The last thing that is significant in this case is our ability to maintain an electronic tag to show that the young person is in that place. The important thing is who is there to ensure that that young person has the role model, guidance, help and all the rest of it.

Resources will be grossly misapplied if they go into the electronic tagging scheme, instead of appropriate supervision and management of difficult, seriously misguided and sometimes dangerous youngsters. Therefore, our amendment suggests that, if the Government want to proceed in developing the electronic tagging scheme for adults, let them do so, but, for the youngest offenders, the Government's efforts should be directed at their supervision, control, training and development, not at a scheme that can achieve none of those things and that would grossly misuse resources.

I invite Ministers to think again. Courts will not be likely to make much use of electronic tagging for this purpose, but if they are able to do so at all, there is likely to be a significant misapplication of resources, which should be used in the way that I have described.

Mr. Maclean: What I think the right hon. Gentleman misunderstands—although we had a good discussion about it in Committee—is that, in the Government's view, a curfew order for the 10-to-14 age group will be an additional valuable tool to deal with juvenile offenders. There is nothing to suggest that supervision orders and another range of activities cannot take place at the same time.

The right hon. Gentleman seems to assume that, if we have electronic tagging for youngsters, we will do nothing else—that we will simply invest all our hopes in the panacea of electronics. That is not the case. Indeed, research published recently shows that the tagging equipment works effectively: 75 per cent. of offenders were tagged successfully, and completed their curfew orders. It also shows that there is tremendous merit in using the new electronic technology that is available—and, of course, backing that up with supervision by parents, teachers, social workers, probation officers or anyone else. There is nothing to stop supervision orders being made in addition to tagging, or as part of it.

9.30 pm

We have made a number of modifications to the curfew order to reflect the younger age of the people to whom we are extending it. We have said that the maximum term should be three months rather than six, and that before making an order the court must obtain and consider information about the family circumstances and the effect that the order will have on the family. That is to ensure that the legislation is targeted appropriately on the youngsters on whom we think it will have the best effect.

We intend to introduce the order on a pilot basis. There may be new and unanticipated difficulties with the younger age group, and a pilot study should help to identify the problems and ensure that we can use the system as effectively with that group as we have found from our studies that we can use it with the older age group.

In view of those assurances—and, if he reads the report of the Committee stage, he will see that we made the point at greater length then—I hope that the right hon. Gentleman will conclude that the amendment is unnecessary and his fears unjustified.

Amendment negatived.

Clause 42

PUBLICATION OF REPORTS

Mr. Llwyd: I beg to move amendment No. 9, in page 29, line 16, leave out 'child or young person' and insert

'person of over the age of sixteen years'.

The amendment would restrict the identification of juveniles in reports of youth court proceedings to those aged 16 or over.

Clause 42 allows convicted juveniles who appear in the youth court to be publicly named if the court

"is satisfied that it is in the public interest to do so".

The current legal provisions on the anonymity of children and young persons are governed by the Children and Young Persons Act 1933. Section 49 prohibits the identification of children and young persons who appear in youth courts. There are only two exceptions, which apply if the court believes that allowing publicity is appropriate to avoid injustice to the child—for example, if it is the only way in which to locate alibi or other defence witnesses—or if a young person involved in proceedings relating to a serious offence is unlawfully at large. In that instance, the court can authorise identification only on an application from the Director of Public Prosecutions.

Section 39 of the Act states that the Crown court may direct that media reports shall not identify a child or young person. In practice, Crown courts normally prohibit identification, but exceptionally, after conviction, judges sometimes order that they may be identified.

When clause 42 was debated in Committee, it transpired that the Government intended not that youth courts should follow the Crown court's current practice of using the power to identify juveniles sparingly, but that they should use the power extensively for certain categories of offender. On 10 December, the Minister of State said:

"some people are persistent offenders. In their case, I should expect the power to be used extensively rather than rarely . . . I hope that courts will use the relevant power widely in the case of these offenders, as the rule rather than the exception. That would permit members of the local community, such as the chamber of commerce, traders, retailers, the neighbourhood watch, the police—or councils, perhaps, in instances of council estates being terrorised—to effect limited publication in a defined area of the names of those people for whom innocent members of the public should look out."—[*Official Report, Standing Committee A*, 10 December 1996; c. 316-17.]

The Magistrates Association has not asked for any change in the law on the matter. When the proposal was canvassed in the media in late 1996, the Association issued a statement, which stated:

"It is the Magistrates Association's view that reporting restriction on young offenders should not be changed . . . The Association points out that young children have a different psychological perception and are treated differently in youth courts where they are dealt with by magistrates who have been specifically training in dealing with juvenile matters.

Repeat offenders for whom school, family etc have been a failure, gain kudos and popularity amongst their peer groups from offending and naming them would make them heroes."

Probation service organisations and those involved in resettlement of offenders have also opposed the proposals. Their arguments were summarised in a statement, on 27 November 1996, by the Penal Affairs Consortium, which stated:

"Naming young offenders . . . will hinder rather than help the prospects for steering young people away from crime.

The reason why the names of juvenile offenders are not normally published is that it can seriously hinder their rehabilitation. This is as true now as it was when the rule was introduced in 1933. The way the media have hounded a few young offenders after Crown Court trials, sometimes for years afterwards, shows how necessary the rule of anonymity is."

I should say that I have 18 years' experience of juvenile courts, and to this day I have never met a juvenile who did not, on balance, have more good than bad in him or her. If we are to close the door on them and stigmatise them from the very beginning, one of the four core points of any penal code—rehabilitation—will go out of the window.

In a briefing sent to members of the Standing Committee on the Bill, the Association of Chief Officers of Probation opposed the amendment. It stated:

"Judges already have the power to lift the provisions which stop juvenile offenders being identified. This is only used very sparingly at the moment and where it has been done it has made work with the offender significantly more difficult."

The Government have advanced two principal arguments for the amendment: first, it would help to protect the public; and, secondly, it would have a deterrent effect. On the first point, on 10 December 1996, the Minister said in Standing Committee:

"It is important that members of the public should be protected from young offenders and that courts should be able, in the public interest, to permit identification of youngsters who have been convicted, especially when they are released into the community for punishment."

He also said:

"We are taking this action largely because the community does not know the names of persistent offenders and is vulnerable to further attack from them."

The Minister went on to state:

"But I am concerned about the hundreds of young offenders whose names are never revealed, so the public remain innocent dupes ready to be attacked by them the next time."

Mr. Maclean: That is right.

Mr. Llwyd: However, as the Magistrates Association pointed out in its statement on the proposal:

"It is not necessary to name children in order to alert communities as they are already well known in their local areas."

I believe that it is essential to realise how important the rehabilitation of young offenders is to the protection of communities and that—as bodies working with young offenders have pointed out—the rehabilitation of young offenders is likely to be damaged by this measure, which could very well be counter-productive and expensive because of the money expended and society's failure.

The Government's second argument for the measure is based on deterrence. In Standing Committee, the Minister said:

"I also believe that the prospect of being identified publicly should prompt many young offenders—and their families—to think more carefully about their actions."—[*Official Report, Standing Committee A*, 10 December 1996; c. 310-15.]

However, young offenders are the group least likely to be deterred by this type of measure. A high proportion of juvenile crime results from impulsive behaviour, risk-taking, the escalation of anti-social behaviour in groups and in other situations in which rational

calculations of deterrence play a small part. The possibility of public identification is also likely to have very little effect on the minority of young offenders who plan their offences more carefully as their principal concern is to plan and not get caught.

By preventing the identification of juveniles under 16 in the reports of youth proceedings, the amendment would avoid the unnecessary stigmatisation of this group and reduce the damage to the rehabilitation of young offenders which would otherwise result from the clause. The clause is wrong in principle and will be detrimental to the cause of rehabilitation.

Furthermore, the clause is illogical and impractical. For very good reasons, juvenile cases have been held in camera—in other words, the general public has been excluded. How can one therefore honestly say that it is acceptable to name a juvenile, perhaps in a sketchy and skewed reference in the local press, and, at the same time, to exclude the public, thereby depriving them of the true opportunity to hear the case in its totality? Sadly, I conclude that the clause has more to do with pre-election, right-wing muscle flexing than improving the criminal justice system. I commend the amendment to the House.

Mr. Maclean: The hon. Gentleman has rehearsed verbatim exactly the argument that he advanced in Committee. He has also been kind enough to read out the answers that I gave him.

Mr. Llwyd: I did not speak to such an amendment in Committee so I do not know where the Minister gets that idea from. Perhaps it is a bit late in the day for him.

Mr. Maclean: I recall the same argument being rehearsed verbatim. I am not impugning the hon. Gentleman's integrity but someone must have borrowed someone else's notes because I remember it well. How was the hon. Gentleman able to recite my answers if I did not reply extensively to the same debate in Committee? I have tonight heard the same argument as I heard in Committee. If it was not advanced by him, I apologise.

There is not much more that I can add to what I said in Committee other than to stress that the court will have the discretion whether identification shall be made. The court may consider identification inappropriate in the case of some first-time offenders convicted of a less serious crime but think otherwise in the case of some hardened, persistent young thugs and hooligans who, unfortunately, exist in this country but are—thank goodness—in a minority.

I am thinking of the type of hooligan about whom my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) used to speak and who were called the Sutton posse. Gangs of dozens of youngsters terrorised town centres but could not be named although shopkeepers and members of the public were desperate to know who they were. They are the sort of offenders that we believe the court should have the power to name.

The hon. Member for Meirionnydd Nant Conwy has not made a convincing case for us to accept the amendment. The arguments that I advanced today and in Committee still stand.

Mr. Llwyd: I am not convinced by that reply which was no doubt also trotted out in Committee, although I do not recall the exact words. I am increasingly becoming a fan of the other place which, I hope, will put the clause where it belongs—in the dustbin.

Amendment negatived.

Schedule 1

TRANSFER OF PRISONERS WITHIN THE BRITISH ISLANDS

Amendments made: No. 43, in page 41, line 27, leave out

'27 and 32 to 34'

and insert '29(5), 33 and 35'.

No. 44, in page 41, line 32, leave out 'sub–paragraph (3)' and insert 'sub–paragraphs (3) and (3A)'.

No. 45, in page 41, line 39, at end insert—

'(3A) Notwithstanding anything contained in sub–paragraph (2)(b) above, sections 13 to 15 of this Act shall not apply to a person whose transfer from Scotland to England and Wales is a restricted transfer.'.

No. 46, in page 41, line 42, leave out 'section 32' and insert 'sections 29(5) and 33'.

No. 47, in page 41, line 52, leave out '34' and insert '35'.

No. 48, in page 41, line 53, leave out '32' and insert '33'.

No. 49, in page 42, leave out line 7.

No. 50, in page 42, leave out lines 11 to 14.

No. 51, in page 42, line 14, at end insert—

'Released by virtue of section 30 of the Crime and Punishment (Scotland) Act 1997	*Released by virtue of section 10 of this Act'.*

No. 52, in page 42, leave out line 17.

No. 53, in page 42, line 32, leave out

'27, 28 and 32 to 34'

and insert

'29(5), 30, 33 and 35'.

No. 54, in page 42, line 47, leave out 'section 32' and insert 'sections 29(5) and 33'.

No. 55, in page 43, line 5, leave out '28' and insert '30'.

No. 56, in page 43, line 8, leave out '28' and insert '30'.

No. 57, in page 43, leave out line 16.

No. 58, in page 43, line 19, at end insert—

'Justices for a petty sessions area	*Probation Board for Northern Ireland'.*

No. 59, in page 43, leave out lines 20 to 24.

No. 60, in page 43, leave out line 28.

No. 15, in page 43, line 38, leave out second 'and'.

No. 16, in page 43, line 40, after '1976' insert

'and Articles 26 to 28 of the Criminal Justice (Northern Ireland) Order 1996'.

No. 17, in page 44, line 7, after '1976' insert

', the Criminal Justice (Northern Ireland) Order 1996'.

No. 18, in page 44, line 25, leave out second 'and'.

No. 19, in page 44, line 27, after '1976' insert

'and Articles 26 to 28 of the Criminal Justice (Northern Ireland) Order 1996'.

[Mr. Llwyd]

No. 20, in page 44, line 43, after '1976' insert

', the Criminal Justice (Northern Ireland) Order 1996'.

No. 42, in page 45, line 47, at end insert—

'(5) Where the relevant purposes in relation to a transfer to Scotland which is an unrestricted transfer include supervision, the person to whom the transfer relates shall be treated as if a supervised release order had been made in respect of him by such court as the Secretary of State may specify.'.—*[Mr. Maclean.]*

Schedule 2

REPATRIATION OF PRISONERS TO THE BRITISH ISLANDS

Amendments made: No. 21, in page 49, line 6, leave out 'sub–paragraphs' and insert 'sub–paragraph'.

No. 22, in page 49, line 10, leave out '(ii)'.

No. 61, in page 50, line 11, after 'imposed' insert 'for offences committed'.

No. 62, in page 50, line 35, after 'imposed' insert 'for offences committed'.—*[Mr. Maclean.]*

Schedule 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 23, in page 58, line 26, after 'summarily)' insert '(a)'.

No. 24, in page 58, line 27, at end insert 'and

(b) for the words "and section 62(6) of this Act" there shall be substituted the words ", section 14(3) of the Crime (Sentences) Act 1997 (committal for breach of conditions of release supervision order),".'.

No. 25, in page 61, line 12, leave out 'subsection' and insert 'subsections'.

No. 26, in page 61, line 13, after 'if' insert—

'(a) any hospital direction under section 45A above were a transfer direction under section 47 above; and

(b)'.

No. 27, in page 61, line 15, at end insert—

'(5) Sections 80(5), 81(6) and 85(4) above shall have effect as if any reference to a transfer direction given while a patient was serving a sentence of imprisonment imposed by a court included a reference to a hospital direction given by a court after imposing a sentence of imprisonment on a patient.".'.—*[Mr. Maclean.]*

Schedule 5

TRANSITIONAL PROVISIONS AND SAVINGS

Amendments made: No. 40, in page 64, line 13, leave out 'made' and insert 'having effect'.

No. 41, in page 65, line 10, leave out from 'court' to end of line 11 and insert

'less any period by which the sentence falls to be reduced under section 67 of the Criminal Justice Act 1967.

(9) In sub–paragraph (8) above "the appropriate proportion" means one–half in the case of a term of less than four years and two thirds in the case of a term of four years or more.'

No. 28, in page 65, line 26, after 'if' insert

'—

(a) after paragraph (b) of subsection (3), there were inserted the words 'and

"(c) the provisions of this section as compared with those of sections 33(2) and 35(1) of the 1991 Act"; and

(b)".'

No. 63, in page 67, line 14, leave out

'29 and 33 to 35'

and insert

'29(5), 33 and 35'.

No. 64, in page 67, line 28, leave out

'29 and 33 to 35'

and insert

'29(5), 33 and 35'.

No. 65, in page 68, line 1, leave out

'29, 30 and 33 to 35'

and insert

'29(5), 30, 33 and 35'.

No. 66, in page 68, line 11, at end insert

'and the Table set out in that sub–paragraph contained the following entry—

"Probation officer appointed for or assigned to such petty sessions area	*Probation Officer appointed by the Probation Board for Northern Ireland".'.*

No. 67, in page 68, line 15, leave out

'29, 30 and 33 to 35'

and insert

'29(5), 30, 33 and 35'.—*[Mr. Maclean.]*

Schedule 6

REPEALS

Amendments made: No. 29, in page 68, line 43, column 3, at end insert—

	'In section 42(1), the words "or section 62 of the Criminal Justice Act 1967".'.

No. 30, in page 68, line 44, column 3, at beginning insert—

	'In section 37(4), the words "in the event of such an order being made by the court".'.

—*[Mr. Maclean.]*

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time—*[Mr. Howard.]*

9.44 pm

Mr. Beith: The Bill is an attempt at the general deception of the public. The prison system has no affect on most crimes. Most are undetected and most offences do not, and will not, following the passage of the Bill, result in a prison sentence.

Prison is essential for some offenders, but its record for rehabilitation does not lead one to believe that the placing of the maximum possible number of people in prison will lead to fewer crimes—indeed, quite the contrary. The Bill requires 11,000 more people—perhaps many more; that is the Government's estimate—to be put in an already overcrowded prison system, at a cost, according to Government figures, of £1.2 billion. Many estimate that the additional prison building programme will cost more.

There is no provision in the public finances for that expenditure, which leads me to believe, as I said earlier, that the Government are not serious about bringing all the provisions of the Bill into force. The Minister of State said earlier that the provisions would be brought into force as resources allowed. We know what that means—that the resources are not likely to be found and the Bill is an exercise in trying to convince the public that the Government are being tough when the money is not there to do it. If the money is found, it will be at the expense of the rest of the Home Office budget, much of which goes on policing and the prevention of crime. As a result, more crimes will be committed.

Labour Members seem prepared to go along with most of that. They have probed the details of the Bill and sought amendments to some parts of it, but they appear committed to the main principle of mandatory sentencing and must therefore be committed to the cost implications that I have described. They were not willing—

Mr. Straw: I listened to the right hon. Gentleman's earlier remarks with care. He was not a member of the Standing Committee—nor was I—and he was also not present on Monday, as far as I remember, when we had an interesting debate about sentencing policies in different parts of the country. Is he aware that his hon. and learned Friend the Member for Montgomery (Mr. Carlile) brought to the attention of the House the fact that in Hereford, where he sat as a recorder, there were much tougher sentences? He accepted that that contributed towards Hereford being a more orderly area than some others.

Mr. Beith: I am aware of my hon. and learned Friend's speech. I enjoyed his references to sheep stealing in particular, which is a problem in my part of the country. He certainly did not commit himself to the scale of sentencing and imprisonment implicit in the Bill, which the Labour party appears to support. A little earlier this evening, we had a debate about whether the principle that the courts should have at their disposal when considering whether to apply a mandatory sentence should be a narrow one or a wider one, to serve the interests of justice. The Labour party could not even bring itself to support the amendment, even though some Conservative Members, such as the right hon. Member for Fareham (Sir P. Lloyd), voted for it. Labour Members have run away from the issue. If they get into the habit of standing on their heads, they may find that they cannot get back on their feet.

9.47 pm

Mr. George Walden (Buckingham): I should like to place on record briefly exchanges that I have had with my hon. Friend the Minister about the Bill. Those exchanges concern Adam Dent, the son of a constituent of mine, who has suffered a grave injustice at the hands of the law and the press.

Adam Dent, a 15-year-old student of chemistry at Oxford—something of a prodigy—was publicly accused of the attempted rape of a fellow student. Subsequently, the Crown Prosecution Service decided, on the basis of his age, his previous good character and the nature of the evidence, that no charge was to be brought against him.

Meanwhile, however, the accusations—and Adam Dent's name—were bandied about freely in the press. Delays by the Crown Prosecution Service meant that there was plenty of time to spread his alleged crimes far and wide. The *Daily Mail*, for example, did a centre-page spread. As a direct result of exposure to allegations, on which the Crown Prosecution Service later decided not to prosecute, it became impossible for Adam to continue with his studies at Oxford. For a gifted student, this was a double tragedy. He was fortunate in having determined and articulate parents to protect his interests. That is not the case for everyone.

It was possible for the press to behave in that fashion because of a technical loophole in the law. I shall not take up the House's time with the details, but paradoxically and scandalously, it is possible to name an alleged juvenile offender who was subsequently not charged. Guidance issued by the Association of Chief Police Officers advises police officers not to name individuals under investigation. However, that does not prevent anyone else from speaking to the media.

Meanwhile, the woman concerned received the full protection of the 1988 Act and can never be named. Obviously, I am in favour of that protection. I have no means of assessing whether her complaint was brought in good faith or whether it was to any extent malicious. Either way, she—an adult—was protected, whereas Adam—a juvenile who had not been charged—was not.

The case relates to the Bill in the following way: when I drew the injustice to the attention of my hon. Friend the Minister, he recognised the need to close the loophole in the law and undertook to do so. I am grateful to him for that and for his co-operation on the matter. However, it was subsequently decided that it would be difficult to do so in the Bill as it concerns sentencing.

I need hardly add that my constituents, Mr. and Mrs. Dent, are disappointed. They had been pressing for a change in the law not so much for the sake of their own son—it being rather too late to redress his grievance—as for others who might be caught in the same trap. Meanwhile, their son remains exposed to innuendo and misleading reporting. Incidentally, it is with the family's agreement that I have named Adam Dent in the House tonight in the hope of making it clear beyond any doubt that no charges were ever brought against the boy. I hope that the press will continue to exercise some restraint about naming him or identifying him in any way.

Ideally, I should like the Bill to include the legislation that the Minister agrees is necessary to prevent identification of juveniles before charge. That cannot be done for technical reasons and I wish to place on public record his assurance, for which I am grateful, that the Government will introduce legislation as soon as a suitable opportunity arises.

It is appalling to think that any rape case might be hushed up, but it is equally appalling to think that the good name of any young man anywhere could at any time be ruined on the affirmation of any woman, even if he is never charged while she rightly enjoys lifelong protection. I am not concerned with sexual politics, simply with the scope for patent injustice as the law stands.

9.52 pm

Mr. Michael Stephen (Shoreham): I agree with every word of the speech by my hon. Friend the Member for Buckingham (Mr. Walden). I introduced a ten-minute Bill in 1995 to provide for anonymity for defendants in rape cases. Like my hon. Friend, I thought it a gross injustice that an accused man should have his name plastered all over the press before being acquitted. After I introduced that Bill, I was approached by Mrs. Irene Jackson, whose son Mark was accused of rape. He was acquitted, but he could not live with the shame and he hanged himself. I do not wish that to happen to any other young man. I have discussed the matter several times with my right hon. and learned Friend the Home Secretary—

Mr. Deputy Speaker (Mr. Michael Morris): Order. This is outside the scope of the Bill.

9.53 pm

Mr. Straw: As I made clear in answer to the Home Secretary's statement on 3 April 1996, we have never disputed the overall aim of the Bill, which is to ensure more consistency, progression and honesty in sentencing. However, we have challenged the methods and the justice and practicality of those methods in some areas of the law.

The proposals in the Bill for more honesty in sentencing have been improved in Committee. I am grateful to my hon. Friends the Members for Cardiff, South and Penarth (Mr. Michael) and for Knowsley, North (Mr. Howarth) among others for securing that improvement. None the less, we have yet to be convinced that the Minister's method for achieving honesty in sentencing is more effective and understandable than our simpler alternative.

We have made it clear that we support the principle of indeterminate life sentences for repeat rapists and others. The Secretary of State must, however, accept that the only thing that will be automatic for those sentences is the label attached to them. The length of the tariff to be served will be set by the trial judge, and as the Minister of State made clear in Committee, that will be within the "complete discretion" of the trial judge. The decision about the release date after the tariff has been served will be made by the Parole Board on the basis of whether it would be safe to release.

We have had a dispute about the total list of trigger offences. The objections that we have raised in respect of section 18 wounding are serious, and Ministers ought to think again about it. In my judgment, the net effect of including section 18 wounding will be more downgrading of the charge to section 20 and fewer people being convicted of the former significant charge.

On minimum determinate sentences, the Bill's propositions are a far cry from those in the Home Secretary's conference speech in 1995. Then, he refused to admit that there would be exceptions. As the hon. and learned Member for Burton (Sir I. Lawrence) said in 1991 and since then, once there are exceptions the character of automaticity is changed. Indeed, that is very much so. The Home Secretary knows that, if serious injustice arises from rigidity in the system, British juries will simply not convict, and guilty people will walk free.

We have not been impressed by the way in which Ministers have sought to hide behind the doctrine of Pepper *v.* Hart and, as it were, pass the parcel of what will be included, in exceptional circumstances, back to the Court of Appeal. Ministers ought to have been very much more explicit about what they had in mind when they agreed to the phrase. That will no doubt be explored in the other place.

The Secretary of State asked me on Monday what our overall approach would be to the Bill. As I said then, we shall make our final decisions when the Bill is in its final form, which will be when it has been through the other place. At present, it is a moving, shifting target. It has been changed in Committee and may well change again. We are not going to block its Third Reading. The Minister of State is well aware of the constructive approach that we took to the Bill in Committee.

Even on the Secretary of State's wildly optimistic assumptions about public spending, many of the Bill's proposals cannot come into force in practice until 2001. Meanwhile, the Government have to recognise that, despite the fact that this is the 34th criminal justice Bill to be introduced in the past 18 years, crime has doubled, convictions are falling and a party that was elected on a manifesto to create greater law and better order 18 years ago has presided over the greatest epidemic of crime and disorder that this country has ever seen.

9.57 pm

The Secretary of State for the Home Department (Mr. Michael Howard): It may just about be comprehensible that the Labour party will not come to a final view on the Bill's proposals until the Bill has completed its passage through the other place, but what we completely fail to understand is why it cannot come to a view today on the Bill as it stands at present, having just about completed its passage through this House. There is no mystery about the Bill's form, its content or the proposals that the Government have placed in it. It is absolutely extraordinary that, after all the words that have been used in arguing about the proposals, we still do not know the principal Opposition party's position. It says, "Wait and see."

I suppose that such a reaction is in itself something of an improvement from the Labour party's initial reaction to the proposals. The hon. Member for Blackburn (Mr. Straw) described the proposals as ill thought through and ill-considered; the hon. Member for Holborn and St. Pancras (Mr. Dobson) described them as daft; the hon. Member for Cardiff, South and Penarth (Mr. Michael) described them as a farce. They have moved—I suppose—some way since then.

The Bill substantially reinforces not only the power but the duty of the courts in sentencing serious, dangerous and persistent offenders. The mandatory penalties at the heart of our proposals are carefully targeted at crimes of particular concern to the public: serious violent and sexual offences, domestic burglary and dealing in hard drugs.

Our proposals for honesty in sentencing will restore credibility to the court's sentence and ensure proper supervision after the offender is released. The Bill will provide more flexible and effective community penalties and new powers for the courts when dealing with mentallydisordered and juvenile offenders. Most importantly, the Bill will provide protection and

reassurance for the public and thereby help to improve public confidence in the criminal justice system. I commend it to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 229, Noes 21.

Division No. 41] **[10 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Booth, Hartley
Boswell, Tim
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Hamilton, Sir Archibald
Hampson, Dr Keith
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, David
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Jones, Robert B *(W Herts)*
Jopling, Michael
King, Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lilley, Peter
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew
Rumbold, Dame Angela
Sackville, Tom
Shaw, David *(Dover)*
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bex'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Roger Knapman and
Mr. Patrick McLoughlin.

NOES

Alton, David
Ashdown, Paddy
Beith, A J
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Dafis, Cynog
Davies, Chris *(Littleborough)*
Foster, Don *(Bath)*
Harvey, Nick
Hughes, Simon *(Southwark)*
Kennedy, Charles *(Ross C & S)*
Maddock, Mrs Diana
Michie, Mrs Ray *(Argyll Bute)*
Nicholson, Miss Emma *(W Devon)*
Rendel, David
Skinner, Dennis
Steel, Sir David
Taylor, Matthew *(Truro)*
Thurnham, Peter
Tyler, Paul
Wallace, James

Tellers for the Noes:
Mr. Archy Kirkwood and
Mr. Elfyn Llwyd.

Question accordingly agreed to.

Bill read the Third time, and passed.

Sir Ivan Lawrence: On a point of order, Mr. Deputy Speaker. It is obvious that the Crime (Sentences) Bill is leaving this House with a magnificent majority of 208. I hope that it would meet with the approval of everyone here if the House further along the Corridor did not interfere with the conclusions of this House.

Mr. Deputy Speaker: Order. Although the House will admire the mathematics of the hon. and learned Gentleman, that was not a point of order.

PETITION

Raigmore Hospital NHS Trust

10.11 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): I wish to present to the House a petition that has been signed by 1,200 constituents and others from different parts of Inverness and the highlands of Scotland. The petition calls on the Raigmore hospital NHS trust not to proceed with its proposal to levy car parking charges for those employed by and using the facilities of the hospital. The petition states:

"To the House of Commons. The petition of staff, patients and visitors of Raigmore Hospital, Inverness, declares that the NHS trust management are considering the introduction of car parking charges. The petitioners therefore request that the House of Commons support their opposition to such an imposition. And the petitioners remain, etc."

To lie upon the Table.

Firearms Control (Mr. Thomas McIntyre)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Anthony Coombs.]*

10.13 pm

Dr. John Reid (Motherwell, North): I am grateful for the opportunity to raise the matter of the tragic murder of one of my constituents, Thomas McIntyre. The subject of the debate—although the murder occurred seven years ago—is timeous. The debate comes relatively soon after our discussions in this House on handguns, and immediately prior to a discussion of the firearms legislation in another place.

Only two short months ago, I spent several hours, as did many other hon. Members, with the parents of the children tragically massacred at Dunblane. Those parents were in Parliament for the opening of the debate on handguns, and I, like many others, was deeply moved not only by their circumstances but by their dignity and courage in the face of so much suffering.

At that stage, I and many of my hon. Friends—along with some Government Members—strongly urged the Government to allow a free vote on the issue of handguns. The Government refused. They allowed a free vote on caning in schools, but not on handguns. I do not understand how the administering of a smack on the hand can be such a profound matter as to require a free vote of conscience, while the possibility of using a gun to take a life is less profound in the Government's eyes.

At that time, my constituents wrote to me in sackfuls to support the banning of handguns. However, that was partly influenced by the fact that many of them had shared in a tragedy of our own, long before Dunblane. Everyone has heard of the tragic events of last March in Dunblane, but not many will have heard of the death of Thomas McIntyre, a 19-year-old student teacher from my constituency who was brutally murdered after a night out with some friends, after he had gone to the assistance of a young woman who had been hit by a vehicle as she crossed a road in Glasgow.

My constituent, Thomas McIntyre, was shot and died in a Glasgow street at 1.40 am as a result of multiple gunshot wounds to the chest, at the hands of a gun owner, Alan Parkhill, with no history of mental illness, who was a gun club member, trained to shoot, with a legally held licence.

Thomas McIntyre and Alan Parkhill were two young men buried on the same day, one having been murdered and the murderer in turn having committed suicide with his own gun immediately afterwards: two tragedies; two families in grief; two communities in grief.

A public inquiry was held in Glasgow into both deaths, during six days in September and October 1990, before Sheriff Brian S. Lockhart. The findings of that inquiry hold no comfort for those who would have us believe that the potential misuse of widely available handguns can somehow be curbed—or, in the case of Dunblane, should have been curbed—by police action in searching criminal records, or by psychological profiling or other personal or personality searches.

That detailed report, nearly seven years ago, concluded that no reasonable precautions could have been taken by the chief officer of police or by the police themselves in terms of the then legislation, or by any other person or body,

whereby the deaths might have been avoided. The actions of the gunman could not have been predicted, and they remain to this day unexplained.

The sheriff directed that the transcript of the evidence to the inquiry and its determination be remitted to the Secretary of State with the recommendation that he refer them to the Firearms Consultative Committee for consideration, and that the committee give particular attention to the age or ages at which persons should be permitted to hold a firearms certificate relating to weapons of different calibres; the number of firearms and the amount of ammunition that any member of the public should be entitled legally to possess; and all aspects of the storage of firearms and ammunition owned by members of the public. That was in 1990.

The families of both Thomas McIntyre and Alan Parkhill sat through the proceedings in court numb and unbelieving while the events of the tragedy unfolded. Both families—of the victim and of the murderer—were bewildered, precisely because the action of the gunman Alan Parkhill was apparently so out of character.

Alan Parkhill first obtained a shotgun certificate when he was only 16 years of age, and a firearms certificate when he was only 17. That certificate permitted him to acquire a .22 pistol, a .357 revolver and a .22 rimfire rifle. He made application for a firearm certificate under section 1 of the Firearms Act 1968.

In accordance with normal procedure, the police checked criminal records, special branch records and divisional intelligence. The report from the sergeant on the application said that the applicant had been a member of a pistol club for some time, that he seemed to be very knowledgeable about firearms, and, moreover, that he had gone to some considerable expense to ensure the security of the firearms that he intended to purchase. He was a responsible gun club member. He seemed to be a sensible young man, and had the full approval of his parents, which had been sought for his application.

Alan Parkhill and his family were of good character. They were not listed in divisional intelligence officers' files, and there were no local objections to the granting of the certificate. It had been ascertained that he was a member of the Glasgow and District pistol club and the Balornock rifle and pistol club, and that he would use only authorised ranges. After the necessary checks had been made, the applicant was granted his firearms certificate.

When Mr. Parkhill reached 18 years of age, the certificate was altered to allow him to possess one .357 Smith and Wesson revolver and to purchase or acquire one 3 mm pistol, one .357 revolver, one .223 rifle, one .22 pistol and one .22 rimfire rifle, with appropriate ammunition.

Applications were received from the applicant for renewal of his certificate every three years. The same investigations were carried out by the police at the time of each application for renewal as had been carried out when the application was first presented.

In 1989, after normal checks had been carried out by the police, a certificate was issued that allowed Mr. Parkhill to possess—I apologise for going through the list, but it is illustrative—one .357 Smith and Wesson revolver, one .22 Winchester rifle, one .45 Colt pistol, one .22 Colt revolver, one 9 mm Browning pistol and one .223 Remington rifle, as well as 600 rounds of .223 ammunition, 600 rounds of 9 mm ammunition, 500 rounds of .44 ammunition, 500 rounds of .45 ammunition, 400 rounds of .38/.357 ammunition and 1,200 rounds of .22 ammunition. He was also given authority to acquire a further .44 pistol.

At the time of Parkhill's death, the police accounted for all those weapons, with the exception of the .45 colt pistol, which could not be traced. A Crossman pistol, for which no certificate had been obtained, was found in his possession. The ammunition found at Alan Parkhill's house at the time of his death—apart from six rounds—was within permitted limits. Once again, it was perfectly legal. In view of that list, it may surprise some hon. Members to know that Strathclyde police considered the firearms held by Alan Parkhill at the time of his death to be normal for an average gun enthusiast.

Mr. Parkhill was described by witnesses at the inquiry—people who knew him—as friendly, unaggressive, calm, shy, even-tempered, quiet, well-mannered, respectful, easy-going, level-headed, funny, humorous, a nice guy and a normal bloke. He was described as a diligent and conscientious worker, keen to better himself, a very competent shooter and extremely safety conscious.

After the Hungerford shootings, Mr. Parkhill wrote to the secretary of the Shooters' Rights Association applying for membership. He said:

"I realise that now is the time to safeguard shooting in Britain so I offer my full support to the case and hopefully my Club."

On the evening of 17 March 1990, Mr. Parkhill, the easy-going boy of good character, fully responsible, shy and retiring, set out to celebrate a friend's birthday. To celebrate a birthday, he took with him a 9 mm Browning pistol, two magazines of ammunition, some loose live rounds and a sheath knife. He then consumed from 5.30 pm onwards a minimum of four cans of Budweiser, six pints of lager and two gin and tonics. Unsurprisingly, he could not remember where he had parked his Land Rover. However, he did go behind the wheel that fateful evening.

A young girl, Tracey Patrick, and her friend, David Carracher, had been walking in Sauchiehall street, Glasgow, and had decided to cross Renfield street in the early hours of the morning. They stepped from between parked vehicles and walked into the path of the Land Rover driven by Parkhill, who braked and swerved. Young David was able to jump clear, but the Land Rover struck Tracey Patrick. As she lay unconscious in front of the van, my young constituent Thomas McIntyre, a good Samaritan, ran to her assistance.

As Thomas approached to assist Tracey, Alan Parkhill got out of the Land Rover and drew a 9 mm Browning pistol. As Thomas McIntyre ran across the road to help Tracey Patrick, the gunman of almost impeccable character stood with both arms stretched in front of him and with his feet apart fired his pistol at Thomas. The first shot struck Thomas above the right wrist. As Thomas turned to run from the gunman, Parkhill fired four further shots into his back. He died immediately. One bullet went through his body and struck a taxi driver. Parkhill fired further shots, injuring several others, before placing the pistol close to his right temple, firing the gun and penetrating his brain.

Alan Parkhill was 24 years old when he committed murder and then killed himself. He was said to have been, as I hinted, an able young man, capable of conversing on a range of subjects and interests with a wide variety of people. He was not grossly affected by the fascination of weapons. Thomas McIntyre was murdered for being a

[Dr. John Reid]

good Samaritan. He was a bright young man of 19, with a great future as a teacher in front of him. The sudden death of one so young brings not only grief but numbness and bewilderment. Why such a waste of life and talent? My sympathy, and that of the constituency, went out, and still goes out, to the family of young Thomas McIntyre, in particular.

That was seven years ago, in 1990, so why am I raising the matter after all this time? Why did I decide that it might be of use to the House? Why did Thomas McIntyre's family allow—indeed, encourage—me to raise it? Does it matter after all those years? I raise it because it is a fulcrum of one of the major arguments about handguns. It gives a timely reminder of the danger of widespread availability of handguns. Perhaps above all, it brings home to us the tragic effects.

The case illustrates the massacres of Dunblane and Hungerford in microcosm, in a quieter but no less tragic way. However, the case of Thomas McIntyre and the character of Alan Parkhill, to the eternal bewilderment of everyone involved, also remind us that no amount of character checking, psychological analysis, searching of records or personalty probing can guarantee that tragedies such as this, in which handguns are used to maim and kill, will not happen if handguns are widely available. It gives the lie to those who say that Hungerford or Dunblane would not have happened had the police done their job correctly, or that it should be possible to predict that this or that man may turn out to be a mass murderer.

As the sheriff in the report of the case seven years ago quite specifically stated, the actions of young Alan Parkhill could not have been predicted—indeed, to this day, they remain unexplained.

I have heard it said that, in the hands of a mad man or a drunk, a car or a knife could also maim or kill. It is sometimes said that that possession is also unpredictable. That is to miss one central point. A handgun is not a car, a knife or a rifle. Of course all can be used to kill. But unlike a car, a handgun was not designed for the utility of transporting, or of any other utility. It was designed to be an anti-personnel weapon. Unlike a knife, it has no social utility in essence in its beginning, other than an anti-personnel weapon.

The case reminds us that it is so easy to ignore lessons. I trust that the Minister will concentrate on the difficulty of predictability. The sheriff's report specified directly that his determinations be brought to the attention of the Secretary of State for Scotland, and recommended that he in turn should refer them to the Firearms Consultative Committee, to give particular regard to various matters that I have mentioned. He, the Secretary of State, was to refer the report to that committee, and he did so. The report was read and noted. As far as I am aware, no action was taken.

The issue has relevance to the debate on handguns, and I have raised it in honour of the parents of the two young men who tragically died. Both their families have encountered tragedy, grievous losses and bewilderment. Both families realise, to their eternal regret, how it is not possible to predict the actions of anyone who holds handguns. We owe it to the two families not to forget the horror and the implications of such a tragic event. Perhaps, in discharging that debt, we serve a wider purpose in alerting the public once more to the dangers of handguns.

10.31 pm

The Minister of State, Home Office (Miss Ann Widdecombe): First, I congratulate the hon. Member for Motherwell, North (Dr. Reid) on raising such an important issue. I note that interest has been shown in the hon. Gentleman's concerns by the presence of other hon. Members, especially that of my right hon. Friend the Minister of State, Scottish Office (Lord James Douglas-Hamilton). Throughout the debate, the hon. Member for Monklands, East (Mrs. Liddell) has been in her place. The same must be said of the hon. Members for Falkirk, East (Mr. Connarty) and for East Kilbride (Mr. Ingram). Other hon. Members are present, but they have not been in their places throughout the debate.

The hon. Member for Motherwell, North has clearly raised a matter of importance when at this hour of the night, after all the business that has been dealt with, there should still be sufficient concern for Members to be present.

Seven years have passed since the extremely tragic incident to which the hon. Gentleman has referred. However, I express deep sympathy to all the victims and to the relatives of everybody involved. Having seen the very thorough report of the fatal accident inquiry, chaired by Sheriff Lockhart, I agree that what happened on that tragic night in March 1990 raises issues which remain of great significance as we consider further changes to the law on the possession of firearms in the wake of the tragic incident in Dunblane.

I wholly share the view about unpredictability. Time and again, both I and my right hon. and learned Friend the Secretary of State have said that there is no measure that any Government could take that would guarantee that there would never be another tragic incident. We can only do our best and endeavour to learn lessons from past events.

I want to concentrate on the three issues to which the hon. Gentleman specifically alluded and which the sheriff picked out for detailed consideration by the Firearms Consultative Committee. The Firearms (Amendment) Bill is currently under consideration in another place, and, if I have time, I want also to discuss the way in which our proposals in that Bill will affect the specific concerns mentioned by the hon. Gentleman. I believe that they will make an important difference.

Before doing so, I believe that it would help the House if I briefly described the circumstances in which Alan Parkhill came to be in possession of the pistol and ammunition that he used to shoot Mr. McIntyre and wound others. As we have heard, and as the inquiry report makes quite clear—and as the hon. Gentleman emphasised forcefully tonight—Mr. Parkhill was perfectly legally entitled to own those weapons. He had a firearms certificate for them that was issued, perfectly properly, by the police.

Under section 19 of the Firearms Act 1968, it is an offence for anybody to be in possession of a firearm and ammunition in a public place without lawful authority or reasonable excuse. In having the pistol and the ammunition with him in his car on that night, Mr. Parkhill was committing just such an offence. I thoroughly concur with the great question mark introduced by the hon. Gentleman as to what that sort of equipment had to do with celebrating a friend's birthday.

The police certificate authorised him to purchase the pistol and ammunition, and, indeed, to keep them at home. As the inquiry report says, his certificate also allowed him to own one other pistol, two revolvers, two rifles, and a total

of 3,800 rounds of ammunition of different types and calibre, depending on their suitability for use with the particular weapons involved. On the night of the shooting, Mr. Parkhill had with him one of his pistols—a Browning 9 mm—two magazines of ammunition for it and some loose rounds.

Mr. Parkhill first obtained a gun licence at the age of 16, when he applied to Strathclyde police for a shotgun certificate. He applied for and obtained a firearms certificate the following year, at the age of 17—the youngest age at which, by law, a person may purchase a firearm. In applying for that certificate, and, as the hon. Gentleman said, in renewing it subsequently every three years as he was required to do, Mr. Parkhill told the police that he wanted firearms for target shooting. That was true. Mr. Parkhill was a member of local shooting clubs—the Glasgow and District rifle and pistol club, and the Balornock rifle and pistol club—which were approved by the Secretary of State for Scotland under the Firearms Acts, which were run perfectly properly, and about which the police had no reason to feel any concern.

The law requires that anybody who wants a firearms certificate should have a good reason for being in possession of a firearm and ammunition. Home Office guidance to the police on administering firearms controls makes it clear that target shooting is a good reason, and it has been recognised as such ever since systematic firearms controls were first introduced in this country in 1920.

The sheriff's report describes two other occasions before the night of the shootings when Mr. Parkhill had a gun with him in public; and it also emerged after the shootings that one of his guns was missing. I want to make it clear that none of those matters had been reported to the police. As far as they knew, Mr. Parkhill was punctilious in adhering to all the rules and regulations relating to his possession of firearms and ammunition and they had no reason to be concerned that he posed a danger to anybody.

Sheriff Lockhart concluded in his report:

"there were no reasonable precautions which could have been taken by the chief officer of police in terms of the current legislation"—

that is, the legislation then in force—

"whereby the deaths might have been averted".

I fully agree with that assessment.

The police investigation of the shootings was unable to uncover why Mr. Parkhill acted as he did. The sheriff could not shed any new light on the matter. He also concluded that Mr. Parkhill had not taken advantage of any loophole in the law to obtain guns or ammunition.

The sheriff went on to conclude that the Secretary of State for Scotland should refer three specific topics to the Firearms Consultative Committee: the age or ages at which persons should be permitted to hold a firearms certificate; the number of firearms and the amount of ammunition which any member of the public should be entitled to possess; and all aspects of the storage of firearms and ammunition owned by members of the public.

We shared the sheriff's concern, and the Government asked the committee to discuss these three points. It did that in some detail, and the hon. Gentleman is aware that it concluded that there should be no change to the current arrangements. I hope I misinterpreted the hon. Gentleman; he appeared at one point to be saying that the report was not acted on. In fact, the report recommended no change, so there were no changes recommended on which to act.

Dr. Reid: I said that the report was considered and noted, and that no further action was taken.

Miss Widdecombe: Indeed. The committee published these conclusions in 1992 in chapter 5 of its third annual report. There is, of course, a copy of the report in the Library of the House.

On age limits, there are, as the Committee said, very detailed provisions in the Firearms Acts. The minimum age for purchasing or hiring a firearm of any kind is 17. The law does provide for people of less than that age to be in possession of firearms and ammunition without having bought them, but it imposes significant restrictions. I gave the Standing Committee a detailed description of age limits, which it would not be profitable to repeat tonight in the limited time available.

On the quantities of firearms and ammunition which people should be allowed to own, the Firearms Consultative Committee concluded that the present arrangements are adequate. I agree with that conclusion. In addition, the greater controls imposed by the Firearms (Amendment) Bill will place important new restrictions upon the ownership of legally held firearms.

As far as security is concerned, the Committee correctly pointed out that the law imposes a requirement on all owners of firearms and shotguns to keep them secure from theft at all times.

It is tempting to draw parallels between this case and that of Thomas Hamilton. Both involved the tragic shooting of innocent people by men who were perfectly legally entitled to possess large calibre handguns. There are, however, some differences. There was nothing to indicate that Mr. Parkhill was not fit to be entrusted with a firearm. There was no evidence that he had planned his crime. There was, as the hon. Gentleman kept saying tonight, no apparent motive. There were no grounds to refuse the granting of a firearm certificate to him. All these concerns, however, were identified by Lord Cullen as applying to Thomas Hamilton.

I therefore accept the hon. Gentleman's basic premise: that there is no easy method of predicting who may act out of character, and no easy method of preventing a tragedy such as Dunblane. But there is a major responsibility on Government to do their best to make sure that these things do not happen. Lessons have been learnt from Dunblane. We have had an independent examination, the vast majority of whose conclusions we have accepted.

I thank the hon. Gentleman for raising his concerns so eloquently tonight, and I apologise to at least one of his hon. Friends who was indeed present throughout the debate.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Eleven o'clock.

House of Commons

Thursday 16 January 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

The Euro

1. **Mr. Heathcoat-Amory:** To ask the Chancellor of the Exchequer if he will estimate the cost to the United Kingdom economy of converting to the euro. [9515]

11. **Mr. Gordon Prentice:** To ask the Chancellor of the Exchequer what estimate he has made of the costs to the United Kingdom Government of transition from the pound to the euro. [9526]

The Chancellor of the Exchequer (Mr. Kenneth Clarke): The Government have not yet made any full assessments of the transitional costs to the Government or to the economy of introducing the euro. We will make an assessment of such costs at the appropriate time as part of the assessment of whether the United Kingdom should participate in the single currency.

Mr. Heathcoat-Amory: As we must decide this year whether to join the euro, and as the cost of doing so would run to many billions of pounds because all business systems, computers and shop tills would have to be changed, does my right hon. and learned Friend think that a welcome contribution to the debate, which I know that he wants, would be to make and publish such estimates? Have estimates been made of the direct cost to Government Departments such as the Inland Revenue, Customs and Excise and so on? If so, will he undertake to publish them at an early date?

Mr. Clarke: If the euro were to go ahead on the timetable contemplated, and we were to join, Government Departments of the sort that my right hon. Friend cited would not have to change their accounting systems until 2002, when notes and coins are intended to be introduced. We are in close contact with the banking and retailing world and a great deal of consultation has taken place. When the sensible time comes for making a full assessment of the choice facing the United Kingdom, things such as compliance costs will obviously be relevant. By then, we should be able to produce some reliable figures and estimates.

Mr. Prentice: Would not the costs be very considerable? In the 1960s, the Government decided to decimalise five years before D-day and the relevant legislation was on the statute book four years before. Why does the Chancellor think that the country can make this momentous and irreversible decision, with euros coming to the United Kingdom in January 2002 and the pound disappearing in June of that year, in less time than it took the country to decimalise in 1971?

Mr. Clarke: Member states are considering the precise transitional arrangements. The British Government are contributing to the necessary rules and regulations that would govern the transition to make it less expensive and to reduce the costs to an acceptable level. As I said, on the strictest interpretation of the timetable, we are talking about a changeover of notes and coins by 2002. At the moment, the sensible thing is to wait and see precisely what the transitional arrangements will be and to continue discussions with banks and retailers. Banks and many financial houses will have to change their systems anyway if the euro is formed by other countries, because I expect much trading in the euro to take place in the foreign exchange markets in the City of London.

Mr. John Townend: Does my right hon. and learned Friend accept that the cost of introducing the euro, which everyone accepts will run into billions of pounds, will have to be paid for by increases in taxes and prices? If we have the same experience as we had with decimalisation, conversion prices will be rounded up. Will not the introduction of the euro therefore result in a significant increase in inflation, pushing up prices and feeding into higher wages and costs?

Mr. Clarke: I think that it is an argument; I am not sure that it is a fact. I agree that it is perfectly legitimate to claim that there will be substantial transitional costs; the Government must be in a position to estimate them and will do so at the sensible time when we face the choice. I well remember taking part in the controversy about decimalisation. The debates were still going on when I first arrived in the House. My only recollection of decimalisation is that, after much agitated debate running up to it, the changeover was almost a non-event.

Mr. Gordon Brown: Following the discussions in Dublin on the euro, its costs and other matters, the Health Secretary said that he favoured renegotiating our position in Europe and was supported by the Prime Minister, who said that he favoured renegotiation. This morning, the Chancellor said that he does not think that that means renegotiating. Who speaks for the Government? Does the Chancellor support the Prime Minister's position on renegotiation?

Mr. Clarke: We have a clear position on negotiating in the context of the intergovernmental conference. We have produced a White Paper, and have set out a clear negotiating position. I have not the first idea what the Opposition's view of any of that is; they have not produced any such document, and this is one of the many areas where it is not possible to get any straight answers out of them.

Small Businesses

2. **Sir Wyn Roberts:** To ask the Chancellor of the Exchequer what economic measures he is taking to encourage small businesses. [9516]

The Economic Secretary to the Treasury (Mrs. Angela Knight): The main contribution that the Government can make to a successful small business sector is to provide a stable macro-economic environment, with low taxation, limited regulation, and support and guidance where necessary: this we are doing.

Sir Wyn Roberts: I welcome my hon. Friend's reply. Does she agree, however, that the economic stability and excellent prospects that small businesses now enjoy, and the help given to them in the Budget with business rates and corporation tax, will be put at risk if the electorate are foolish enough to take a leap in the dark and vote the Labour party into government?

Mrs. Knight: My right hon. Friend is right: he has made an important point. The major criterion that all small businesses want us to achieve is a stable economic environment, and they now have that. It is also important to note that we now have uniform business rates because, before they were introduced, too many Labour-controlled local authorities continued to put up rates, thus milking dry companies in their areas and inhibiting their ability to employ and foster. It is not surprising that small businesses are so worried about the Labour party's policies.

Mr. Foulkes: Is not one of the additional burdens borne by small business men the extra cost of value added tax on fuel? Will they not have been rather upset, if they voted Conservative at the last election having been assured that there would be no VAT on fuel, to find that it was immediately imposed?

Mrs. Knight: That just shows how little the hon. Gentleman knows about small businesses. They claim the VAT back. What they are very worried about is the question of the minimum wage and the social chapter, with which they know the Labour party is threatening them.

Mr. Tredinnick: Is my hon. Friend aware of any proposals to give control of business rates to local authorities? Does she think that, were that to happen, business rates would go up or down in councils controlled by Opposition parties, such as Hinckley and Bosworth borough council in my constituency?

Mrs. Knight: My hon. Friend raises the issue that worries so many businesses. When their local authorities were controlled by Labour, they felt that they were having to pay far too much for far too few services—and, what is more, statistics prove that they were absolutely right. The Labour party's promise that it would return small companies to local authorities for business rating purposes shows just how little the party knows about companies, and shows why companies justly fear its policies.

Inheritance Tax

3. **Mr. Pike:** To ask the Chancellor of the Exchequer how many people he estimates will pay inheritance tax in the current financial year. [9518]

The Financial Secretary to the Treasury (Mr. Michael Jack): It is provisionally estimated that inheritance tax will be paid on around 18,000 transfers on death and in lifetime in the current financial year.

Mr. Pike: As a Lancashire Member, I congratulate the Minister—another Lancashire Member—on his elevation to the Privy Council.

Does not the Government's obsession with the abolition of inheritance tax underline, in many people's minds, their obsession with helping a minority of wealthy people rather than giving a fair deal to the majority? That has been the trend ever since the Government were elected in 1979.

Mr. Jack: In a spirit of camaraderie, I thank the hon. Gentleman for his kind good wishes on my appointment to the Privy Council. I listened to what he had to say, but it contrasts starkly with what the hon. Member for North Warwickshire (Mr. O'Brien) said last year in the Standing Committee considering the Finance Bill. At that time, he confirmed your party's wish for more millionaires to be created, and seemed to confirm some interest in the creation of wealth; but you show your usual nasty attitude to that wealth passing down—

Madam Speaker: Order. Privy Councillors do not behave in that way.

Mr. Jack: I apologise, Madam Speaker—the heat of battle must have got to me.

The hon. Gentleman suggested that his party takes a rather unfortunate attitude to wealth being passed on. Inheritance tax statistics show that only 2 per cent. of estates now pay it. Through raising the threshold and our long-term desire to remove the tax, we want to end the worry caused to those with modest estates as they pass their wealth down the generations. We want more wealth to be passed on for productive use by future generations.

Mr. Nicholls: Does my hon. Friend agree that 2 per cent. of estates being subject to inheritance tax is 2 per cent. too many? The trouble with inheritance tax is not that it was designed to raise revenue for items that must be financed by the state, but that it was devised as a way of punishing people for having money in the first place. It is a thoroughly un-Conservative tax and it should go at the earliest opportunity.

Mr. Jack: My hon. Friend puts his finger on an important point. It is worth considering the history of estate taxes, or estate duty as it was once called. Such taxes were relevant when the tax base was not as it is today. Today, we have taxes on income, earning and consumption; the time has come for us to make progress on our long-term objective of removing inheritance tax, as and when we can afford it.

Economy (North-West England)

4. **Mr. Elletson:** To ask the Chancellor of the Exchequer if he will make a statement about the economy in the north-west of England. [9519]

Mrs. Angela Knight: The north-west is sharing fully in the success of the British economy, which is enjoying a combination of low inflation, falling unemployment, low mortgage rates and rising living standards not seen for a generation.

Mr. Elletson: I thank my hon. Friend for that reply. Does it not show that, thanks to the Government's economic policy, north-west England is now one of the most competitive and successful economies in the most competitive and successful country in western Europe? Would it not be crazy to throw all that away on new Labour, new failure?

Mrs. Knight: My hon. Friend is correct. Unemployment in the north-west has fallen to its lowest level for more than six years and average weekly pay is the second highest in the country. May I turn my hon. Friend's attention to some of the figures relating to Blackpool? It is, as he knows, the country's premier tourist resort, with more visitors per year than Portugal and more hotel beds than the whole of Greece. The Labour party's recipe of a minimum wage, the social chapter and more red tape would damage jobs in my hon. Friend's constituency and would damage the United Kingdom's tourist industry.

Mr. Sheldon: Is the hon. Lady aware that chambers of commerce in the north-west have stated that they are more concerned about the level of interest rates and a competitive pound than about anything else? Although I welcome the decision by the Chancellor of the Exchequer to overcome the fears of the Governor of the Bank of England, will the hon. Lady ensure that my points about the competitive pound are fully taken into account, bearing in mind the need for manufacturing industry in the north-west of England?

Mrs. Knight: I can assure the right hon. Gentleman that that is one of the factors that my right hon. and learned Friend the Chancellor takes into account when setting interest rates. The right hon. Gentleman will also be aware that we receive many representations from business, commerce and individuals about all aspects of the British economy. I can assure him that they are delighted by our inflation performance. They are also delighted that our interest rates are low, mortgage rates are at their lowest level for almost 30 years, more people are in work and we have a lower unemployment rate than any other major European country. That is the sort of economy that we have created in this country—one in which companies can prosper and thrive and individuals can expect jobs and achieve improved living standards.

Mr. Nicholas Winterton: I welcome the influence of my right hon. and learned Friend the Chancellor of the Exchequer and his resistance to the blandishments of the Governor of the Bank of England when urging him to increase interest rates. Such resistance has made a direct contribution to the healthy economic situation in north-west England. In my constituency of Macclesfield, unemployment is down to 3.2 per cent. and we have recently had the fine announcement of the second runway at Manchester airport. Only last October, Vauxhall announced investment of more than £300 million in Merseyside, which I hope will go some way to offset today's unfortunate announcement by Ford at Halewood—a decision that I deeply regret.

Mrs. Knight: I agree with my hon. Friend that any job losses are regrettable. In its statement today, Ford says that it is improving the plant's competitiveness to secure its long-term future, but the future for everyone in this country is a stable economy—an economy and economic policies that ensure the job creation that we are currently witnessing. Recently published figures show that we are creating about 10,000 jobs a week; we are prepared to continue to do so. It is vital for everyone in the country.

Mr. Milburn: Will the hon. Lady confirm that earlier today the Chancellor described the loss of jobs in the north-west at Ford's Halewood plant as a case of

"You can't win them all"?

How can she defend such complacency when the loss of quality manufacturing employment is such a devastating blow, not only to the north-west but to the whole British economy?

Instead of sitting back and doing nothing, will the Minister agree to make a statement to the House on the impact of those job losses on the people of the north-west and the economy of that region?

Mrs. Knight: That question was uniquely silly, especially the quotation that the hon. Gentleman attributed to my right hon. and learned Friend the Chancellor of the Exchequer. As I said, all job losses are regrettable. I find them regrettable, as do my right hon. and learned Friend and the Government.

I hope that the hon. Gentleman will support Ford's measures to improve the plant's competitiveness to ensure its future, and that he will be pleased by the enormous investment that Ford has made in this country. I look forward to his supporting the economic policies that have created and continue to create jobs in this country; unemployment is falling here, but is rising in every other major European country. That ability to create jobs results in this country's success and provides big opportunities for everyone, including people on Merseyside.

Taxation

5. **Sir Ivan Lawrence:** To ask the Chancellor of the Exchequer if he will make a statement on the level of taxation in (a) the United Kingdom and (b) the rest of the European Union. [9520]

Mr. Jack: The overall burden of taxation on the economy in the United Kingdom was 35.75 per cent of GDP in 1995-96. This represents one of the very lowest levels in Europe and is below that of France, Germany and Italy.

Sir Ivan Lawrence: Does my hon. Friend—whose honour Conservative Members very much welcome—agree that taxation must be a matter for member states,

that our policy has enabled us to achieve lower personal and business taxation, details of which I invite him to give us, and that it is not in Britain's interests to give up that control?

Mr. Jack: I thank my hon. and learned Friend for his kind personal comments. On his last point, I hope that I can satisfy him by reminding him of what my right hon. and learned Friend the Chancellor said to the House of Lords in the EMU inquiry on 28 March 1996:

"I personally strongly take the view that taxation policies are decisions for the member states of the European Union and should remain so."

I believe that to be a clear statement of our policy.

My hon. and learned Friend invited me to give the House information on tax on business as a percentage of GDP. In the United Kingdom it is 8 per cent., in Germany 9.4 per cent. and in France 16.8 per cent. At a personal level, in the United Kingdom it is 17 per cent., in Germany 27 per cent., in France 26 per cent. and in Italy 24 per cent., which clearly shows what an attractive place the United Kingdom is to do business and earn money, with tax at such a low percentage of GDP.

Mr. Spearing: Do not considerable disparities persist between VAT in different nations of the Community? For instance, do not France and Germany impose a minimum of 15 per cent. VAT on children's clothing, fuel and water?

Is the Minister aware that, under article 99 of the Maastricht treaty on European Union, such disparities must change? Has he not seen the document that has been sent to the presidency, and to Her Majesty's Government by the Commission, requiring or suggesting a further tranche of harmonisation, including decision by qualified majority voting and central collection and dispersion? Why did the Chancellor of the Exchequer, despite the conversation on Radio 4 this morning, make no reference to that?

The Exchequer Secretary to the Treasury, who is sitting next to the Chancellor, wrote a memorandum, which is publicly available in the Vote Office, describing that outrageous suggestion and signed it. Would it not have been better if the Chancellor had seen and signed it?

Mr. Jack: I do not know what to make of the hon. Gentleman's question. He accuses the Chancellor of not dealing with the central issue, but for once Radio 4's "Today" programme concentrated on asking the Chancellor about the excellent performance of the British economy. My right hon. and learned Friend offered good information about inflation, low interest rates and falling unemployment—the things that really matter in this country to those who are working and exporting to the rest of Europe.

Mr. Redwood: Will the Minister confirm that the British Government would veto any Franco-German proposal to make taxation a matter of common concern within the Community institutions? Will we stand against any compulsory increase in income tax to bring this country into line with France and Germany, and will he confirm that higher income tax would not be a price worth paying for a single currency?

Mr. Jack: That, I think, is a hypothetical question—*[Interruption.]*—for the very simple and straightforward reason that no such proposal as my right hon. Friend describes exists.

Mr. Mike O'Brien: Will the Minister confirm that the Chancellor has told the House:

"one of my options must be to extend the VAT base. The main candidates are food, children's clothes, transport, sewerage and newspapers."?

Furthermore, he said:

"A powerful case for each of them can be made".—*[Official Report,* 30 November 1993; Vol. 233, c. 940]

In 1979 and in 1992 the Tories promised not to extend VAT: whereupon they doubled it and put it on fuel. How can anyone trust the Tories on VAT?

Mr. Jack: We started the day looking into the gutter and we have just had another example of the kind of gutter, negative politics that the Opposition told us they were not going to indulge in.

Let us look at the record. My right hon. and learned Friend has never made a secret of the fact that he favours a broad-based taxation system with low marginal rates—possibly an idea that the Opposition do not understand. Today they have completely fabricated a claim that we have some intention of levying VAT on food. Let us nail that right now, and remind the House that my right hon. and learned Friend has said:

"It has never crossed my mind to put VAT on food and it hasn't crossed my mind now."

His policy and position are thus quite clear.

Sir Teddy Taylor: Will the Minister remind the Opposition that the sixth directive, which called for harmonisation of VAT, was agreed in 1977 when there happened to be a Labour Government? Does he agree that the real threat of VAT on food could arise only from a European Court challenge to a legal procedure that the Government have been using since 1 January—and that that could happen whether a Conservative or a Labour Government were in office?

Will the Minister finally agree that the late and much respected John Smith would never have indulged in the untruths and deviousness that we witnessed this morning?

Mr. Jack: I entirely agree with my hon. Friend's last point. The House will have taken careful note of his other points; but the greatest threat to our position in respect of Europe comes from the Opposition.

Value Added Tax

6. **Mr. McAvoy:** To ask the Chancellor of the Exchequer if he will make a statement on the amount of VAT collected in the last year for which figures are available. [9521]

The Exchequer Secretary to the Treasury (Mr. Phillip Oppenheim): The net amount of VAT collected in the financial year 1995-96 was £43,069 million.

Mr. McAvoy: On the radio this morning the Chancellor, when asked about the Tory record on VAT

on fuel, said that the Labour party was using a quotation about VAT on fuel from somebody at the time of the 1992 general election. Clearly, the Chancellor has nothing but contempt for that somebody and regards that somebody as being of no importance or influence and easy to disregard. Can the Minister confirm that the Prime Minister is that somebody?

Mr. Oppenheim: With regard to that and to the campaign launch this morning—*[Interruption.]* If hon. Members give me a chance, I shall be delighted to answer the question. I remember that when the Leader of the Opposition got his job, he cast his eyes to heaven and said that he would not indulge in infantile yah-boo politics, yet this morning he signed off his VAT on food campaign, which is so catty and silly that it makes demon eyes look cerebral and spiritual by comparison.

Sir Sydney Chapman: Does my hon. Friend agree that we have one of the least burdensome VAT regimes of all European Union countries? Will he confirm that 40 per cent. of consumer expenditure in this country is free of VAT, that we want to keep it that way and that the worst prospect for that would come about if we ever agreed to the harmonisation of VAT rates in Europe?

Mr. Oppenheim: Yes.

Mr. Beggs: Is the Minister aware that jobs in my constituency and throughout the United Kingdom could be put at risk by the proposed two-tier insurance rate of 17.5 per cent. and 4 per cent., granting special concession and privilege to the retail sector as against the rental sector, which services about 3 million in the less well-off sections of our community? Will he undertake to meet representatives of rental companies and hear from them how he can continue to achieve the same VAT revenue to the Exchequer while maintaining level competition between the two sectors?

Mr. Oppenheim: The hon. Gentleman makes some valid points. I am meeting representatives of the travel industry and the insurance industry next week. There has been widespread VAT avoidance by those sectors. In the interests of taxpayers in general and of services such as health, education and law and order, which are significantly funded by VAT and on which almost all hon. Members understandably want more to be spent, we must not allow industries to create large VAT loopholes that will put at risk the revenue for those important services. Nevertheless, the hon. Gentleman makes an important point. I will meet the various interests and industries involved to see whether anything can be done to ensure that the system works fairly and to avoid the tax loopholes that have undoubtedly been created.

Mr. Bill Walker: Will my hon. Friend confirm that the vibrant UK economy that we are enjoying results in people having more money to spend, and that the advantage of VAT, rather than direct taxation, as a principal means of raising revenue is that people pay tax as they spend? They make the choice, whereas with direct taxes they do not have a choice. That is a great advantage and it makes our economy what it is today.

Mr. Oppenheim: My hon. Friend is right. It is important to remember that VAT is not levied on items that form a significant part of the budget of the less well-off.

Ms Primarolo: Will the Minister tell the House why we should trust his undertaking that VAT will not be imposed on food? The Chancellor said this morning that that had never crossed his mind—those were his words. Will he explain, therefore, why on 30 November 1993 in the Budget statement, at column 940 in *Hansard*, the right hon. and learned Gentleman described the serious options and the "powerful case" for extending VAT to "food, children's clothes, transport, sewerage and newspapers."—[*Official Report*, 30 November 1993; Vol. 233 c. 940.]

Mr. Oppenheim: The hon. Lady should probably have continued the quotation to put it in context. I think that her question is marvellous. I never thought that I would stand at the Dispatch Box—[HON. MEMBERS: "Go, then."]—and listen to a Labour Front Bencher make such a heartfelt plea against tax rises. It shows that 17 years of Tory rule have not been in vain. The deputy leader of new Labour's throwing a temper tantrum at the suggestion that he should give a fiver to a tramp proves that, while new Labour may demonstrate admirable enthusiasm for Tory policies, it might be extrapolating a little too far.

National Debt

7. **Mr. Spring:** To ask the Chancellor of the Exchequer if he will make a statement on the ratio of national debt to gross domestic product, relative to those of other EU member states. [9522]

The Chief Secretary to the Treasury (Mr. William Waldegrave): The United Kingdom's ratio of gross debt to gross domestic product at 53.75 per cent at the end of March 1996 is one of the lowest ratios of general Government gross debt to GDP in the European Union.

Mr. Spring: Does my right hon. Friend agree that his answer simply serves to underline the British economy's stunningly good performance relative to that of the rest of Europe? Will he confirm that our ratio also compares well with those of Japan and the United States?

Mr. Waldegrave: The country's debt figures represent a main source of pride for the Government. We must consider what has happened during the past 20 years. In 1970, we had the worst debt to GDP ratio of the big countries in Europe. In 1975, we were still the worst performer. We began to catch up in the 1980s and in 1996 we were the best performer. I confirm the accuracy of my hon. Friend's comments about Japan and the United States: we have a lower debt to GDP ratio than both of those countries.

Mr. Geoffrey Robinson: Will the Chief Secretary confirm that national debt has doubled under the present

Prime Minister and now costs every taxpayer about £1,000 a year? Does he agree that that represents a disgraceful mismanagement of the country's finances?

Mr. Waldegrave: The hon. Gentleman makes a silly point. The base year of 1990 saw the lowest level of national debt since 1915, when the Liberals joined the national coalition and began to finance the war by borrowing. It was not until 1990 that we had debt under control again. Another way of putting it is that, in 1990, we had by far the lowest debt level of any western country. That enabled us to look after public services during the recession and, at the end of it, still have the lowest debt of any big European country.

Mr. Yeo: Will my right hon. Friend confirm that if the European countries that are hoping to form the first wave of a single currency were able to meet the debt to income ratio required by the convergence criteria only through a gross fudging of their financial accounts, that would be an unsustainable basis for a single currency and it would be highly desirable for this country to have no part of it?

Mr. Waldegrave: My hon. Friend is entirely right. If countries were to think it wise to try to join a single currency by using accounting devices that counted for one year only, they would join an ultimately unstable single currency. I am sure that that will form part of the judgment that Ministers take in the Council of Ministers at the appropriate time.

Mr. Malcolm Bruce: Will the Chief Secretary acknowledge that, under the present Prime Minister, British national debt has risen faster than that of any other member state in the European Union except Germany, which is coping with reunification? Against that background, and as the Conservative and Labour parties have pledged to reduce or abolish taxation, there is a natural question in the minds of the electorate about how they will keep debt down without introducing other measures of taxation. We want an exchange, not of insults, but of information regarding exactly which taxes Labour and the Conservatives will put up.

Mr. Waldegrave: The hon. Gentleman is right to contrast the approaches of the Government and the Opposition. The Government will maintain low tax and debt burdens by controlling expenditure. There is not the slightest chance of the Labour party's doing that.

Mr. Wilkinson: Is not it remarkable that this country probably nearly meets the convergence criteria for joining the single currency but, according to polling data in *The Daily Telegraph*, is the country most vehemently opposed in principle ever to joining the single currency? Is not it a fact that good management of the economy, as evidenced by the statistics on national debt, is a good in its own right to be pursued in the interests of the British people, not the interests of creating a single currency in which they have no confidence?

Mr. Waldegrave: My hon. Friend is exactly right. The policies that my right hon. and learned Friend the Chancellor has been following are right for the economy and are pursued because they are right for the economy. One of the things of which the Government can be proud is the fact that we will have an entirely free choice, thanks to the Prime Minister's opt-out, about whether to go into a single currency. The economic strength of the country will mean that we shall be able to choose on the basis of wider considerations.

Value Added Tax

9. **Mrs. Mahon:** To ask the Chancellor of the Exchequer what additional sums have been paid as a result of changes in VAT since 1992. [9524]

Mr. Oppenheim: The net revenue effect of various changes to VAT coverage since 1992 is estimated to be £870 million in the current financial year.

Mrs. Mahon: Will the Minister confirm that, because of the Government's imposition of VAT on domestic fuel, many pensioners are forced to pay the highest premium to heat their homes? Has he calculated the cost of that in human terms and to the national health service, as many pensioners, especially in my constituency, are forced to cut back on heating in cold weather?

Mr. Oppenheim: The hon. Lady makes a point, but this could be a good moment gently to remind her and Opposition Members that, for many years, Labour's energy policy was to burn expensive and relatively dirty coal. Labour denigrated our policy of allowing cleaner, cheaper gas, which has resulted in falling energy costs and cleaner air. I am surprised that Labour Members are so shameless that they can come to the House, after pursuing that policy, and declare that they are worried about the cost of energy for the less well-off.

Mr. Lidington: Surely the impact of extending VAT to domestic fuel has been outweighed by the price cuts arising from the Government's policy of privatisation. Is it not also the case that the parties in the House that voted against privatisation were therefore voting in favour of dearer energy prices for pensioners and others, and that those who support a windfall tax would also bring about dearer fuel prices for pensioners and others?

Mr. Oppenheim: My hon. Friend is exactly right. Even including VAT, power prices are lower than they were. Gas prices alone have fallen by 19 per cent. in real terms. The less well-off have also been protected by compensating rises in benefits.

Mr. Darling: The House will have noted that the Chancellor has not answered any questions on VAT today. How can we believe a Chancellor who says that he never contemplated extending VAT to food when he specifically mentioned it in his 1993 Budget? How can we trust a Chancellor who says that somebody promised not to extend VAT in the 1992 election when not only was that somebody the Prime Minister, but we have film of the Chancellor of the Exchequer sitting next to the Prime Minister when he gave that commitment?

Mr. Oppenheim: How can the House and voters trust a shadow Chief Secretary who, in response to a Scottish nationalist amendment proposing a reduction in VAT on fuel from 8 per cent. to 5 per cent, said that it was a

"cynical ploy from a desperate party"—[*Official Report*, 23 January 1995; Vol. 253, c. 49.]

yet only three months ago came to the House and proposed just such a cynical ploy—from another desperate party?

Company Cars

12. **Mr. Robathan:** To ask the Chancellor of the Exchequer what steps he intends to take to deter company car users from driving unnecessary miles to obtain tax advantage. [9527]

Mr. Jack: It is for employers to ensure that unnecessary business mileage expenses are not incurred. However, the needs of the genuine high-mileage business traveller are recognised in the current company car tax regime.

Mr. Robathan: I congratulate the Government on their very sensible policies on reducing unnecessary car usage, but is my hon. Friend aware that independent tax advisers tell their clients with company cars to contrive to drive more than 18,000 miles a year, even if that is unnecessary mileage, because they will thereby benefit from the discount at 18,000 miles? Will my hon. Friend reconsider the policy with a view to finding a better way of allowing heavy usage—necessary mileage—while not encouraging unnecessary driving?

Mr. Jack: My hon. Friend makes an important point. We have no plans substantially to change the current taxation regime for company cars. Transport 2000 raised the matter with us, questioning whether unnecessary business mileage was in sum being increased to achieve tax breaks. No evidence of such usage could be found. There is anecdotal evidence, but overall I do not believe that there is widespread abuse.

PRIME MINISTER

Engagements

Q1. **Mr. William O'Brien:** To ask the Prime Minister if he will list his official engagements for Thursday 16 January. [9545]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. O'Brien: Will the Prime Minister explain why tens of thousands of my constituents are finding it extremely difficult to pay their energy bills this winter? Why did he impose value added tax on their fuel bills when he promised the nation that there would be no increase in VAT? Will he explain why people should suffer from cold this winter because of his imposition of VAT on their fuel bills?

The Prime Minister: The hon. Gentleman should know that, during the past few years, the price of fuel has been steady at the worst. The real price of some fuels has fallen as a result of the privatisation of the energy industries. The hon. Gentleman will recall, when last there was a Labour Government, that the price of fuel was rising at a rate of 30 per cent. a year.

Mr. Legg: May I thank my right hon. Friend for his support for my private Member's Bill, which is aimed at countering drug abuse in clubs, and is to have its Second Reading tomorrow? Did he manage to make any further progress in the war on drugs during his visit to the Indian sub-continent? What is his reaction to the comments made today by Brian Harvey of East 17, who says that Ecstasy makes people feel better and that he takes up to 12 tablets a day?

The Prime Minister: I have not read the comments about Ecstasy, but I regard any comments of that sort as wholly wrong. Drug taking, whatever the drug may be, tends to lead on to hard drugs. We have seen often enough the tragedy that then occurs.

As for my visit to the Indian sub-continent, in Pakistan especially, I looked at one of the most important drug routes along which a very large amount of hard drugs comes from Afghanistan, through Pakistan, to northern Europe. I spent some time discussing with the Pakistan Government and others what measures we may take to assist them to ensure that drugs are caught at source and do not reach either Pakistan or northern Europe.

Mr. Blair: Does the Prime Minister accept that, before the last general election, he gave a categorical pledge not to extend value added tax, and that after the election, in the first Budget, he did indeed extend VAT? Is that true or false?

The Prime Minister: I think that we all know what the right hon. Gentleman is saying. The right hon. Gentleman is seeking to justify the crude and untruthful campaign that was launched this morning—a campaign that he knows is simply scaremongering and which will not persuade the British people. We now know very clearly where the negative campaigning comes from and who encourages it.

Mr. Blair: Perhaps we can return to the question and see whether we can have an answer. I think that we are entitled to draw attention to the Prime Minister's record and to draw an inference from it. Did he stand at that Dispatch Box and promise not to extend VAT—yes or no—and did he then extend it in the first Budget after the general election, yes or no?

The Prime Minister: The right hon. Gentleman is mistaken in the imputations he is trying to make. It is the Labour party—not the Government—that has made £30 billion of spending commitments, and it is the Labour party that would need to raise tax or break the promises that it has made to the people. The Government have set out our tax proposals, our expenditure plans and our declining borrowing requirement. It is the right hon. Gentleman—not the Government—who has questions to answer.

Mr. Blair: If the Prime Minister is so confident in his denials, after 22 Tory tax rises since the general election, and if, as he constantly tells us, he is raring to go in an

election campaign, why does he not experience a rare moment of decisiveness, call the general election—call it now—and let us all put our arguments to the verdict of the people?

The Prime Minister: That campaign will come, and I look forward to it, but if the right hon. Gentleman is so concerned about tax levels and wants to cut them, perhaps he will tell us which of his spending commitments he would cut.

Mr. Faulds: On a point of order, Madam Speaker.

The Prime Minister: What public expenditure would be reduced under a Labour Government? What expenditure has the Labour party opposed? Which of our tax reductions has it supported? The right hon. Gentleman says one thing, but his entire record shows that he does another.

Mr. Faulds *rose—*

Madam Speaker: Points of order come after Question Time.

Mr. Clifton-Brown: If my right hon. Friend wanted to raise a substantial amount of money in the next tax year, would he tax savings by restricting personal equity plans and tax-exempt special savings accounts, tax pensions by taxing pension funds and increase pensioners' electricity and gas bills with a windfall tax? Is not the truth that the Chancellor has published his tax proposals in public, whereas the Labour party is considering proposals in private?

The Prime Minister: My hon. Friend makes his points extremely clearly. We know that the windfall tax would pay, were Labour given the opportunity, for all sorts of goodies—there is a larger number of them every day. We now hear rumours that the windfall tax would be illegal. If, as has been said, the Labour party has legal advice to the contrary, let it publish that legal advice. What did the right hon. Gentleman say when asked about the windfall tax? He stated:

"Well, we haven't given a figure on that because we said that's something that has to be and should be, I mean this would be . . . ".

That is the gobbledegook we heard from the right hon. Gentleman. Labour does not know how it would pay for its programme, but we know—it would put up taxes.

Mr. Faulds: On a point of order, Madam Speaker.

Madam Speaker: I think that I can anticipate the hon. Gentleman's point of order.

Mr. Faulds: This is rubbish.

Madam Speaker: I shall hear the hon. Gentleman after the statement. I ask him to resume his seat.

Mr. Ashdown: Will the Prime Minister confirm that it is Government policy to be ready to join a single currency on 1 January 1999, and that they are willing to do so if it is in the nation's interest?

The Prime Minister: We will keep our options open, which is the entire purpose of the opt-out. We will make preparatory plans—which has been our position since, at Maastricht, some time ago, we established the opt-out.

Mr. Tracey: Is my right hon. Friend aware of widespread support among the British public for more stringent penalties against persistent offenders, as proposed in the Government's Crime (Sentences) Bill? What conclusions does he think that the public will draw from the Labour party's abstention on the Bill and all Liberal Members' voting against it? Is it not a fact that only the party of government is in favour of measures against criminals?

The Prime Minister: I am shocked by that rare difference between the would-be coalition partners on this subject. Not just on this Bill, but on a series of recent law and order Bills, the Opposition, despite what they have said, have voted against the Government's tougher law and order measures. By their votes they should be judged.

Q2. **Mr. McAvoy:** To ask the Prime Minister if he will list his official engagements for Thursday 16 January. [9546]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. McAvoy: The Prime Minister has stoutly refused to own up to his 1992 pledge not to extend VAT to fuel. Conservative Members may not like it, but the Prime Minister is demeaning his office by repeatedly refusing to answer the question. Bearing in mind his shifty performance this afternoon, does he understand that the British people simply do not believe his promises on VAT?

The Prime Minister: I wonder what makes me suspect a degree of co-ordination in Labour questions. Is it perhaps the guilty look on the hon. Gentleman's face? The Labour party is seeking to smear in a crude campaign about the Government's plans for the next Parliament. It simply will not wash.

Mr. Wilkinson: Can my right hon. Friend find time today to study the statement by Commissioner van Miert on the proposed alliance between British Airways and American Airlines and the threat—implicit threat perhaps—of fining the United Kingdom Government if they permit that alliance to go ahead? Surely it is a fundamental freedom for a national airline to decide in its commercial interests with whom it may or may not have an alliance anywhere in the world.

The Prime Minister: I am aware of the Commissioner's comments on the alliance, which were made within the framework of the existing structure of air services. I find them very strange when it has been made clear that the British Airways-American Airlines alliance can go ahead only if airline services are liberalised. The present position is that the Director General of Fair Trading will consider the Commission's views with any other views that he has received when he prepares his

advice to my right hon. Friend the President of the Board of Trade. It will be for my right hon. Friend to decide whether to clear the alliance.

Q3. **Mr. Jim Cunningham:** To ask the Prime Minister if he will list his official engagements for Thursday 16 January. [9547]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Cunningham: Can I now have a straight answer from the Prime Minister? Does he recall saying before the last general election that he had no plans to extend the impact of VAT? Why should anyone believe him now?

The Prime Minister: I refer the hon. Gentleman to several of my earlier answers.

Q4. **Mr. Nigel Evans:** To ask the Prime Minister if he will list his official engagements for Thursday 16 January. [9548]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Evans: This question is not about VAT. I have not been included in the Opposition's little scheme. I should like the Prime Minister immediately to introduce compulsory homework on basic economics for Labour politicians. They believe that they can spend £30 billion without there being massive tax increases or massive increases in borrowing. Does he agree that the electorate will not want to risk trading an improving economy and shrinking unemployment for the economic paralysis and tax hikes that will certainly come about if the nightmare happens and a Labour Government are elected?

The Prime Minister: My hon. Friend has hit on an extremely good idea. If Labour Members did their homework—particularly the shadow Chancellor—they would learn that Labour's sums do not add up. They cannot promise £30 billion of expenditure and at the same time say that they will not increase taxation.

Mr. David Shaw: It will end in tears.

The Prime Minister: What an excellent expression. It will end in tears. I strongly suspect that it will. The reality is that people will rumble the fact that Labour Members cannot keep those promises without putting up taxes. They cannot promise £30 billion in that fashion. If they ever formed a Government, Labour would be the same old tax raisers that they always have been.

Mrs. Jane Kennedy: Will the Prime Minister acknowledge the depths of dismay being felt on Merseyside as 1,300 Ford workers face redundancy, despite having won for their plant the company's in-house award for achievement and quality of production just a few months ago? Does he accept that his Chancellor's comments this afternoon that

"You can't win them all"

have worsened that sense of dismay and make it look as though the Government do not care? Will he tell the House what action he and his Ministers are taking to secure the future of Ford Halewood and to find work for those who are facing redundancy?

The Prime Minister: My right hon. and learned Friend said—if the hon. Lady had quoted him fully—how much he regretted that decision, and so do I. It is surprising that Ford has decided to move; it flies in the face of most investment decisions, which are moving to the United Kingdom. That should not hide the fact that Ford's new investment in Jaguar is worth 5,000 jobs and that it plans a further £2.6 billion of investment by 2000 and a lot of other investments.

I understand entirely that that is no comfort to the workers in Halewood and I hope that it will be possible for them to find alternative employment, for example with other inward investors. The hon. Lady sniggers. When has she ever know inward investment like this coming into England? When has she ever known a time when the output of cars was at such a high level? As usual, the hon. Lady—I do not mean the hon. Member for Liverpool, Broadgreen (Mrs. Kennedy), who asked the question; I mean the hon. Member for Wallasey (Ms Eagle)—sits there assuming that she would be able to put things right. The policies that she advocates led the British car industry to ruin. The British car industry is more successful today than it has been since the hon. Lady was born.

Mr. Faulds: On a point of order, Madam Speaker.

Madam Speaker: I am sorry to repeat for the third time that, under our procedures, I can take points of order only after private notice questions, statements and applications under Standing Order No. 20. There is a statement, and I have to hear a Standing Order No. 20 application. Perhaps the hon. Gentleman will wait his time.

Business of the House

3.32 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 20 JANUARY—Remaining stages of the Crime and Punishment (Scotland) Bill.

TUESDAY 21 JANUARY—Opposition Day (3rd Allotted Day). There will be a debate on the state of the national health service on an Opposition motion.

Motions relating to the selective cull (Enforcement of Community Compensation Conditions) Regulations and the Bovine Spongiform Encephalopathy Compensation Order.

WEDNESDAY 22 JANUARY—Until 2 o'clock there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the Finance Bill.

THURSDAY 23 JANUARY—Until about 7 o'clock, completion of consideration in Committee of the Finance Bill.

Remaining stages of the Local Government and Rating Bill.

FRIDAY 24 JANUARY—Private Members' Bills.

I regret that I am not able to be as helpful as I have usually been in recent times about the second week. I can announce only the following:

MONDAY 27 JANUARY—Second reading of the Sex Offenders Bill.

The House will also wish to know that it will be proposed that, on Wednesday 29 January, there will be a debate on artists' resale rights in European Standing Committee B. Details of the relevant documents will be given in the *Official Report.*

[*Wednesday 29 January:*

European Standing Committee B—European Community document: 7050/96 relating to artists' resale rights; relevant European Legislation Committee report: HC51-xxiii (1995-96).]

Mr. Rooker: I thank the Leader of the House for his statement. We understand, in the present circumstances, the Government's inability to know what they will do with the rest of the legislative programme for the remaining part of this Parliament, so we make no criticism.

Given that tomorrow, 17 January, the consultation finishes that started back in October about proposals to change regulations on early retirement of teachers, could the Secretary of State for Education and Employment make an early statement next week on her intentions? Some urgent issues are involved, as I am sure the Leader of the House appreciates—the supply of teachers, the constant denigration of the profession, and the substantial increase in recent years of early retirement among teachers. The House, of course, has a crucial report from the Public Accounts Committee, but Members are entitled to be able to question the Secretary of State well before the changes take place. The matter is urgent for teachers making their plans and, of course, for children in our schools.

The report of the Radioactive Waste Management Advisory Committee, requested by the Government, on Nirex science will be available next week. It should be published as early as possible—a view, I might add, shared by my right hon. Friend the Member for Copeland (Dr. Cunningham). Will the Leader of the House arrange it as quickly as possible through the appropriate Minister?

Could we have a statement next week from either a Foreign Office Minister or a Defence Minister on the confusion that they have caused this week? When a concerned mother travels abroad to assist the Red Cross in its mission of highlighting the brutality of anti-personnel land mines, it is demeaning to this House and the British people for senior members of the House and the Government to claim that the issue is too sophisticated or not straightforward. We need a ministerial statement to make it absolutely clear that the United Kingdom Government are doing everything to prohibit the use of those indiscriminate weapons around the world.

Will the Leader of the House clarify what the chairman of the Conservative party meant recently when he referred to the "normal parliamentary conventions" being used over the moving of the writ for the Wirral, South by-election? Do his comments mean that it will be moved within three months or within four months of the death of our colleague Barry Porter?

Mr. Newton: On the consultation on pension arrangements for teachers, I shall, of course, bring the hon. Gentleman's request to the attention of my right hon. Friend the Secretary of State for Education and Employment—although, in doing so, I should make it clear that I reject any suggestion that there has been persistent denigration of teachers. Indeed, quite the reverse is the case.

As the hon. Gentleman says, there has been a lengthy public inquiry into Nirex's application. My right hon. Friend the Secretary of State for the Environment will no doubt be giving all those matters appropriate consideration. I will bring the hon. Gentleman's request to his attention.

I frankly thought that the hon. Gentleman's question on land mines could be described as mischievous. It is absolutely clear that the Government are fully committed to working for a worldwide ban on anti-personnel land mines. Indeed, it appears clear from the comments of the Red Cross and the Princess of Wales that they share the Government's position.

The matter of the writ, of course, is not for me. The hon. Gentleman is no doubt familiar with the conventions set out in a letter following the Speaker's Conference of 1973.

Mr. Stephen Day (Cheadle): My right hon. Friend will be aware that, on Wednesday, my right hon. Friend the Secretary of State for the Environment announced the go-ahead for the second runway at Manchester International airport. He will also be aware that my constituency resides under the existing flight path of the existing runway, and potentially lies under the new flight paths once a second runway is built. Will he therefore

organise a proper debate to allow me, as Member of Parliament for a constituency greatly affected by the matter, to represent my constituents' views? I have been denied the right to put their points on their behalf because the Government announced the decision in a written answer. Surely if the matter had concerned Heathrow, there would have been a full debate. Manchester deserves nothing less.

Mr. Newton: Of course I understand why my hon. Friend has put that point to me, and I will bear his request in mind, but I also wish to make two points. First, there are opportunities on Wednesday mornings for debates on matters of importance to regions and constituencies. Secondly, I understand my hon. Friend's concern, but it seems to me that yesterday's announcement is good news in general for Manchester airport, for the north-west and for civil aviation as a whole.

Mr. David Alton (Liverpool, Mossley Hill): The Leader of the House has just referred to good news for the north-west region. Following the devastating blow to the Merseyside economy of the loss of 1,400 jobs at Halewood, will the Leader of the House arrange for a statement, at the minimum, but preferably a debate, in the House at the earliest opportunity—preferably next week?

Will the right hon. Gentleman reflect that the absence of the social chapter in this country, far from making us a honeypot or Mecca for investment, has not stopped the outward investment of those jobs to Germany? Will he also ask his right hon. Friend the President of the Board of Trade to have urgent discussions with Ford UK, not only about the retention of the existing jobs, but about taking up its offer—made to Merseyside Members this morning—on the possibility of new jobs and a new model to be built at Halewood if appropriate assistance is given by the Government?

Mr. Newton: The hon. Gentleman will have heard what my right hon. Friend the Prime Minister said only a short time ago on that matter, and I shall not seek to add to it, except in this respect. It is encouraging that Ford considers that Halewood could become the sole European source for an all-new vehicle at the end of this decade, and I am sure that my right hon. Friend the President of the Board of Trade will bear that in mind in his discussions with the company.

Sir Ivan Lawrence (Burton): Since it is clear from Prime Minister's questions that there is much confusion in the Opposition mind about our taxation policy and our achievements—especially as we have reduced taxes more than we have increased them, and we now have a lower level of personal overall taxation and a lower level of business taxation than any of our major competitors in Europe—is it not time we had a debate specifically on taxation, over and above the debate on the Finance Bill?

Mr. Newton: My hon. and learned Friend shot down the answer that I was going to give—that a day and a half of debate on tax matters was provided in the business statement that I have just made. I cannot promise additional time, but I hope that my hon. and learned Friend will make those points in that debate.

Mr. Peter Shore (Bethnal Green and Stepney): I am sure that the Leader of the House will recognise that Commissioner van Miert's threat to take this country and British Airways to the European Court of Justice is not only a serious threat to an important and prosperous enterprise, but raises questions of the most fundamental constitutional importance. It raises the basic question whether the Commission will override the policies and the decisions of the Government and this Parliament. In those circumstances, will the Leader of the House arrange for the Secretary of State for Trade and Industry to make an early statement?

Mr. Newton: As it happens, the President of the Board of Trade and Secretary of State for Trade and Industry is due to answer questions on Wednesday next. I cannot make a promise beyond that, but I will bring the right hon. Gentleman's request to his attention.

Mr. John Butcher (Coventry, South–West): Does my right hon. Friend share my concern about recent trends in the way we make legislation? I refer to examples of national tragedies, when emotions can run high and we in this place want to be seen to be doing something quickly. Does he agree that those cases can often result in inadequate legislation?

Will my right hon. Friend, as Leader of the House, introduce a convention under which he could talk to his opposite numbers in the other parties to see whether there should be a one-year cooling-off period, on a case-by-case basis, when such events take place, in the interests only of producing legislation that is workable and for the long-term good of the country?

Mr. Newton: My hon. Friend will be aware that there is much exchange through the usual channels about the handling of legislation, but that always leaves plenty of scope for differences of opinion between the Government and the Opposition and between individuals. There is nothing that I can do to prevent that.

Mr. Tony Benn (Chesterfield): May I draw the attention of the Leader of the House to an early-day motion that has been tabled today which expresses the grave anxiety felt across the whole spectrum of opinion about the provisions of the Police Bill? The Bill would allow the police to enter people's houses—including the houses of doctors, journalists, lawyers and others—and tap their telephones without any prior judicial authority. Those affected would be entirely free from any independent judicial opinion. He will have noticed, I hope, the statements made in *The Times*, *The Daily Telegraph*, *The Independent* and *The Guardian*, and the statements by Lord Callaghan, Lord Merlyn-Rees and Lord Browne-Wilkinson. Will he give careful consideration to the early-day motion, which has attracted wide support across the spectrum of opinion?

Mr. Newton: I have not yet seen the early-day motion in question, and the right hon. Gentleman will be aware that these matters are currently under consideration in another place. However, intrusive surveillance has been providing crucial intelligence in the fight against organised crime for many years. The Police Bill seeks to place those operations on a statutory footing, which I think people will regard as proper. In addition, a senior

[Mr. Newton]

judge will be appointed as a commissioner and empowered to investigate complaints about the improper use of the power.

Mr. Bob Dunn (Dartford): Can my right hon. Friend arrange an urgent early debate on the financial anarchy and mismanagement that currently exist in the Labour and Liberal Democrat-controlled Kent county council, given the failure of that council to grasp the real problems of reducing bureaucracy and its scaremongering in threatening to cut essential services, such as the fire service, old people's homes and libraries? This is an absolute nightmare for which there is no justification, given the generous settlement provided by the Government to that wretched, benighted and wholly loathed local authority.

Mr. Newton: I hope that my hon. Friend will find an opportunity to make such points when we debate the revenue support grant orders, which are not now far away.

Mr. Seamus Mallon (Newry and Armagh): Will the Leader of the House arrange time for a serious ministerial statement on EU decision 96/239 which gave approval for United Kingdom meat processors to export products that are of non-UK origin? However, the French are preventing the entry of those products into their territory despite the fact that the directive exists and has been reinforced by subsequent amendment. Will the Leader of the House ensure that the Minister responsible for agriculture and the Prime Minister try to prevent what is happening, as it is affecting my constituency? Meat processors in my constituency are losing up to 50 per cent. of their revenue and 50 per cent. of their employees as a result of the French Government acting contrary to an EU directive to which they agreed.

Mr. Newton: I am afraid that I cannot undertake to provide time for a debate, but I undertake to draw the hon. Gentleman's remarks to the attention of my right hon. Friends.

Mr. Nicholas Winterton (Macclesfield): This House is the basis of our democratic situation. May I ask my right hon. Friend a difficult question? Will he provide time for a two-day wide-ranging economic debate, so that all matters relating to taxation can be discussed? Such a debate would give the Opposition an opportunity to explain to the people of this country how they will pay for their £30 billion-worth of promises, so that when we move to an election, the people of this country can make an honest judgment of right hon. and hon. Members in this place, what they stand for and what their parties stand for.

Mr. Newton: My hon. Friend described his question as a difficult one, but I do not think that it is difficult at all. His idea was a very good one, and I shall consider it.

Mr. Tony Banks (Newham, North–West): May I remind the Leader of the House that today the Government received the report on the ethics of xeno-transplantation? Can we have a debate on that crucial issue? Many moral and ethical questions are raised by the report, and the House should have an opportunity to debate it. At the same time, we could debate the distribution of organ donor cards, which all hon. Members should carry, because in the unhappy event that any of us should meet an untimely fate, our organs could be donated, saving the animals from having their organs taken from them—although in the case of Conservative Members, looking for their hearts could pose some problems.

Mr. Newton: The kindest thing that I can do to the hon. Gentleman is to ignore the latter part of his remarks. On the first part, he is right to say that the report has been published today. My right hon. Friend the Secretary of State for Health has been pleased to accept most of its recommendations. The pressures on parliamentary time should be obvious from my previous announcements, but I shall bear in mind the request for a debate.

Mr. Harry Greenway (Ealing, North): May I, too, call for a debate on the proposals for the early retirement of teachers? That would enable the House to consider both the proposals and the fact that no Labour authority has given the teachers any assurance that it would take a position any different from the Government's, although, as can be seen from the business question from the hon. Member for Birmingham, Perry Barr (Mr. Rooker), the Labour party is posturing and pretending that it would support the teachers in that respect, when we know perfectly well that it would not. Teachers will not be conned by that.

Mr. Newton: That is another request that I shall bear in mind.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House refer back to the question put by my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) in relation to the Wirral, South by-election? Does he recall that just before Christmas we lost another of our colleagues, Terry Patchett, and that within a short space of time the Labour party moved the writ and we had the by-election? It seems, according to his reply to my hon. Friend, that he is not prepared to answer the precise question whether the by-election will be held within three or four months, according to past convention.

I have tried this business of moving writs before, and I am only too ready, eager and willing to do it, if the Leader of the House will not tell us whether the Government are prepared to go ahead and hold the by-election, so that the people in Wirral, South can have someone here to represent them.

Mr. Newton: My right hon. Friend the Minister without Portfolio has made it clear that the intention is to hold the by-election. It is not a matter for me to determine the date, and I am not in a position to add to what I have said.

Sir Irvine Patnick (Sheffield, Hallam): Can we have an urgent debate on education policy, so that we can discuss proposals such as that of Sheffield city council to abolish sixth form colleges in the event of a Labour Government? Can we also discuss the fact that the

majority of local education authorities are already controlled by the Labour party and have the power to set homework in schools?

Mr. Newton: One of the Bills to which I hope that the House will be able to return in the not too distant future is the current Education Bill, and I hope that that may provide opportunities to discuss those points.

Ms Angela Eagle (Wallasey): Will the Leader of the House recognise the despair on Merseyside at the announcement of 1,300 job losses, the profound worries about the future of the Ford Halewood plant, and the possible knock-on effects on the economy of the disastrous announcement this morning? Will he provide time next week to debate those issues in the House, so that the economy of an entire region, which is already depressed and has unemployment at double the national average, can be properly considered and debated?

Instead of abusing Opposition Members who express some pessimism about the ability of those who will be sacked in the next few months to find alternative work in what is already an extremely depressed region, as the Prime Minister did, perhaps the Government could offer us something positive to give the people of Merseyside hope, rather than merely reinforcing their despair.

Mr. Newton: I did not detect any cynicism in what my right hon. Friend the Prime Minister said; I detected a clear expression of understanding of the concern that the hon. Lady reasonably expressed on behalf of her constituents. It should be acknowledged that the Government have an impressive record of attracting new investment to this country and creating new jobs—to the point where, as we learned yesterday, unemployment fell last month by 40,000.

Mr. Jacques Arnold (Gravesham): May I support the call for a debate on that shocking example of Labour in government, the shambles that has been made of the finances of Kent county council by the alliance of the Labour and Liberal Democrat parties? Such a debate could highlight the fact that the Government have given an extra 3.6 per cent. for our schools while the Lib-Lab pact proposes to cut the budgets of those schools by 3 per cent.

Mr. Newton: I cannot add to what I said to my hon. Friend the Member for Dartford (Mr. Dunn), but I hope that my hon. Friend will have a chance to make his point when we debate the revenue support grant orders—although I cannot promise that every Kent Member will be able to take part.

Mr. D. N. Campbell-Savours (Workington): The Leader of the House knows that I have raised on four occasions this week in parliamentary proceedings the question of the Go Ahead Group bid for the north-east rail franchise, the insider trading that took place, the public scandal involved and the public concern in the north of England. I have been able to establish today that the average daily share trading volume transacted during the period of the bid was at least 50 per cent. higher than in the previous period of a similar number of days prior to the bid. Does that not show that something was happening? Is there not now more than ever a requirement for Ministers to come to Parliament to answer questions on this highly important case of share speculation in public assets?

Mr. Newton: The bidding process is for the franchising director, as the hon. Gentleman well understands. The Government see no reason to doubt that he is carrying out his duties properly. The stock exchange routinely investigates rises and falls in share prices, but any such inquiry is confidential.

Mr. David Shaw (Dover): My right hon. Friend may consider that we should have a debate on the number of Australians entering the country to advise the Labour party on negative campaigning methods. Could we raise in that debate the fact that the evidence of the negative press conference held this morning by Labour on VAT showed that the Australian idea has boomeranged on it?

Mr. Newton: My hon. Friend will have heard what my right hon. Friend the Prime Minister said about negative campaigning. I do not think that I can add to that, although my hon. Friend has made his point in a neat and witty fashion.

Rev. Martin Smyth (Belfast, South): May I support the plea of the hon. Member for Newry and Armagh (Mr. Mallon)? The Leader of the House may not have read the recent statement by the Chief Constable of the Royal Ulster Constabulary about the security situation in Northern Ireland. May we have a statement in the near future, preferably next week, by the Secretary of State for Northern Ireland on the deteriorating security situation?

Mr. Newton: I will bring both the hon. Gentleman's support for the hon. Member for Newry and Armagh (Mr. Mallon) and his remarks about the security situation to the attention of those of my right hon. Friends who are concerned.

Mr. John Marshall (Hendon, South): May we have an urgent debate on unemployment, so that I can point out that unemployment in my constituency has fallen from 3,622 in December 1992 to 2,360 in December 1996? Does that not demonstrate the health of the British economy, which compares with rising unemployment in those countries that follow the policies advanced by the Labour party?

Mr. Newton: My hon. Friend makes a good point. It is striking not only how much unemployment has fallen in Britain—and not only in the past month—but how strongly the trend in Britain is different from that in our major European Union partner countries.

Mr. Harry Barnes (North-East Derbyshire): In the run-up to a general election, would it not be timely to have a debate on an aspect of the Representation of the People Act? I refer to the position of homeless people.

Homeless people, by definition, cannot get on to the electoral register, or find it very difficult to do so. A person must be a resident to be included in the register, and a resident would be expected to have a residence. Can we discuss the possibility of "care of" addresses, care centres and other places that could serve as substitutes for residences? Would that require a change in the law,

[Mr. Harry Barnes]

or would it just be a matter of the Home Office issuing guidance to electoral registration officers? Given that a general election is on the horizon, this would be an appropriate time at which to hold such a debate.

Mr. Newton: I am not in a position to offer the hon. Gentleman instantaneous advice from the Dispatch Box on the technical questions he has asked, but he will no doubt have noted that my right hon. and learned Friend the Home Secretary is due to answer questions this day week. I shall bring the point to his attention.

Mr. Charles Hendry (High Peak): Is my right hon. Friend aware that cold weather payments in my constituency are based on temperature measurements taken at Manchester airport, which invariably enjoys temperatures some degrees higher than towns such as Buxton and other communities on top of the Pennines? As a result, my constituents have received only one week's cold weather payments, whereas, if the measurements had been taken at Buxton weather centre, they would have received three. May we have an early debate on the number of weather stations that are used to trigger such payments, and their location, so that the discrepancy that has caused so many problems in my constituency can be brought to an end?

Mr. Newton: As my hon. Friend knows, there is no perfect solution to problems such as that, although the position is a great deal better than it was 10 years ago. I shall, however, ensure that my right hon. Friend the Secretary of State for Social Security pays careful attention to my hon. Friend's remarks.

Mr. Gerald Bermingham (St. Helens, South): This is not a political question, believe it or not.

In December, the Home Affairs Select Committee reported on a subject that is of interest to the whole electorate: dogs. The report is now in the hands of the Home Office, awaiting reply. Could the Leader of the House persuade his right hon. and learned Friend the Home Secretary to give that reply speedily? Perhaps, when it has been delivered, an early debate could be arranged during the current Parliament.

Some members of the Select Committee are leaving the House at the end of this Parliament: some are retiring, for instance. They have great expertise in a subject in which the electorate are very interested. Perhaps I could ask that as my last favour of the present Parliament.

Mr. Newton: The hon. Gentleman will know of the conventions relating to the period that is allowed for the Government to reply, and I am sure that my right hon. and learned Friend the Home Secretary will note his request. As for his other request, for a debate, he will be aware that suggestions about debates on Select Committee reports and the time made available for them are generally made by the Chairman of the Liaison Committee, on behalf of that Committee.

Mr. Nigel Evans (Ribble Valley): As my right hon. Friend will know, tomorrow we are to debate a private Member's Bill on nightclubs and their policy on drugs. Does he think it appropriate for us to have a general debate on Government policy on drugs, especially in the light of the crass, stupid and highly dangerous remarks made today by Brian Harvey of East 17 about Ecstasy? He said that he thought that taking Ecstasy was fine, and that it could even make someone a better person.

My right hon. Friend will be aware that Brian Harvey and East 17 are idolised by many thousands of youngsters, some as young as 12. All the campaigning that has been done by voluntary bodies and others may now be jeopardised by the fact that Brian Harvey has come up with those stupid remarks.

Mr. Newton: My hon. Friend will have heard what was said by my right hon. Friend the Prime Minister when a related question was asked during Prime Minister's questions. I certainly associate myself with what my right hon. Friend said. As for a day's debate on drugs, we had one not long ago—as I well know, as chairman of the ministerial committee on drug misuse. I cannot promise another early debate, but I will bear it in mind. This is an important subject.

Mr. Max Madden (Bradford, West): May I ask the Foreign Secretary to make a statement next week about the organisation of the visa section in the British high commission in Islamabad? That will enable me to draw attention to the breathtaking incompetence shown by that department towards my constituent, Mr. Ghazahfer Ali, who was released on bail at the end of November after seven years of imprisonment without trial in Azad Kashmir.

Mr. Ghazahfer applied for a visitor's visa so as to see his wife and family in my constituency, with whom he has had no contact for those seven years. He is still awaiting a decision on his application, despite my request to the Prime Minister, who was in Islamabad earlier this week, to intervene and offer him a seat home on his aeroplane. Will the Leader of the House make urgent inquiries into the matter and get a decision made on Mr. Ali's application as soon as possible?

Mr. Newton: Clearly, I am not in a position to comment on a particular case, but I have no doubt that the hon. Gentleman has made representations—indeed, he said that he has done so—to my right hon. Friend the Prime Minister and others. I am sure that those representations will be carefully considered.

Mr. Robert N. Wareing (Liverpool, West Derby): Does the Leader of the House realise that there will be deep dissatisfaction in Merseyside, Chester and the Wirral with the unsatisfactory answers given to questions this afternoon about the future of the Ford plant at Halewood? Does he realise that we on Merseyside will expect a Minister—preferably the President of the Board of Trade and preferably after he has had discussions with the management of Ford—to come to the House as soon as possible to explain how he squares the Government's claim that Britain is the enterprise centre of Europe with the failure to maintain jobs at Halewood?

Mr. Newton: I appreciate the hon. Gentleman's reasons for returning to this matter. He will appreciate that I can add little to what I said earlier, but I understand that my right hon. Friend the President of the Board of

Trade will have discussions with the Ford management and I am sure that he will report in any way that he feels is appropriate, whether to the House or otherwise.

Mr. John Austin-Walker (Woolwich): The Leader of the House will be aware of the widespread concern about the number of deaths in prison custody and about the number of people in prison who ought, more appropriately, to be cared for in psychiatric hospitals. I refer him to early-day motion 404, referring to the death of my constituent, Kenneth Severin, on whom an open verdict was recorded recently.

[*That this House believes that it is in the interests of justice for all parties to go into an inquest hearing with the same amount of information; notes that there is no formal procedure for disclosure in inquest cases; draws attention to the Annual Report of the Police Complaints Authority 1995-96 which expressed concern that at some inquests those representing the police may have material not available to the representatives of other interested parties, particularly the family of the deceased, thus giving a strong impression of injustice; notes that the former Chief Inspector of Prisons, Judge Tumim has made similar comments expressing the view that it is in the interests of justice for all parties to go into an inquest hearing with the same amount of information; draws attention to the difficulties faced by the family and representatives of Kenneth Severin who died in suspicious circumstances in HM Prison Belmarsh; and calls upon the Home Secretary and the Lord Chancellor to review the rights of the deceased person's family in such cases and to institute rights of disclosure as recommended by the Police Complaints Authority.*]

The early-day motion highlights the difficulties that Kenneth Severin's family face and the difficulties that are faced by the families and representatives of the deceased in many inquests. These matters have been drawn to the Government's attention by Judge Tumim, the former chief inspector of prisons, and by the Police Complaints Authority. Will the right hon. Gentleman arrange for a early debate on the issue of inquest procedure, so that both the Home Secretary and the Parliamentary Secretary, Lord Chancellor's Department can come to the House to answer questions on this serious matter?

Mr. Newton: I cannot promise a debate, but I think that the hon. Gentleman is asking that his concerns should be given careful consideration by the Ministers involved. I shall certainly bring his concerns to their attention.

Mr. Alan Simpson (Nottingham, South): I know that you, Madam Speaker, are aware that both my hon. Friend the Member for Blackburn (Mr. Straw) and I have been approached by the family and friends of Paul Wells in the hope that, following the Prime Minister's discussions with the Governments of India and Pakistan, he might be tempted to say something about the progress he was able to make in respect of determining either the current state of health of Paul Wells, Keith Mangan and the other hostages or what negotiations are taking place for their safe release.

In the event of the Prime Minister not commenting on those matters, would it be possible to arrange for a statement to be made to the House about the current state of knowledge about the well-being and whereabouts of the hostages and about any progress—however tentative—in negotiations for their release? Could that be backed up by a letter from the Prime Minister to the families, setting out what limited knowledge we have about the hostages' present safety and well-being?

Mr. Newton: That is a number of requests to my right hon. Friend the Prime Minister and my right hon. and learned Friend the Foreign and Commonwealth Secretary. I will ensure that those requests are conveyed.

Mr. Paul Flynn (Newport, West): When may we have a debate on genetically modified food and the unique and worrying position that we are in, where such food has been imported to this country and in most outlets cannot be differentiated from other food? The problem with that genetically modified food is that those who take it might not be harmed in any way immediately, but it might in time render certain antibiotics ineffective on people.

I wrote to all supermarkets before Christmas, and the replies that I have so far received show that only one chain of supermarkets, Waitrose, will effectively allow its customers to differentiate between the genetically modified food and other food. That is unsatisfactory and deeply worrying.

Today the Government wisely came out against organ transplants from animals because of the risk. Here we have another experiment which benefits only one company commercially—and that a foreign company. Why on earth should we allow that dangerous experiment with human health?

Mr. Newton: The hon. Gentleman knows that those matters have been given very careful consideration on the basis of considerable scientific advice. However, I am sure that his concern will be examined very carefully by my right hon. Friends.

Ford Plant, Halewood

4.10 pm

Madam Speaker: I have an application under Standing Order No. 20.

Mr. George Howarth (Knowsley, North): The House may be aware that earlier today the Ford Motor Company made a statement in which it announced the following:

"in order to bring Halewood vehicle operations' manned capacity in line with forecast demand, the company announced that it was opening a voluntary separation programme with special enhanced terms for approximately 1,300 employees"—

a series of euphemisms which mean that 1,300 people will lose their jobs on Merseyside.

On behalf of my hon. Friend the Member for Knowsley, South (Mr. O'Hara), who unfortunately is fulfilling a long-standing commitment out of the country but is making strenuous efforts to return, I beg to ask leave to move that the remainder of today's business be suspended so that we may debate that issue.

The issue is specific to Knowsley and Merseyside, for several reasons. On Merseyside, unemployment currently stands at 11.5 per cent. compared to 6.6 per cent. for the country as a whole. However, unemployment is running at just over 13 per cent. in Knowsley and at about 22 per cent. in Halewood. For that reason alone, it is an important matter for Knowsley and the Merseyside region.

The urgency of the position hardly needs stressing. However, the Prime Minister's inadequate response to the question posed to him by my hon. Friend the Member for Liverpool, Broadgreen (Mrs. Kennedy) earlier this afternoon does nothing to lessen—in fact, it increases—the urgency of that situation.

I understand that this afternoon the President of the Board of Trade is meeting Mr. Jack Nasser, chief of automotive operations for the Ford Motor Company, and I believe that the House should have the opportunity to debate this matter urgently so that he may give a full report of those discussions and any conclusions that have been reached.

This is a momentous event locally, because of the effect that it will have on the local economy, and nationally, as a commentary on the sorry state of health of our manufacturing industry. I hope that, for those reasons, we may today have the opportunity to debate that devastating news and possibly have the opportunity to question the President of the Board of Trade as to what action he proposes to take, what discussions are being held and what can be done to reverse that disastrous situation.

Madam Speaker: I have listened most carefully to what the hon. Member has said and of course I have to give my decision without giving any reasons. I am afraid that I do not consider that the matter which he has raised is appropriate for discussion under Standing Order No. 20. I therefore cannot submit the application to the House.

Points of Order

4.13 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Madam Speaker. I wonder whether you have received a request from the hon. Member for Richmond—to whom I have given notice that I intend to raise this matter—saying that he wishes to apologise to me for the fact that he has circulated his constituency with a statement saying, first, that I sit on the Labour Front Bench, which is manifestly untrue, and secondly, that I have agreed that any number of slots or pathways for aircraft over his constituency should be allowed to expand.

The hon. Gentleman knows both allegations to be totally untrue. I am surprised that a Member of his standing and experience should choose to make the matter public in this way, without coming to the House to apologise for his inaccuracy and lack of responsibility.

Madam Speaker: The hon. Member for Richmond has not approached me about the matter. The hon. Lady is talking about a non-parliamentary document, which is outside my control in any case. I can therefore do nothing about it. I see that the hon. Member for Richmond appears to want to catch my eye, however.

Mr. Toby Jessel (Twickenham): I am the hon. Member for Twickenham, Madam Speaker.

Madam Speaker: Of course.

Mr. Jessel: I hope I will be given at least equal time to reply.

Madam Speaker: Order. This is not a debate. I assume that the hon. Gentleman wants to respond on a point of order.

Mr. Jessel: Further to that point of order, Madam Speaker. The hon. Lady has suffered a lapse of memory. She has forgotten her letter to *The Times* of 20 August in which she supported an increase in the allocation of slots for aircraft using Heathrow—

Mrs. Dunwoody: No, no.

Mr. Jessel: That would certainly have led to an increase in the amount of noise. I did not say that the hon. Lady had suggested an unlimited increase in the number of slots. She favoured allocating 10 an hour, which is about 150 or 160 a day.

Madam Speaker: Order. This is a matter that I cannot resolve because it concerns a non-parliamentary document—such as a letter to *The Times*. I suggest that the two Members concerned go out and have a nice cup of tea.

Mr. Max Madden (Bradford, West): On a point of order, Madam Speaker. I gave you notice of it a little earlier because I think it is a matter for you. I draw your attention to yesterday's *Hansard*, and to the fact that the Adjournment debate initiated by my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara)

started at 10.49 am and finished at 12.15 pm, between columns 257 and 277, and had no separate heading. Indeed, each page of the debate is headed "British Prisoners of War", which was the heading of the previous debate.

As there will be considerable interest in the debate on the part of those previously employed by bus companies who have been defrauded of their pensions, I ask that it be reprinted in full and given its correct heading and page numbers. That would be of great convenience to all, inside and outside the House.

This appears to be another serious error by *Hansard* since the privatisation of HMSO; you will remember, Madam Speaker, other serious errors that were reported to you before Christmas.

Madam Speaker: I find the publication of *Hansard* of very high quality, and I do not accept the hon. Gentleman's point. We are fortunate indeed to have the Editor and staff producing *Hansard* for the House so effectively and efficiently.

I certainly take the substance of the hon. Gentleman's point of order seriously, however. I have had the opportunity to look at *Hansard*, and I am grateful to the hon. Gentleman for bringing it to my attention. The Editor has apologised to me for the error, which is quite a serious one. A correction will certainly be published tomorrow, and I hope that it will satisfy the hon. Gentleman.

Orders of the Day

Northern Ireland Arms Decommissioning Bill

Not amended (in the Standing Committee), considered.

New clause 1

COMMENCEMENT

'.—This Act shall enter into force on a day to be determined by the Secretary of State by order made by statutory instrument, save that no such order shall be made until the Secretary of State is satisfied that 12 months have passed since any act of terrorism connected with the affairs of Northern Ireland has occurred.'.—*[Mr. Wilshire.]*

Brought up, and read the First time.

4.18 pm

Mr. David Wilshire (Spelthorne): I beg to move, That the clause be read a Second time.

The new clause is designed to ensure that before any more one-sided concessions are made to psychopathic murderers, those people are required to do something in return. In this case, the one-sided concessions on offer are: an amnesty, protection from any investigation into the guns and explosives that they have used, and protection from prosecution for their murders and atrocities. As it stands, the Bill demands nothing of the terrorists.

The new clause would require, first, not just a temporary halt to murder, but a permanent end to all violence. Throughout the sham of the ceasefire, there has not been an end to violence. We kid ourselves if we overlook that point. Secondly, the new clause would provide for a decent period so that the terrorists could prove beyond all doubt—I stress that they must prove, rather than pretend—that the second ceasefire was for real and was not a repeat of the first cynical sham that they pretended was a ceasefire.

The new clause provides the House with a chance to consider whether the events since the Committee stage of the Bill lead any of us—I hope that it is so—to want to change our mind about allowing the Bill to go through the House unamended. In the period between the Committee and this afternoon's debate, we have reached a situation where even the most optimistic—even those who are so desperate for a peace at any price that they have tried to kid themselves that we are making real progress—must understand that all-party talks including killers simply will not happen, terrorists will not hand over their guns and explosives, and any talk by Sinn Fein-IRA about ceasefires is but a sham.

In Committee, some hon. Members did not wholly grasp that that was the truth. What has happened since spells it out. I urge everyone to ask himself whether an unamended Bill is a sensible way to make progress.

When I turned my mind to how I might improve the Bill, I found myself wondering whether it was worth the bother. I imagine that the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), has wondered whether it was worth the bother of proceeding with the Bill, as it clearly means nothing to the terrorists. Since

[Mr. David Wilshire]

Committee, the words and the deeds of the terrorists—I include Sinn Fein-IRA and the loyalists in this—have made it crystal clear that they have no intention of decommissioning anything.

By their words, Sinn Fein-IRA have reaffirmed that they are interested in one thing only: a united Ireland. They have not given an inch. They have again stated that they are not interested in compromise of any sort. By their deeds since Committee, Sinn Fein-IRA have made it clear once again that that simple objective is to be pursued by whatever means come to hand. They will talk if they can—

Dr. Norman A. Godman (Greenock and Port Glasgow): How does the hon. Gentleman define an act of terrorism? Would his definition include a violent act committed by a group that had broken away from the IRA or a loyalist paramilitary organisation?

Mr. Wilshire: Acts of terrorism are simple to recognise. If someone is nailed to a fence with 6 in nails, or has his legs smashed by a baseball bat, or has to go to the funeral of his child who has been blown up by Semtex, or if people are murdered, those are acts of terrorism. It matters not a jot to me—or, I suspect, to anyone in Northern Ireland—who committed the act or what twisted ideology is concerned. It is an act of terrorism, and that must stop.

Rev. Ian Paisley (North Antrim): What is more, those who have signed up to the Mitchell principles refuse to condemn such acts of terrorism. They refuse even to say, "We denounce it; we reject and repudiate it." During examination before the body set up by Parliament to consider the matter, the Secretary of State asked them, "If you had been asked to rebuke these people and did it, wouldn't you lose your influence over them?" They said, "Yes," and he replied, "I accept that; it is a good enough reason." Therefore, they do not need to denounce terrorism, even though they have signed up to the Mitchell principles.

Mr. Wilshire: The hon. Gentleman is absolutely right. Since Committee, we have witnessed more and more atrocities and a return to the sickening ways of the past. There has been not a word of apology or regret. By their words and their deeds, Sinn Fein-IRA and the loyalists set about making a mockery of the peace process. Over the Christmas break, they displayed contempt for democracy and for compromise. They have made it clear once again that they simply despise the decent, law-abiding people of Northern Ireland. The Bill seeks to do some sort of a deal with those groups and I have contended throughout that it cannot happen that way.

Mr. Seamus Mallon (Newry and Armagh): I understand the hon. Gentleman's difficulty in trying to table amendments or new clauses to a measure that is essentially enabling legislation. If new clause 1 were adopted, would it not have the effect of totally suspending for 12 months any hope, possibility or realisation of decommissioning? Would not that be more damaging to his legitimate case than proceeding with enabling legislation that would allow people to try to take the opportunity to end the holding of unlawful weapons if and when that opportunity presented itself?

Mr. Wilshire: The hon. Gentleman is a wise parliamentarian and he correctly points to the difficulty of tabling new clauses sometimes. I shall come to the details of my proposals in a moment and, I hope, provide the explanation that he seeks.

I make it clear that I, too, support decommissioning. I have always done so. I still support the stance adopted by the British Government at the outset before they started to shift their ground. I am happy to try to help decommissioning occur, but the Bill will not achieve it. The Government have long since abandoned their attempt to put decommissioning where it should be: at the beginning. That is the only way in which talks will be able to start. I have said it before and I will say it again: the Government must understand that it is not possible to do deals with evil, which is what we are trying to do this afternoon.

If I understand the Government's present position correctly—having started with decommissioning and arrived at the Bill—Sinn Fein-IRA must simply stop murdering people for a while. They must then sign up to Mitchell and show that at some stage—we are not sure when—they will use the Bill to decommission something. Ultimately, we shall not know how much they decommission or whether it is everything, as they may claim. If that happens, the earliest possible entry of Sinn Fein-IRA into talks will be sought—some people do not say "as early as possible" but say "immediately". I do not accept those two scenarios.

The result of not amending the Bill is that we shall end up asking decent democrats to talk to armed terrorists. They will not do that, and it is absolutely right that they should not. Viewed against that scenario, the Bill, if unamended, will make a tragic situation worse rather than improve it, which is what we all want.

As it currently stands, the Bill provides an amnesty for terrorists. It promises them that no tests will be carried out. It promises them immunity from prosecution and bans the use of evidence, and it does all that without requiring anything in return. If decommissioning were just an exercise, I suppose that we could swallow hard and say that that was something that we could, perhaps, go along with, but it is not; it is an integral part of the route to talks.

4.30 pm

Make no mistake, therefore, that once the Bill becomes law, it will be used by the terrorists to demand yet more concessions. They will accept the Bill. They will note the terms within it and say, "Fine, we agree with them, but we are not going to decommission anything now." Therefore, the Bill will not have achieved decommissioning. It will also enable Sinn Fein-IRA to exploit the Unionists in Northern Ireland. It will enable Sinn Fein-IRA to portray Unionists and, indeed, the Social Democratic and Labour party, as intransigent when as democrats they say, "We will not sit down with these people while they are still armed." The Bill will make things a great deal worse.

The new clause is an attempt to make the Bill less one-sided. I have said some of these things so often that I no longer need to explain that I am opposed to any

concessions. I am opposed to trying to do any deals with these people. As a Back Bencher, however, I also have to be a realist, especially when I am up against the Government and the Opposition who agree on something. I am a realist, but that does not prevent me from continuing to try, and the new clause is another attempt to persuade the Government to change their mind.

I want the Government to accept the new clause, so that we can get concessions from terrorists in return for what we have on offer. I see little to be gained otherwise. If we do not get a concession in return, we portray the terrorists, even though they are armed, as democrats, equal to those who renounce violence in the process of what they believe in.

Through the new clause, I hope that the Government will take it on board to provide a test for the permanence of any ceasefire. This point was made by the hon. Member for Newry and Armagh (Mr. Mallon). It may be the case that a year seems too long, that doing it in exactly this way might put things back, but I believe that we have to find a way through the Bill to test the sincerity of any ceasefire rather than simply taking the terrorists' word for it.

We know what the previous ceasefire was really about. Taking Sinn Fein-IRA's word for that ceasefire was ridiculous, because the fact of that ceasefire is that there was not one. Torture, intimidation, targeting, training, recruiting and re-equipping continued—all while a so-called ceasefire was in place.

Mr. Robert McCartney (North Down): Does the hon. Gentleman agree that during the putative ceasefire, the number of brutal punishment beatings went up; that in 1994 the total was 70, but in the two years covering the period of the ceasefire, 1995-96, the totals were 217 and 276 respectively? Does the hon. Gentleman agree, therefore, that punishment beatings went up by about 400 per cent. during the period of peace?

Mr. Wilshire: That is the case. The facts speak for themselves. Here we have proof that those to whom we are supposed to be offering concessions cannot be taken at their word. We know what was happening while there was a ceasefire. We are now being told that we should enact the Bill, make no checks, carry out no tests, offer an amnesty and allow the recipients to say, "Yes, we shall decommission at some stage."

Mr. Mallon: That is not the point at issue. I am trying to explore with the hon. Gentleman how the new clause would enable the process of decommissioning to proceed if the circumstances allow it to do so. The new clause would postpone the process for 12 months, irrespective of the circumstances. How would the new clause advance potential decommissioning? Would it not simply retard by 12 months the opportunities that may or may not exist in future for getting rid of illegal weaponry?

Mr. Wilshire: Not at all. A 12-month provision, or any other period that the hon. Gentleman might prefer, would merely require some proof before concessions are made available. There is nothing in the Bill to the effect that it would not be possible to hand over explosives and guns tomorrow. That could be done without the Bill. The message that I keep receiving is that unless concessions are made to terrorists, they will not do anything.

We have seen what happens when a ceasefire is called and that is taken at face value. If we give concessions the day after another spurious ceasefire is called, we make fools of ourselves again.

Mr. Mallon: I am at pains to understand what the hon. Gentleman means by concessions. The new clause is not directed at any of the other elements that are set out in the Bill. It might enlighten or help us all if the hon. Gentleman were to tell us what the concessions are that he sees are covered by the application of the new clause.

Mr. Wilshire: I understand the hon. Gentleman's point.

The concessions are clear for all to see. I should dearly love to address them. I did so in Committee, amendments were divided on and were defeated. Any attempt that I might make to remove bits of concessions would be ruled out of order. I cannot do that. Like me, however, the hon. Gentleman can read the Bill. He can see for himself that we are promising not to prosecute those who hand in weapons and explosives. We are promising also not to carry out tests to ascertain whether we can learn anything. Those are the concessions.

It may be that the hon. Gentleman and others believe that such concessions should be made. I am saying only that if we are to make such concessions, let us get something in return. The previous ceasefire cannot be regarded as sufficient to allow the proposed concessions to be used for the purpose for which they are intended. I am not prepared to take Sinn Fein-IRA at face value. They claimed that their first ceasefire was permanent and genuine and it was not. I fear that the same thing will happen again.

I understand that the hon. Gentleman is saying that my proposals are counter-productive. If he is not, someone else will be sorely tempted to advance that argument when I resume my place. I respond to that argument by saying that the new clause cannot do any harm to the peace process because it is wrecked already. Other people's ways of doing things have not taken us very far. The clause cannot produce a return to violence because that has happened already. The usual complaints that I receive when I propose something—neither of them on this occasion—do not bear examination.

I can anticipate only one criticism of my new clause, which is that it might annoy the Dublin Government, who might not find it to their liking. If it achieves that, it will have achieved something, and I should be delighted.

Mr. Jim Dowd (Lewisham, West): That is helpful.

Mr. Wilshire: Of course it is helpful. Until the Dublin Government understand the reality of Sinn Fein-IRA, we shall go nowhere; and all their comments, behaviour and arm-twisting of the British Government demonstrate that they do not understand. Therefore, I am being helpful. I should be very pleased if my point got across to Dublin in the form that I am making it.

Mr. Robert McCartney: In support of his proposition, will the hon. Gentleman confirm that the Dublin

[Mr. Robert McCartney]

Government gave a wonderful example of co-operation, with their refusal to extradite to Germany one of the suspected perpetrators of the outrage at Osnabrück?

Mr. Wilshire: If the hon. and learned Gentleman can contain himself, I should like to consider exactly that matter when I speak to my amendment Nos. 2 and 3. We shall return to the issue then.

I tabled my new clause because I believe that now is the time to stand firm and not to demonstrate further weakness. This is not the time to make concessions, but the time to continue cracking down on Sinn Fein-IRA. In recent weeks, the police and the Army have made real progress, for which I salute them, and we should continue making such progress.

We should stand firm also because Sinn Fein-IRA have twice warned members of the nationalist community that they will be beaten and tortured should they be caught helping the democrats in Northern Ireland. If I correctly understand Sinn Fein-IRA, that warning suggests that the public are now turning against terrorism in Northern Ireland. If that is so, why should we weaken at precisely the moment we are making progress?

Mr. Stephen Day (Cheadle): Does my hon. Friend agree that the Northern Ireland public—whether from the loyalist or nationalist tradition—have never in large numbers supported terrorism? Sinn Fein is still what it has always been: representatives of a very small, violent and unacceptable minority within a much larger and law-abiding nationalist community. We give that minority within a minority far more credit than it deserves. It deserves no credit, and it should have no place in the future of Northern Ireland, the island of Ireland or the United Kingdom.

Mr. Wilshire: That is correct; my hon. Friend makes the point well. No community in Northern Ireland ever has supported terrorism. However, hon. Members should understand that, if people are threatened with torture or with a beating with a baseball bat with 6 in nails in it, they will of course keep their mouths shut—which is not support of evil, but self-preservation. I think that we understand the distinction. The important point is that, in recent weeks, such acquiescence and subservience have been ending. Although people are afraid, they have begun to talk to the forces of law and order, and I salute that change. This is the time when we should stand firm.

I am a realist, and I understand and accept that the Government seem to be determined to pass their Bill and to choose the course that it sets. I am therefore attempting, in tabling my new clause and arguing its merits, to tell my right hon. Friends, "If you are determined to do this, please try to get something in return. Please see whether you can accept the new clause as it is worded, or agree better wording when the Bill goes to the other place." On that basis, I commend my new clause to the House.

4.45 pm

Mr. Ken Maginnis (Fermanagh and South Tyrone): I am grateful to the hon. Member for Spelthorne (Mr. Wilshire) for providing a clever means of ensuring that we have an opportunity now, at the Bill's Report stage, to debate all the Bill's facets. He has made the important point, with which I agree, that Sinn Fein-IRA, in particular, are an irredeemable organisation, and that nothing will facilitate their disarmament and movement from violence to democratic practice, because they do not want such movement. He was absolutely right when he said that there is confusion in Northern Ireland between a political process and a peace process, because they have successfully been confused by Sinn Fein-IRA and by those who support or tolerate that organisation.

The political process should stand alone. One of the difficulties encountered by those of us involved in the current talks process is that politics and peace are so closely connected in people's minds. Politics in Northern Ireland should be purely about political, social, economic and other accommodations between the two traditions. Peace should be about ensuring that the terrorists are totally neutralised and have no ability to wreak havoc, as they have done over the past 25 years and longer.

Like the hon. Gentleman, I am—or at least I hope that I am—a realist. After living in a culture of violence which has lasted for more than 25 years, I know that no sudden development will cause people to shift overnight from a violent to a democratic outlook. I understand that, irrespective of the intentions of the leadership of various organisations, it will be exceedingly difficult to control everyone who has been part of that culture of violence for so many years.

We should look to the leadership of those organisations to discover whether they are making the maximum effort to end their forces murdering and inflicting so-called punishment beatings, which are acts of intimidation, to which many of those in what they deem to be their own traditions are subjected. There is a major difference between what is happening with loyalist paramilitary organisations and with Sinn Fein-IRA, because Sinn Fein-IRA continue to espouse the right of people to act against society's democratically expressed will and to use violence when it suits them.

At least those in the leadership of loyalist paramilitary organisations have constantly pleaded, publicly and privately, for those in possession of guns and other weapons of war to stay their hand and not to embark once again along the road of murder and violence, whether the violence is proactive or retaliatory.

Mr. Robert McCartney: I assume that the hon. Gentleman is suggesting that we should reward not good intentions expressed by political leaders of organisations with violent propensities, but factual and manifest demonstrations of non-violence by their followers. I take it that the hon. Gentleman is not drawing a distinction between acts of violence that are committed by Sinn Fein-IRA and acts of violence committed by loyalist organisations purely on the basis of what their leaders expressly claim for them.

Mr. Maginnis: The hon. and learned Gentleman knows me better than that. I do not tolerate violence from any source. As a practical individual, I like progress to be genuine. When I contemplate the IRA attacks on Canary wharf, Manchester, Osnabrück and Thiepval and its other attempts to take life and increase terrorism, and then, with some satisfaction, the absence of violent reaction from loyalist paramilitaries, I regard it as progress. Those who

speak on behalf of loyalist organisations deserve, if not credit, at least my acknowledgment of their success in curbing the activities of their acolytes. Long may it continue.

I return to the part that the Government expect us to play in the talks process. We entered that process on the understanding that there are two separate and distinct tracks that are never to be joined and have no cross-ties—one dealing with political accommodation and the interests of society and the other intending to lead to the end of all violence, disarmament and the verification of the decommissioning process.

The Irish Government have shown no good intent to keep the two processes apart, but have tried to draw us into the trap whereby every gun that is decommissioned will attract a political reward for the most evil in society. If I read new clause 1 aright, the hon. Member for Spelthorne was concerned with that specific issue. He perceives that the decommissioning Bill contains concessions for terrorists. If it did, I would repudiate it. It would not be worth the paper it is printed on. If I catch your eye again, Madam Deputy Speaker, I shall address the issue again on Third Reading. The Bill has another purpose in addition to the practical issue of decommissioning.

Under new clause 1, a ceasefire will not be accepted until 12 months have elapsed since any act of terrorism. As the hon. Gentleman might expect, my party does not find that acceptable because IRA-Sinn Fein have never worked to a time scale. Between 1962 and 1969, they were in a virtually non-violent mode, but of course they were planning future action. As the hon. Gentleman pointed out, even during the 17 months between August 1994 and February 1996, in addition to planning the bomb at Canary wharf and training, recruiting and targeting, IRA-Sinn Fein were involved in another variety of terrorism—social and economic terrorism—alongside the gunfire and the bombs.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) was quite right to ask how we defined terrorism. I believe that, when the time is right and when IRA-Sinn Fein consider that enough people are sufficiently naive to believe them, they will be willing to put their guns away for a while. However, they will continue using intimidation and the boycotts to ghettoise Northern Ireland. Only through ghettoisation can IRA-Sinn Fein move towards their ultimate goal—a Bosnia-type situation. I have mentioned that before in the House. They will achieve that by totally controlling significant territories—housing estates or entire districts—within Northern Ireland. That is one reason why my party spoke out about the events at Harriville, saying that they were morally wrong and that such action plays into the hands of those who would ghettoise Northern Ireland.

Although I appreciate what the hon. Member for Spelthorne has attempted to do and I am grateful for the opportunity to address issues that concern us both, I cannot support new clause 1 as it will not deliver what he requires—a guarantee that the Government will take such steps as are necessary to ensure that not only the words but the actions and the circumstances are right before we accept that the leopard has changed its spots.

Mr. Mallon: I thank the hon. Member for Spelthorne (Mr. Wilshire) for attempting to clarify new clause 1. So far, however, either through my deficiency in understanding or through his deficiency in explaining, he has not fulfilled that objective.

It is important that we address any proposed amendments to the legislation. It would be easy to toss new clause 1 away: we could say that we will not vote for it because it is not realistic, but that it provides the opportunity to make certain comments. However, that would be the wrong approach to any serious amendments to a serious measure.

I ask the hon. Gentleman to accept that, rather than help the situation, the new clause—or any similar measure—would postpone and enlarge the period of opportunity, if one existed. It assumes a peaceful situation for 12 months, after which legislation would have to be introduced to deal with the consequences of that period.

The Bill is essentially enabling legislation that will enable decisions on some of the crucial matters to be implemented by order of the Secretary of State when and if an opportunity arises. We do not know when an opportunity will arise.

Forgive me if I do not join the absolute pessimism that has already been expressed. Forgive me also if I do not engage in a beauty contest on who is most opposed to violence. I assume that every hon. Member, as a democrat, is opposed to violence in any form and that we all accept that to be every hon. Member's position.

5 pm

I ask the hon. Member for Spelthorne to accept that there is a fundamental difference between us on the basis on which decommissioning can be dealt with. It has been debated at great length, almost to the stage at which some of us do not like to hear the word any more. That is not because we are afraid of the issues, but because some of us have been dealing with them at close hand for so long and so often that we could make each other's speeches with no difficulty. I have listened at length to members of the Unionist parties in the current talks. I have read their documentation at length. I have listened to the hon. and learned Member for North Down (Mr. McCartney) at length. They have similarly listened to us.

The fundamental difference between our approaches to finding a solution will not be dealt with by the new clause. I accept that everyone here wants all arms, ammunition and guns to be things of the past and for them to have no role in the life, political or otherwise, of the north of Ireland. I accept the absolute sincerity of people who put forward views with which I do not agree.

Taking all that as read, however, there is a fundamental divergence, which was best stated by the Secretary of State on Second Reading. It is worth looking at his comments again. He set out the position clearly, saying that it is the role of the security services in any state to ensure that arms, ammunition, bomb-making equipment and all the paraphernalia of terrorism are not held illegally. He went on to make the crucial point, which I also made in that debate, that if it were possible to deal with decommissioning in the normal security ways, we should not be having this debate. If the police, the Army and the legislation framed to deal with terrorism north and south of the border, as well as here, had been successful, this debate would not be taking place. The reason for the

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decommissioning Bill and the on-going debate that there will be about it is that there must be another way of dealing with the inability—I am not using the word "failure"—of the security services to resolve the problem of illegally held arms.

The Secretary of State put his finger on the issue when he said:

> "It gets harder when it is recognised that, illegal though it is to hold them, the yielding up of those armaments will be done either voluntarily or not at all."—[*Official Report*, 9 December 1996; Vol. 287, c. 22.]

I agree with the Secretary of State: it will not be possible to put those arms and that ammunition—the elements of terrorism—out of operation unless it is done voluntarily. That is a difficult statement for the Secretary of State or for me to make, and a difficult fact for any hon. Member to accept, but it is the reality—a reality that we must all face up to if we are to solve the problem. We can fool ourselves that there are other ways of doing it. We can convince ourselves that there are contrivances that will lead to the situation that we want. We can somehow postpone everything and live in the hope that, one fine day, those who organise IRA violence and loyalist paramilitary violence will put through a telephone call to the Northern Ireland Office telling the Secretary of State to expect X number of lorry loads of guns and Semtex, but it will not happen.

The hon. Member for Spelthorne described himself several times as a realist, as did the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis). I accept that they are both realists, but we must also be aware of those elements of realism which hurt and which we do not particularly like. The harsh reality—this is where I differ with the hon. Member for Spelthorne—is that a voluntary decision means a decision taken by those who speak on behalf of the IRA, the Ulster Volunteer Force, the Ulster Defence Association, the Ulster Freedom Fighters, the Red Hand commandos or whoever they all may be, to give up, destroy or decommission their weapons. That will not happen in a void—not in a void of 12 months, not in a political void. It will not happen outside negotiations.

That brings us to the second harsh reality: the thesis of the Mitchell report—the report of the international commission—which was accepted by the two Governments, was that voluntary decommissioning means decommissioning as a result of negotiations, which means that inclusivity is inevitable. Mitchell decided—we all accepted this, by the way—that decommissioning would be mutual between republican and loyalist paramilitaries. There is a chain of logic in that proposition which cannot be broken, because if it is, there is no validity in the Secretary of State's belief, which I very firmly share, that decommissioning, if it happens, will happen on a voluntary basis.

Mr. Maginnis: Is not the hon. Gentleman's argument, which is logical, none the less spoiled by the fact that Mitchell assumed that Sinn Fein-IRA were sincere in wanting to move towards peace and to decommission? In so far as they betrayed the judgment that he made, that part of his thesis falls down. Has he seen anything that the ordinary man in the street over the past 10 or 12 months could take as an indication that there is sincerity on the part of any member of Sinn Fein-IRA in the desire to move towards a peaceful solution?

Mr. Mallon: I thank the hon. Gentleman for his questions, both of which are valid. I shall try to answer them as briefly as I possibly can, but I am not sure that there is a quick way of answering either of them.

The first question is whether, in effect, Mitchell made his recommendations on the basis of a false premise that there were those in the republican movement who wanted peace. I do not think that such a premise is false. I think that there are those in that organisation who want an end to violence. The ideological gap between their position of being able to fulfil their political objectives through violence, and their present position of the acceptance of the use of tactical violence for political purposes, is very distinct.

The second question is whether I have seen anything that will convince me of the sincerity of the republican movement's position in relation to the matter to which the hon. Member for Fermanagh and South Tyrone referred. I, he or anybody else can judge the sincerity of anyone's position in such circumstances only when they are in the position where it will be a matter not of words but of accommodating the political realities that we all face. Let us not forget that, after the bombing of the Thiepval barracks in Lisburn, the IRA stated for the first time an objective as being an inclusive political negotiated settlement: that is a far cry from the 32-county united socialist republic, which was to begin every six months as a result of force.

I am not saying that that statement convinces me. What will convince me will be seeing, while sitting at the negotiating table, that organisation being able to accommodate the principles laid out by Mitchell and those of democracy and the democratic process, encapsulating the principle of consent; when it accepts that, whatever the outcome of the negotiations, whether it likes them or not, it will not oppose them, except by political means, and will not use violence. It is in that context that I would start believing. I believe that scepticism is healthy in any element of political life. When it degenerates into cynicism, which prevents people looking at some of the realities that we have to consider, it becomes a dangerous and corrosive factor.

I want to test the IRA, the UDA and the UFF on decommissioning and politically, but I want the circumstances in which that can be done to be right. Those circumstances, in terms of the Secretary of State's position, which I share and which Mitchell has put forward, are that voluntary decision, based on mutuality, can come about only as a result of an inclusive negotiating position.

Mr. Maginnis: The hon. Gentleman talks about testing the IRA. He and other colleagues who have nationalist aspirations sought with great sincerity—I believe—to test Sinn Fein-IRA over a year during the meetings of the Dublin Forum for Peace and Reconciliation. During that entire time, the hon. Gentleman and his pro-nationalist colleagues were unable to get the fundamental accord from Sinn Fein-IRA that is required if we are to make progress: that they should agree on the word "consent"—that the consent of the people of Northern Ireland at the ballot box is fundamental to all progress.

5.15 pm

Mr. Mallon: The hon. Gentleman again makes a valid point, but I think that he misses two crucial elements. He made the case that there would have to be a very dramatic sea change from being involved in violence and the conviction that violence will obtain political objectives to being in the normal political process. The discussions to which the hon. Gentleman referred had two very valuable elements. Whether they liked it or not, Sinn Fein representatives saw across the table that, in effect, there was a nationalist consensus on the island of Ireland. That nationalist consensus was based on two things: an abhorrence of and a refusal to countenance the use of violence for political objectives, and that consent and the principle of consent must underlie any solution to the problem. Yes, they discovered that there was a nationalist consensus; they discovered that they were outside it and that, despite their arguments and bluster, they could not change all the parties.

One of the difficulties that we all face, especially Sinn Fein, which must start to recognise it, is that there is and will be a nationalist consensus, in just the same way as there is a Unionist consensus. Surely no one is putting a stricture on anybody that they should not fully believe in their own political policy and ideology. There cannot, however, be a set of circumstances in which there will be a special place in anybody's ideology for those who reserve a right to kill, threaten or use violence of any form. That was the real learning curve in the forum, and I want to see it extended and adopted in circumstances in which the hon. Member for Fermanagh and South Tyrone will be able to see the colour of IRA representatives' eyes when he puts his arguments, when the hon. and learned Member for North Down will be able to see their reaction when he puts his arguments, and when the hon. Member for North Antrim (Rev. Ian Paisley) will be able to be there to see and hear the reaction when he describes his position. I make that request, although I know that I am deviating slightly.

We all take the opportunities that come and we are all there to ensure that the principles of the democratic process are pursued by those who believe in the democratic process. If we can convince others, we would surely look on it as being successful. I can put it even more strongly than that: I reckon that if our generation of politicians in the north of Ireland does nothing else but achieve an end to violence, however tenuous, which enables a political process that begins to engage in dialogue and negotiations, however difficult, and we can leave as a legacy that foundation for the future, it will be no mean achievement. It will not be the fulfilment of my political objectives, because I want to see, create and build a united Ireland by democratic, peaceful means, and it will be not the fulfilment of any Unionist objectives because it will not incorporate all their requirements, but it will be a foundation from which to move forward.

When we consider new clause 1, and when we consider all the issues, let us all be big enough, strong enough and intellectually rigorous enough not to create whipping boys when we come up against problems that we ourselves find it difficult to accommodate. The whipping boy has readily been identified already this afternoon: it is the Irish Government. That has already been stated—and two amendments have been tabled on the subject—but that is not realistic. The position of the Irish Government on arms and the whole question of terrorism is more unassailable than anyone else's, so much so that even in Committee some parties in the House saw the wisdom of taking parts of the Irish legislation and tabling them as amendments to the British legislation. The Irish had good reasons for the differences in their legislation: it had to be different because there are constitutional and procedural differences and differences in the way in which legislation is introduced in the Dail and the system here.

Let nobody seek out whipping boys or try to create a scapegoat in the consideration of an issue on which we have to make an accommodation. Before making a case about extradition terms, people should find out exactly what they are talking about. They should find out what opportunities may have existed to take a case in the Republic of Ireland and they should have evidence for their remarks. I assure the hon. and learned Member for North Down, who no doubt will be able to put not just the political but the legal spin on the subject better than I can, that no Irish Government would lightly make their decision if there was a sound legal basis for an extradition. It is not enough to shake the head and say what I have said is rubbish. The issue should be considered carefully before anybody starts to make a whipping boy out of anyone else.

Many of us have been part of the talks and negotiations in Castle buildings since 10 June and we have been given a poisoned chalice. The question of decommissioning has been dropped in the laps of the political parties in the north of Ireland to get the Government off the hook that they created for themselves at Washington 3. However, that is our problem and we must deal with it if we accept the Mitchell report, which I do, but we must also be able to deal with it. I invoke the Prime Minister's words on this point and I especially refer the hon. Member for Fermanagh and South Tyrone to those words. Following the Mitchell report, in the joint communiqué of 28 February—after the breakdown of the ceasefire and after the violence had been restarted—the two Governments claimed that a meaningful and inclusive process must be available to those who represent those who are carrying out republican violence if there is to be any hope of achieving decommissioning through the negotiating process. Those are not Mitchell's words or the words of any nationalist party—they are the words of the Prime Minister in a joint statement with another sovereign Government. The Government should remember those words.

My party, indeed all of us, was promised in this Chamber that the negotiations would be real, that they would be meaningful and that no single issue would stand in the way of progress. We have not even got to the beginning of the negotiations. We have not even got to the ending of the opening plenary session, because the negotiations have not been real or meaningful and one single issue has been allowed to stand in the way of progress. That issue is the one that we are dealing with today.

We can continue in the same way, but if we do, the political process, as represented by all of us, will be seen to have failed even to start the serious negotiations that we need. It is the duty of the Prime Minister to take all the steps necessary to ensure that he honours the commitment that he made to all the parties that negotiations would be real and meaningful and that no one issue would stand in their way. He has an absolute responsibility to all of us and to peace to honour that

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commitment and I request him to do so. I know that when the Minister of State winds up, scant reference will be made to what I have said if the precedent of Second Reading is followed, but I ask formally that the Minister refer that matter to the Prime Minister, who made those solemn and binding commitments to us in the Chamber of the House of Commons, because he should have the opportunity to ensure that he enforces them.

Mr. Maginnis: The hon. Gentleman draws attention to what is happening in the talks process and bemoans the fact that we have not made the progress that many of us would have liked. He has indicated that the stumbling block is decommissioning, the disarming of terrorists and the verification of that process, but he appears to point the finger in the direction of Unionists and perhaps of the United Kingdom Government when he makes that allegation. I cannot go into details, because we are bound by confidentiality, but is it not true that two simple issues—one which could have been resolved by the Irish Government and one which could have been resolved by his party, and which would have been in the spirit of what is intended by the legislation—if accepted, would have allowed Unionists to move forward on the understanding that there was practical, and I emphasise the word "practical," sincerity in the approach to decommissioning?

Mr. Mallon: Like the hon. Gentleman, I do not wish to break any confidentiality which exists, so I refer him to his party's public statements on the matter. The Ulster Unionist party has gone on record saying, first, that there must be the decommissioning of a tranche of weapons before any paramilitary grouping—by which it means Sinn Fein—could enter talks. That is a matter of record, and not a matter of supposition or interpretation. Secondly, the UUP—in commenting on the committee that is to liaise with the international verification committee—stated that staged factors in relation to decommissioning would have to be to determined prior to any movement into the substantive negotiations. That is the public position of the UUP.

5.30 pm

I will put a question to the hon. Member for Fermanagh and South Tyrone which I have no doubt that he will answer in his future contributions: does he even remotely imagine that decommissioning as defined by the Secretary of State—a definition with which I agree—will be possible in spite of the two substantial road blocks laid down by his party in the way of substantial and serious negotiations?

Mr. Maginnis: I promise that this will be my last intervention, Madame Deputy Speaker. I must state clearly that when we abandoned what was called Washington 3—we abandoned it on the basis of Mitchell, the very basis on which the hon. Member for Newry and Armagh (Mr. Mallon) argues his case—we accepted that decommissioning had to begin from the very start of the process. In addition, we accepted that we could not move through the political process—no one knows how far through—without seeing the colour of IRA-Sinn Fein's money. We do not apply that rule or tenet solely to Sinn Fein-IRA, but we apply it to every paramilitary organisation. Those organisations cannot move beyond the introductory stage of talks—according to Mitchell himself, who stated that the process must be parallel—and into the substantive element without an indication of what will happen. We stick by that position, and we shall continue to do so.

Mr. Mallon: I am delighted to hear that the hon. Gentleman's party is to stick by some positions on this issue. The Ulster Unionist party did not abandon Washington 3—the British Government abandoned it. The Ulster Unionist party reintroduced it when it presented its position on decommissioning publicly during a previous stage of the talks. The hon. Gentleman invokes the Mitchell report, which clearly states that decommissioning would take place not before or after negotiations, but during them.

The position laid down by the Ulster Unionist party is that decommissioning must take place before negotiations. The position of Sinn Fein-IRA, as I understand it, is that decommissioning will come at the end. Can we not at least agree that the only way in which decommissioning should be used as a precondition is to allow us to get up from the table with a solution, and that it should not prevent us from beginning to try to find a solution?

Rev. Ian Paisley: Some hon. Members here today may remember a powerful and moving speech made by the hon. Member for Newry and Armagh (Mr. Mallon) some time ago, in which he castigated the fact that Sinn Fein had sat in a forum in Dublin with fellow members of what we, as Unionists, would call a pan-nationalist front—they were all nationalists, and they all wanted to bring about a united Ireland. They had a debate, and the hon. Gentleman saw the whites of their eyes. If he could not persuade his own kind, if the Dublin Government could not persuade their own kind and if all the diverse groups in the Irish Republic could not do so, why does he say that he is a realist? Why does he say that, if the Unionists looked at the whites of the eyes of the nationalists, a great miracle would happen?

Tonight, we need to come back to harsh realities. I have heard people say that they are realists, but what are the realities? We have been told by the hon. Member for Newry and Armagh that the subject of tonight's debate is a poisoned chalice that is to be handed to the people taking part in the talks, but the subject was raised by the leader of the hon. Gentleman's party, the hon. Member for Foyle (Mr. Hume), in 1992 when he said in regard to talks that

"there can be no guns on the table, under the table or outside the door."

That is my position, and it is the position of any democrat in Northern Ireland.

I am not in the business of talking to murderers. I am not in the business of talking to those who went to the children's hospital before Christmas to try to murder my colleague and assistant in Europe, and who put a bullet through an incubator in a children's intensive care ward. I neither want to see their eyeballs, nor to do business with them. The basis for talks was to be

"no guns on the table, under the table or outside the door."

Moving the new clause, the hon. Member for Spelthorne (Mr. Wilshire) said something that I could have said—that he is for decommissioning as originally

set out in the statements made by various people. Dick Spring, the Foreign Secretary of the Irish Republic, said after the Downing street declaration was signed—and before the ink was dry on the paper—that

"we are talking about a permanent cessation of violence, and we are talking about the handing up of arms, with the insistence it would not be the case of 'we are on a temporary cessation to see what the political process offers'."

It was not some belligerent Unionist who said that, but the Foreign Secretary of the Irish Republic. However, the hon. Member for Newry and Armagh has argued tonight that we must have some political bait to attain decommissioning. Mr. Spring went on to say on 1 June 1994:

"There will have to be a verification of the handing over of arms . . . it has to be permanent and there has to be evidence of it."

Just after that, the Secretary of State said on Radio Telefis Eireann that

"the IRA will have to give up its guns and explosives to prove violence is over."

Those conditions were set not by Unionists, but by the Government.

The hon. Member for Newry and Armagh said that he wanted the Prime Minister to come to the Dispatch Box; I should like the Prime Minister to come here and repeat to the House a statement he made to us. He said that the IRA would hand over a substantial tranche of arms to start with and then, when the talks commenced, hand over a further instalment of arms every month. I said at the time, "Prime Minister, I have one question. How are you going to do that? Say they give you a large tranche of arms, we have a month's discussion, and then they say that they won't give any more. What are you going to do? Throw them out?"

Once people get into talks, they are in and can do what they like. They can swear that they have renounced violence, as did certain people who will be sitting at the table in a fortnight's time. Now those people say that they will not hand over one weapon. We need to be realists.

Albert Reynolds, who was still in circulation at that time, said:

"if all the weapons were decommissioned before a settlement was found . . . that would be a recipe for disaster."

He had done a complete somersault. He must have been singing before making that wonderful statement, and on something stronger than buttermilk. Martin McGuinness, the colour of whose eyes the hon. Member for Newry and Armagh wants us to see, said:

"when we talk to the British Government we will not talk about the decommissioning of IRA arms, we will talk about the dismantling of partition."

The hon. Member for Newry and Armagh made much tonight of the process of decommissioning, but there is no process whatever on either side.

Strong statements were made at Washington 3 about arms having to be found out and so forth, and President Clinton said:

"Paramilitaries on both sides must get rid of their bombs and guns for good and the spectre of violence must be banished",

and the Prime Minister reiterated:

"All-party talks are impossible until moves are made on decommissioning."

That idea was sold to the people of Northern Ireland by the British Government. Unfortunately, some of us believed it. We believed that they would do as they said.

I find it rather amusing that the hon. Member for Newry and Armagh can tell the House today about the great obstacles to the talks, when he was the man who moved that there should be no vote when I tried to bring the matter to a head so that we could make a decision. He said that there would never be a vote. Without a vote, how can we bring the matter to a head? Like Pilate, he washed his hands and told us that we were holding the process back. From what? I want a decision on decommissioning, and I want to know what the British Government, the Dublin Government and the hon. Gentleman are up to on decommissioning.

Mr. Mallon: The Ulster Unionist party?

Rev. Ian Paisley: I want to know what anyone is up to. I was amazed by the dialogue tonight between the Ulster Unionist party and the Social Democratic and Labour party. I never knew that we all agreed to mutual decommissioning. The official Unionists may have agreed that with the SDLP and vice versa, but I never agreed it, as I have made clear. The hon. Gentleman will have heard long speeches from me without hearing one line in which I said that, because I do not believe in it.

Today, there are two so-called army councils, the IRA Army Council and the Combined Loyalist Military Command—high-falutin' titles. Those two bodies hold a noose around the neck of Northern Ireland and say, "If you don't give in to us, we'll give you your bellyful of what we've given you in the past," and the two Governments sit and compromise with them.

I heard the Secretary of State saying that the Combined Loyalist Military Command should be "helped forward" because of its stand, but I do not think that anyone here today knows who its members are. Who could stand up and say that they can name the men? They are faceless people, and if hon. Members are so foolish as to think that Garry McMichael and Councillor Hughie Smith are the generalissimos commanding that body, they are sadly mistaken.

The dogs on the street in Northern Ireland know what is happening. They know that the IRA is at its work and that the Ulster Freedom Fighters and the Ulster Volunteer Force are at their work. What about the man who was shot in the constituency of my hon. Friend the Member for Belfast, East (Mr. Robinson)? The police admit that the UVF did that. What about the bombs in north Belfast, for which the police in the area said the UFF was responsible?

5.45 pm

The Secretary of State seems to think that schoolboys, rather than politicians, are the right audience for his major speeches. He made a major speech to some schoolboys in Londonderry the other day and told them that the Combined Loyalist Military Command ceasefire was holding. I wish that he would come with me to see some of the people who have been beaten up on the orders of that group, the people who have been partially crucified and the homes that have been wrecked.

Last Sunday, a member of my church went home to be told by the police that he had to shift house, get out, pull up all his chattels, take his family and go—and yet we are told that the ceasefire is intact and all is well. All is not well in Northern Ireland, and the people are getting sick

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of politicians telling them that it is. The ceasefire is not holding. The Minister told us today about the startling number of beatings going on in both communities. Action needs to be taken.

It has been argued today that the military, the police, security and legislation have failed, and that we need another method. Spokesmen for the IRA have been advancing that argument for years. They say that they have won the war and that we have to sit down with them and make peace. In fact, the war has never been fought. There is one reason for that: the people most concerned were not allowed to fight it.

When Northern Ireland became a state, the same forces that are operating today tried to break and destroy it, and the ordinary people of Northern Ireland fought and won the battle against them. They did it because they were fighting for their hearth-stones, for the land where their fathers lay awaiting resurrection, for their country. We, on the other hand, have not had a battle with the IRA. The IRA has never felt the determination of the Ulster people. We are marginalised and told to keep quiet and let others take care of everything.

With all due respect to the hon. Member for Newry and Armagh, one would have thought that, with all the years that have passed, the Dublin Government would have extradited a person accused of a terrorist bombing in Germany. The extradition would not even have been to the United Kingdom, but would have been to another country in the European Union, yet that man thumbed his nose and walked out of court. If that is how we intend to fight terrorism, we will be defeated all down the line.

The Government and hon. Members should go to Northern Ireland and talk not to politicians, but to people who are not active in politics. People in the professional and business worlds, trade unionists and others have at long last realised how serious the situation is. People are asking why they are held in a noose by two outlawed councils of thuggery and murder and why we have to deal with them. We cannot run a country by telling criminals that, if they mutually agree something, we will go ahead and do it. That is what the Bill does. It is not worth the paper it is written on because it says that, until those two councils of thugs and outlaws agree to hand in their arms, nothing shall be done.

I came to the House in 1970. I never thought that I would be here so long or that I would ever discuss a Bill such as this in the United Kingdom, which boasts of its belief in the democratic process. Tonight we are passing a Bill that tells two outlawed so-called military councils of terrorists that nothing will be done until they mutually agree. That is not law; it is capitulation and concession to the men of violence. The tragedy is that not hon. Members, but the people of Ulster, will reap the sad results. The House is sowing the wind but those people will reap the whirlwind. Hon. Members should go to Northern Ireland and talk not to politicians, but to ordinary people, who are becoming alarmed at how far the Government and the talks are seeking to take them.

Finally, I say to the hon. Member for Newry and Armagh that I will be at no talks with this crowd. I do not believe that the people who sit at the talks at the moment have clean hands. There should be one law right across the board: if they do not go by the principles that they swore to uphold, and are not even prepared to condemn acts of violence—let alone dissociate themselves from them—they should not be at the talks because they have violated the Mitchell principles. Those are entirely different from the Mitchell report. I do not accept the report, but I accept the principles.

Mr. Robert McCartney: There are few hon. Members who do not utterly abhor violence and would not like it to end. Those present probably have no quarrel with the particularities of the Bill. The question is how relevant the legislation is to the state of affairs in Northern Ireland. To see its relevance, one has to look at the general picture.

In my view, there never was such a creature as the so-called peace process. It was apparent to several political thinkers in Northern Ireland, and in the United Kingdom, that at some time in or about 1988 or 1989, there was a change in direction in British policy away from an attempt to accommodate the nationalist minority in Northern Ireland in a settlement within the United Kingdom to a new policy that involved the appeasement of the violent aspect of Irish nationalism. There was an attempt to discover on what terms an accommodation could be made with violent republicanism in the form of the IRA.

The philosophy was essentially laid in the initial negotiations that took place between the leader of the SDLP and Mr. Gerry Adams, the titular head of Sinn Fein and some time participant in IRA activity. They laid the foundations for the policy that subsequently emerged, through the Brooke-Mayhew talks, as the peace process. Essentially, the peace process was that an arrangement would be made whereby a meeting of democrats would not be used to settle the political problems of Northern Ireland; instead, a collection of democrats would be got together to give a veneer of democratic responsibility to what was really a peace conference between two sets of combatants: the British state and the representatives of violent republican terrorism.

The foundations were consolidated by secretive meetings between representatives of the Secretary of State and the IRA in 1992-93. Out of that emerged the Downing street declaration, in which the British Government declared that in respect of part of the territory of the United Kingdom of Great Britain and Northern Ireland, they no longer had any selfish strategic or economic interest in maintaining that portion of the United Kingdom within the kingdom. They would agree to act, if not as persuaders, as facilitators for a solution of Irish unity. It is true that it was declared that no other solution would be excluded but it is more important to note that no solution other than Irish unity was adumbrated in the Downing street declaration.

The declaration was careful never to describe the majority of the citizens of Northern Ireland as British citizens. They were described as the people of Ireland north and south, or as those Irish people living in Northern Ireland. Never once were the 1 million British citizens who describe themselves as, and claim to be, British citizens described as such. More interestingly, the phrase about Britain having no selfish economic or strategic interest was not new. It had become an official declaration of policy, but it was not a novel statement. It had been made in 1991 by the former Secretary of State, the right hon. Member for City of London and Westminster, South (Mr. Brooke). However, he got the phrase from the public,

agreed statement of the hon. Member for Foyle (Mr. Hume) and Gerry Adams on 18 September 1988 in *The Irish Times*, in which the hon. Member for Foyle declared that he thought that the British Government had no economic or selfish or strategic interest in staying in Northern Ireland.

A statement made in 1988 by the leader of Northern Ireland's constitutional nationalists and the leader of Sinn Fein was taken up three years later by the then Secretary of State. By 16 December 1993, in the joint declaration, it had become British Government policy. That policy was an open invitation to Sinn Fein-IRA to enter into negotiations and to declare a ceasefire, but the British Government required that the ceasefire had to be permanent. Time passed—a week, let alone two years, is a long time in politics—and everyone forgot about the British Government's insistence that the ceasefire must be permanent. After three months, the Government declared that they had assumed that the ceasefire was permanent.

Mr. John Hume and Mr. Albert Reynolds had no doubt whatever that "complete" meant permanent, entirely ignoring the fact that, as anyone with any element of logic would know, "complete" is a definition of kind, while "permanent" is a definition of duration. The pro-Union people of Northern Ireland want a cessation of violence that is complete in its nature and permanent in its duration—something that they will never be afforded by Sinn Fein-IRA, and something on which, even after the dastardly breach of their tactical ceasefire on 9 February 1996, the British Government were still not prepared to insist.

6 pm

Indeed, the Command Paper of 16 April 1996 that established the basis for the present talks at Stormont in Belfast requires an unequivocal restoration of the August 1994 ceasefire—not even the restoration of an unequivocal ceasefire, but an unequivocal restoration of something that was wholly flawed and false. That requirement is incorporated in a Command Paper that became one of the central documents of the current talks at Stormont.

The hon. Member for Newry and Armagh (Mr. Mallon) talks of the wrangling and the obstacles introduced by Unionists. What Unionists were saying was quite simple: we were not going to take part in a game whose rules have been set to predetermine the result. Unionists were not prepared to accommodate Sinn Fein by allowing it to restore a tactical ceasefire that was always very impermanent, or to engage in a process whose central objective was a framework document.

People ask why we object to the framework proposals. I will tell the House exactly why we objected to those proposals as the centrepiece of the negotiations. The framework document wants to employ for the uniting of Ireland exactly the methodology for the unification of Europe to which large sections of the major parties in the House of Commons object. In both cases, the aim is exactly the same. If a process can be undertaken involving joint institutions and organisations, covering everything from natural resources to transport to tourism with a central dynamism, after a time the whole concept of national sovereignty becomes a myth of no value. The Government's hypocrisy in setting up that policy to unify Ireland is based on the fact that they are employing a methodology for the purpose that they find repugnant in relation to any diminution of the national sovereignty of the United Kingdom as a whole, and of the House.

Far from involving wrangling, the seven months of negotiations and so-called peace talks at Stormont have been about the rejection of—if I may use a slang phrase—a stacked deck of cards. The pro-Union people refuse to engage in a game in which the cards are marked by the British and Irish Governments in accordance with the predestined result that they wish to achieve. That is what the past seven months have been about.

Let me now deal specifically with the issue of decommissioning. Originally, the British Government said that there must be an absolute and permanent ceasefire, and the Irish Government said exactly the same. The hon. Member for North Antrim (Rev. Ian Paisley) has already quoted extensively from a speech made in the Dail by the Tanaiste—Dick Spring, the Irish Foreign Secretary—the day after the announcement of the joint declaration. What did he say? He said, "This ceasefire must be permanent. We will not tolerate paramilitaries—Sinn Fein—coming into the democratic process, looking about, picking and choosing, deciding whether there is something in it for them and, if there is not, returning to armed violence." He said, "You must come in, and you must come in for good."

At that time the present Taoiseach, Mr. Bruton, was not in government; he was the Leader of the Opposition. But, on behalf of his party, he made a written submission to the Dublin Forum for Peace and Reconciliation. What did he say in 1994? He said, "Sinn Fein-IRA must hand over their weapons now." "Now" is a very short word, but its meaning is explicit. It does not mean "tomorrow" or "in a little while"; it means immediately, at once, without delay.

After a while, it became apparent that Mr. Hume and Mr. Reynolds had grossly oversold to Sinn Fein-IRA what the British Government were prepared to deliver, and Sinn Fein-IRA refused to declare their ceasefire permanent. Only, presumably, after being promised something did they declare a ceasefire on 31 August 1994. They were coming in to look around: they were being permitted to do exactly what Mr. Spring had said, the day after the joint declaration, that they would never be allowed to do.

Sinn Fein-IRA came in and looked around for 18 months. What did they do during that time? They reconnoitred, they monitored, they prepared; they placed in position all the weaponry and all the bombs that they would require for a series of spectaculars on the United Kingdom mainland in case they did not get what they wanted.

It was plain to the British and Irish Governments that Sinn Fein-IRA were not going to come in and surrender their arms: they had to have a deal. What did the British Government do? They resiled from every position that they had adopted. The only tune on their bugle at any stage was the retreat. Eventually, they reached the stage of Washington 3. Washington 3 was very simple: it said, "If you declare a ceasefire in words and evidence it in action by handing over a significant tranche of weaponry, you can join in." But it became plain that the IRA had never intended to hand over any weapons.

Mainland politicians appear not to understand that logic is a poor master when it is applied to Sinn Fein-IRA. I heard all sorts of arguments—for instance, that if Sinn Fein-IRA handed in 5 per cent. or 10 per cent. of their

[Mr. Robert McCartney]

weaponry, they could continue to run an effective terrorist campaign—but the reason they will not hand in a single rusty revolver or an ounce of Semtex has nothing to do with logic, and everything to do with the ideological block that places them in the position of legitimate inheritor of the provisional Government of 1918. To hand over anything would be to accept that the remainder of their weapons were held unlawfully and that the authority to which they were handing that rusty revolver or that ounce of Semtex was a lawful authority: that they will never do. When will the Government get it into their heads that Sinn Fein-IRA will never hand over any weapons to anyone, be that directly to the British Government, or to any international commission acting on behalf of the British or Irish Governments?

The Bill is a nonsense. It is a mechanism—one that might be valid in itself, but is purely a small part of a much larger political policy that is totally false. The idea that the British and Irish Governments could ever do some sort of deal, not with democrats, but with the plenipotentiaries of violence, was totally flawed.

Not only is that policy flawed, but the policy of expediency without proper political principle has corrupted the very roots of democracy. It has forced the Secretary of State and the Minister of State, the right hon. Member for Devizes (Mr. Ancram), to make statements about ceasefires being intact that stretch credulity to the limits. To suggest after the events of the past month that the so-called loyalist ceasefire is still intact is reminiscent of "Alice in Wonderland"—indeed, I am glad to know that the spirit of Hans Christian Andersen and the brothers Grimm has not perished from the Northern Ireland Office. Such statements amount to a fairy tale.

The Government's logic is: the fact that no bombs are going off can be accredited to the Combined Loyalist Military Command; because no one is being shot with weapons accredited to the CLMC, they can say that there is a peace process and that the loyalist ceasefire is intact. That completely ignores loyalist violence in the form of barbarous punishment beatings, which have increased from about 30 incidents in 1993, before this marvellous peace process, to 118 in the first 11 months of 1996. Any assertion that an increase in those terrible beatings, which are often the cause of orthopaedic and other injuries far worse than would be caused by a bullet, is consistent with an intact ceasefire is absolutely ludicrous.

I am sure that other hon. Members who speak later will be able to develop this theme and ask: what is an act of terrorism? If a bullet is fired through the fleshy part of someone's thigh, is that an act of terrorism? Is boring a hole through someone's kneecap with a Black and Decker drill an act of terrorism? Nailing someone upside down to a fence and breaking his legs with clubs would not be an act of terrorism amounting to a breach of the ceasefire, but a failed attempt at a mortar bombing, which killed no one, would be a breach. Only those who are pursuing a policy that has no moral, ethical or political credibility can force themselves into the corner of having to ask people to believe that such activity does not amount to a breach of the ceasefire.

The only difference between the loyalists of August 1994 and those of today is that they have shifted the range and medium of their operations. The vast increase in punishment beatings—by about 400 per cent. in both communities—is evidence that terrorism and violence are being used by terrorists in their own communities for the purpose of enforcing their political will. They are creating an environment in which they can achieve political domination by methods that no democracy should tolerate in the 20th century.

6.15 pm

Mr. Day: I am interested in what the hon. and learned Gentleman is saying—he is giving us a marvellous analysis of a period of history that has yet to be judged. I am, however, concerned about the effects on the democratic process, to which he alluded earlier. Does he agree that the peace process has not only warped the democratic process, but by legitimising in the eyes of the public—especially the nationalist community—Sinn Fein as a political entity that appeared, through the peace process and the so-called ceasefire, to be genuinely searching for peace, it has increased Sinn Fein's electoral support? The peace process legitimised Sinn Fein in the eyes of the world at the expense of the real democratic forces in the north of Ireland. Is that not yet another way in which the peace process has destroyed the very values that the Governments of Britain and Ireland purport to be trying to uphold?

Mr. McCartney: I could not agree more. During the period of the peace process, not only has the number of punishment beatings increased by more than 400 per cent.—with all that that entails in the destruction of community values—but those in charge of community relations agencies in Northern Ireland say that, at present, relations between the two communities are the worst that they have ever encountered throughout their existence. The price of a policy that appears to appease terrorism, that has brought, at best, a period of non-use of bombs and bullets and is now over, has been to destroy intercommunity relationships that are the real foundation of peace in any society. Owing to a fraudulent peace process, the intercommunity relationships that should form the basis of any true peace have been diminished and destroyed.

Unfortunately, representatives like me, who have never been involved, at any stage or in any form, with organisations—

Dr. Joe Hendron (Belfast, West): A few minutes ago the hon. and learned Gentleman referred to punishment beatings. I intend no criticism and I understand what he was saying and why he used those words, but will he accept that "punishment" is the wrong word to use? He is not the only one to use the word—indeed, everybody does—but it implies, first, that the victim has done something wrong and, secondly, that those who carry out the beatings, many of whom are gangsters with dreadful records, are in some way and in the perception of some people justified in their actions.

Mr. McCartney: I wholeheartedly agree with the hon. Gentleman's remarks. We have encouraged people who represent a terrorist organisation to assume a place in our society that appears to afford them political and community legitimacy.

In his radio and television speech to the nation after the Downing street declaration, the Prime Minister said:

"Only the men of violence can give peace."

The import of that statement went unnoticed. He was saying, "In the United Kingdom of Great Britain and Northern Ireland, the Government and the forces of law and order can no longer enforce the rule of law. If you want peace, you will have to authorise the Government to adopt a policy of appeasement or accommodation with those who violate the rule of law."

That brings us back to some of the comments and concepts that were offered as eternal verities by the hon. Member for Newry and Armagh, who is unfortunately no longer present. He advanced the idea that decommissioning, as a mode of peace, must be voluntary. That amounts to a suggestion that we must reach some accommodation with violent terrorism that will persuade it to hand over its weapons of its own volition.

I suggest that the source of that great persuasion, which would make terrorists give up their weapons voluntarily, would be the fulfilment of their political objectives; they have not given the slightest hint that those have been diminished. They remain determined to have Brits out, self-determination on an all-Ireland basis and an Irish united socialist Government—and I use the word "socialist" as one who, with a great deal of reserve, favours some aspects of socialism. There is no suggestion that they will ever give up their guns before, during or after negotiations unless those negotiations produce a settlement that they can endorse.

When the hon. Member for Newry and Armagh speaks about an inclusive form of negotiations, he means that the Union must be on the table. He avoids the issue raised by the hon. Member for North Antrim. When the pan-nationalist bodies of Ireland met in the Forum for Peace and Reconciliation to discuss the way forward, it was clear that the principle of consent—that there could be no united Ireland without the consent of the majority of the people of Northern Ireland—was put to Sinn Fein-IRA in its most anodyne form. The pan-nationalist bodies sought to produce such a watered-down version of consent that they were astonished that even that anodyne form of consent was unacceptable to Sinn Fein.

Mr. Andrew Hunter (Basingstoke): Is it not the more remarkable that, in those circumstances, some members of the SDLP should have been thinking aloud of an electoral pact with Sinn Fein?

Mr. McCartney: I am grateful to the hon. Gentleman for that intervention because he is right.

That brings us back to the raison d'être of the so-called peace process. It was essentially the creature of a pan-nationalist front. Sinn Fein was brought in out of the cold by its association with constitutional nationalism in the form of the SDLP and the Irish Government. It was further sanitised and endorsed by Irish America and received the imprimatur of the White house; it was brought back to Europe in that cleansed and resurrected form. Its members were now, in a sense, suitable candidates for the company of democrats—except that they never were democrats. They never ceased to be anything but a bunch of gangsters, thugs and violent terrorists who would kill, maim and destroy as the only means of achieving their objectives.

The time has come when, instead of pursuing a bipartisan policy that effectively disfranchises the majority of the people of Northern Ireland, the House and both major political parties in it should say, "Enough of these violent men." I do not want my remarks to be confined to the violent men of Irish nationalism. I am equally adamant that we must eschew those who pose as defenders of the Union because the Union cannot be protected by people who ignore the rule of law. It cannot be defended by the principles that, as democrats, we all oppose, and it cannot be maintained by pretending that these folk are not exactly what they are.

What has reality come to when some credible politicians from the United Kingdom can describe serial murderers and those who have been involved in despicable crimes as unsung heroes of the peace process, on the basis that they should be congratulated on refraining from doing what no civilised human being should ever have done in the first place? That is an example of how crazy this business has become.

I welcome the purpose of the new clause tabled by the hon. Member for Spelthorne (Mr. Wilshire). It has enabled the House to examine a broader spectrum and ambit of the concepts and ideas involved. We must look for a new beginning. This peace process, wrongly so called, has been built on false principles; it has been built on sand, and it is now disappearing into that sand.

We must all unite as democrats. I appeal to those whose long-term objectives for Ireland I do not share, but whose position as democrats I respect. We must all seek a solution; but that solution is not to be found by pro-Union people incorporating the CLMC into any part of their thinking, or constitutional nationalists having any truck with Sinn Fein-IRA murderers.

Mr. Tony Worthington (Clydebank and Milngavie): I congratulate the hon. Member for Spelthorne (Mr. Wilshire) on apparently providing the stimulus for a significant number of Members to speak very broadly on this issue. However, I shall be innovative and restrict myself to new clause 1 and the issues arising from it. I trust, Madam Deputy Speaker, that that will be in order.

Madam Deputy Speaker (Dame Janet Fookes): It will be welcomed.

Mr. Worthington: We are here today because of the Northern Ireland Arms Decommissioning Bill and because of the Mitchell report. After extensive discussion, the Mitchell committee reached the conclusion that appears at paragraph 17 of the report:

"Everyone with whom we spoke agrees in principle with the need to decommission. There are differences on the timing and context—indeed, those differences led to the creation of this Body—but they should not obscure the nearly universal support which exists for the total and verifiable disarmament of all paramilitary organisations. That must continue to be a principal objective."

Listening to tonight's debate, I did not pick up a similar feeling of unanimity about people seeking a mechanism for decommissioning. But that is why we are here. We believe that there should be decommissioning, and for that there needs to be a mechanism—hence the need for this Bill.

The new clause states:

"This Act shall enter into force on a day to be determined by the Secretary of State by order made by statutory instrument, save that no such order shall be made until the Secretary of State is satisfied that 12 months have passed since any act of terrorism connected with the affairs of Northern Ireland has occurred."

[Mr. Worthington]

The new clause thus assumes that decommissioning and the mechanism to enable it to occur will come about. Thereafter, however, it becomes somewhat surreal.

6.30 pm

The new clause also assumes that there is a ceasefire, because there would otherwise be no impetus to decommission. To extend the logic: there being a ceasefire, the new clause would tell those who wanted to begin decommissioning that they could do so, but not yet. Only in 12 months' time could it be embarked upon. That is certainly flawed.

The whole idea of decommissioning is that it should be voluntary. That is what Mitchell said; it is what those, including my party, who signed up to Mitchell would say. If people want to begin decommissioning, we should welcome that with open arms, and get the weapons of destruction off the streets as quickly as possible. It is therefore strange to delay the process by 12 months. Hitherto, those who have asked for decommissioning only at the end of the process have been the terrorist organisations—

Rev. Ian Paisley: The hon. Gentleman said just now that he was one of those who had signed up to Mitchell. What does he mean? Does he mean that he signed up to the Mitchell principles, or to the whole report?

Mr. Worthington: My party, the Government, and other parties, here and in Northern Ireland, have said that they accept the principles in the Mitchell report, which still stands as a remarkable contribution, given the short time in which it had to be produced. We accept the six principles concerning talks—the hon. Gentleman probably knows them better than I do. They are valuable principles on which to proceed.

If decommissioning is to go ahead, it must be voluntary. In Committee, the Government were right to resist amendments that would have rendered it less than voluntary—by introducing penalties, and so on.

Holding up the process once a ceasefire is in place seems to me fundamentally flawed, yet that is what the new clause would do. Furthermore, how is an act of terrorism to be defined? The hon. and learned Member for North Down (Mr. McCartney) posed that question. It is not easy to answer; and in any case, who will decide? Who will decide whether such an act of terrorism is connected with the affairs of Northern Ireland? What about an act of terrorism committed in Great Britain and not accredited to any Northern Ireland group?

For all these reasons, new clause 1 is fatally flawed. As we all know, the whole Bill demands great acts of faith, but the new clause seems to attempt to suspend reality altogether. We do not back it.

The Minister of State, Northern Ireland Office (Sir John Wheeler): The House is grateful to my hon. Friend the Member for Spelthorne (Mr. Wilshire) for constructing the new clause so ingeniously as to enable such a wide-ranging debate to take place, thus allowing us to hear so many expressions of opinion about the affairs of Northern Ireland.

Some hon. Members have questioned the very purpose of the Bill in current circumstances, given that we face an escalating campaign of terrorism by the Provisional IRA. Hon. Members on both sides have referred to the statistics of terrorist crime. It is sometimes difficult to define terrorism, but acts against the law are crimes, whether terrorist or otherwise.

There is a certain irony in debating decommissioning against the backdrop of an increasing number of terrorist crimes in Northern Ireland and elsewhere in the United Kingdom, but the House must not let terrorists set the agenda. The Mitchell report provides the best way forward. The hon. Member for Clydebank and Milngavie (Mr. Worthington) referred to that report; incidentally, I was grateful to hear him support the Government's position on the Bill.

The Government accept the recommendations for parallel decommissioning and political negotiations, and this Bill, as a first step, lays down the statutory foundations. Time will tell whether it was futile. We are not talking about a general amnesty for past crimes. Those who have committed crimes under the guise of terrorism will still be liable for the consequences. But the Government will not give up searching through all options at their disposal to bring a genuine and lasting peace to the people of Northern Ireland; just as they will not give up their firm stand against terrorist violence from whatever quarter.

As the hon. Member for Newry and Armagh (Mr. Mallon) said—reinforced by the hon. Member for Clydebank and Milngavie—this is an enabling measure. Its purpose is to facilitate decommissioning, and to help to get that process under way in parallel with the talks, in line with the Mitchell commission compromise. It is for the democratic parties and the democratic process to make demands of the terrorists, requiring them to demonstrate their good faith and their commitment to a genuine political and democratic process. That has been a theme of this debate.

If there is a new ceasefire by Provisional IRA-Sinn Fein, it must be genuine, and must be seen to be genuine. As the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) said, it must include giving up the other means of violence and intimidation—not just the awful punishment attacks, which, as he rightly said, are intended to keep the nationalist population under control by intimidating them. Any new ceasefire must also mean an end to winkling people out from their homes and farms, and an end to the boycotts. In short, it must be a genuinely inclusive process.

The hon. and learned Member for North Down (Mr. McCartney) went wider, and questioned the Government's purpose. I hope he will accept from me that the Government's purpose is not to appease anyone. The Government's overriding objective in Northern Ireland is to secure a comprehensive and widely acceptable political settlement founded on democracy and based on consent—words that have been employed during this afternoon's debate.

I am sure that the hon. and learned Gentleman recognises that, if the process were concluded, it would be for the people of Northern Ireland in a secret vote to indicate whether they accepted the outcome. They would be the sovereign masters of the final stages of the process.

The hon. and learned Member for North Down raised the spectre of the Government having a secret agenda or secret negotiations. No such objective exists, nor would it

be practical. How would it win the support and consent of those in the talks in Stormont Castle buildings, let alone the people of Northern Ireland? If the process succeeds, that will be because it is open and above aboard, not a series of deals behind the scenes.

My hon. Friend the Member for Spelthorne wanted to ensure a debate on serious issues affecting the situation in Northern Ireland. I understand his desire for a genuine cessation of all terrorist activity in Northern Ireland and elsewhere in the United Kingdom. That objective is common to all of us in the House. The Government have said time and again that there must be a credible and permanent end to violence in both words and deeds. We all want that, but, like the hon. Member for Clydebank and Milngavie, I do not believe that the new clause would achieve what my hon. Friend intends.

Through the Bill, we are trying to achieve a start to the decommissioning process—to lay the statutory foundation that will enable decommissioning to be taken forward in parallel with substantive political negotiations. We all recognise the irony of debating such legislation against the backdrop of the terrorist campaign that is developing in Northern Ireland.

The clause would have no impact on the entry of IRA-Sinn Fein to the negotiations. The House laid down last year in section 2 of the Northern Ireland (Entry to Negotiations, etc) Act 1996 the circumstances in which, and only in which—I emphasise only in which—that would happen. The Act gave effect to paragraphs 8 and 9 of the ground rules for substantive all-party negotiations, published as a Command Paper, according to which the key requirement for the entry of Sinn Fein to negotiations is the unequivocal restoration of the ceasefire of August 1994. If that requirement is not met, my right hon. and learned Friend the Secretary of State has no power to invite Sinn Fein to send a negotiating team to the talks. If the criteria of paragraphs 8 and 9 are met, he must do so.

The Prime Minister made it clear on 28 November that, if a ceasefire were announced, we would need to be assured that it was genuine and unequivocal. That has been discussed during the debate. It would mean, I suggest, an ending of terrorist violence, a standing down of the means to participate in terrorism, and an ending of punishment attacks and all the other criminal acts to which hon. Members have referred. The ceasefire must be lasting, rather than merely tactical. It would be necessary to assess carefully whether the words, actions and all the circumstances were consistent with a lasting ceasefire.

Those provisions regulate the entry of Sinn Fein to the talks process. If the conditions were satisfied, Sinn Fein would have to be admitted, but if the new clause took effect, there would be no provision whereby decommissioning could take place until a year had passed since the last act of terrorism, however that may be defined.

6.45 pm

I do not believe that my hon. Friend was aiming at a talks process in which decommissioning was impossible, but that is what the new clause might achieve. The truest test of the peaceful intent of people who have previously used violence for political ends is whether they are willing to decommission their weapons and stocks of Semtex. As soon as they are willing, we wish to give them the opportunity to do so.

My hon. Friend's new clause has the further drawback that it does not specify from where the act of terrorism need come. The consequence is that a single act by a group or individual wholly unconnected with the talks process might prevent decommissioning.

In summary, the Government believe that the existing provisions on entry to negotiations, approved by Parliament last year, are right. In any event, the new clause does not bear on them. We also believe that arrangements must be made to ensure that it is possible for decommissioning to begin at the earliest opportunity. The new clause would, without good reason, remove that possibility in some circumstances, and might thereby present a needless obstacle to progress in the talks. In the light of what I have said, I hope that my hon. Friend will withdraw the motion.

Mr. Wilshire: We have had a fascinating two and a half hours—not what the Whips wanted, perhaps, but a necessary and worthwhile debate. I shall respond briefly to some of the comments about me and my new clause.

The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) said that he was sorry that he could not support me. Nevertheless, I enjoyed the rest of the speech. I note that he thinks that the new clause would not work; the same theme ran through other contributions. The hon. Gentleman put his finger on my key concern: the Bill, if enacted, is only the beginning of a process that will lead us ever further down the slope of one-sided concessions. He said that Sinn Fein-IRA do not work to a timetable. That is fair comment.

The hon. Member for Newry and Armagh (Mr. Mallon) wants the Bill left as it is, so that it can be used when the opportunity arises. That is a noble motive, but the hon. Gentleman failed to go on to explain what he meant by "opportunity". That is the problem that the new clause might address.

The hon. Gentleman argued that realism means that we must accept uncomfortable situations. I think that he was arguing that we must accept the Bill as it is, but the argument that realism requires us to do something could be used to justify anything. I would argue that realism means that some realities clash, and we must work out how to handle that. I am not sure that the Bill would do so satisfactorily.

The hon. Member for North Antrim (Rev. Ian Paisley) said that he would speak about harsh realities. What he said needed saying and always needs saying, however uncomfortable it makes us feel. Like it or not, what the hon. Gentleman says is the authentic word of an awful lot of people in Northern Ireland. That voice is one of the realities, and, like all the other realities, it will not go away. The hon. Gentleman pointed out that the war against Sinn Fein-IRA has never been fought. I pray to God that it never will be fought, and that we can find a different solution to Northern Ireland's problems.

The speech by the hon. and learned Member for North Down (Mr. McCartney) was one of the best that I have heard him make. I wish that every member of my party had been in the Chamber to listen to his analysis of the real situation. He said that the Bill is nonsense, and initially I thought that my clause might make it less so. I agree with his assertions that there never was a peace process, and that the framework documents equal a united Ireland. I also agree with his claim that decommissioning will never occur.

[Mr. Wilshire]

The hon. and learned Gentleman made only one point with which I did not concur. He said that he was telling a fairy story, but those stories have happy endings, and I am afraid that this tragedy will not fall into that category.

I am sorry that the hon. Member for Clydebank and Milngavie (Mr. Worthington) singled me out for attention: I do not think that I deserved all his criticism. He described new clause 1 as surreal. He may find it so, but I assure him that it is in order—I hope that he has noted that fact. He is unhappy about the 12-month delay, but I dealt with the matter as best I could. Although it introduces a delay before the concessions cut in, nothing in my new clause says that decommissioning cannot happen during the 12 months. It states only that there will be no concessions until there is proof that everything is for real.

My right hon. Friend the Minister described the Bill as a first step. However, I ask, as gently as I can: without my improvements, who knows what direction those steps will take? He said that we need parallel decommissioning. As I have said before, I oppose parallel decommissioning. I have always supported decommissioning at the outset so that people will sit around the table as democrats together. He said that a new ceasefire must be genuine. How will we know that? We were told that the last one was genuine. My new clause tries to provide a means of testing the sincerity of the ceasefire.

If I understand my right hon. Friend's analysis of my new clause correctly, I suspect that he has rumbled me. In the circumstances, the best I can do is muster as good a grace as possible, and beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 3

METHODS OF DECOMMISSIONING

Mr. Wilshire: I beg to move amendment No. 1, in page 2, leave out line 10.

I shall try to be brief. The amendment simply seeks to delete one of the four ways in which decommissioning can occur. I support—as I suspect all hon. Members do—the first three methods. I have no difficulty supporting the contention that weapons can be decommissioned by giving them to the commission. That makes enormous sense; we have been arguing for such a handover for a long time.

The second method of decommissioning is to put weapons and explosives somewhere that the commission can find them. It achieves the desired result by putting the weapons and explosives in the hands of the commission, and I support it. The third means of decommissioning is for someone to tell the commission where it can find the weapons and explosives. I have no difficulty with that method, because the arms and explosives will end up in the hands of the commission. Those three methods make sense and achieve the desired result: a party removed from this sorry mess will take possession of the arms and explosives.

However, given the events that have occurred in the interval between the Committee stage and tonight's debate, I am afraid that I cannot support the fourth method of decommissioning, which says that it is acceptable for the terrorists to destroy the weapons and explosives. That cannot be right. Given the lack of faith, the twisting and turning, and the murder and mayhem, how can we swallow the notion that Sinn Fein-IRA may simply ring up and say, "We've got rid of them," and that they will then receive all the protection that the Bill offers? There must be independent verification.

The fourth method of decommissioning represents an enormous loophole. I am not a lawyer, but I can anticipate the defence that will be offered against criminal prosecution. A terrorist who is being pursued and who knows that he will be caught might dismantle his gun or defuse his explosives and say, "I have just decommissioned them. It says in the Act that I have destroyed them, and so you cannot use the weapons that you have caught me with as evidence. You cannot carry out tests on the gun that I have dismantled because the Act says that you cannot do so. There is no evidence and I am immune from prosecution." That is an appalling loophole and I hope that the Minister will at least reassure me about that point if he cannot fix the serious weakness in the Bill.

If we are to have decommissioning, the arms and explosives must end up in the hands of the commission. We cannot, and dare not, rely on the claims of Sinn Fein-IRA as to what they have done with the weapons without seeking proof.

Rev. Ian Paisley: I support the comments of the hon. Member for Spelthorne (Mr. Wilshire). He has touched on an important point: why should those who unlawfully possess murder weapons have the right to destroy them and then claim amnesty? That is not reasonable. The hon. Gentleman offered a vivid example of a known terrorist, who is about to carry out an act of terrorism or has just committed one, legally destroying his weapons under the Bill. That leaves the door wide open and I believe that the Government should withdraw the paragraph altogether.

We are talking about an unlawful organisation that has carried out some of the vilest murders in the community and has shown no signs of repenting. Why should it be judge and jury and settle its affairs as it likes? That is what the IRA wants to do. The hon. and learned Member for North Down (Mr. McCartney) referred to the blockage in its thinking: the IRA is not prepared to allow a lawful authority to deal with its unlawful possessions and deeds.

Mr. Maginnis: I wish to add to the comments of the hon. Member for Spelthorne (Mr. Wilshire). My party also has considerable difficulty with the words of clause 3(1)(d), for the reasons that he outlined. It is not for me to put words into the Minister's mouth, but I urge upon him the hon. Gentleman's interpretation. Even if the word "verifiable" were added to the clause, it would not be good enough.

Will the Minister give a firm reassurance that a verifiable process means a structured rather than a spontaneous process? If the paragraph is to remain in the Bill—we would support the hon. Gentleman's amendment in a vote—will the Minister assure us that there will be a proper, well-defined, verifiable process, which is structured rather than spontaneous?

Mr. Robert McCartney: Although I agree entirely with the thrust and intention of the amendment, I am not entirely certain that the amendment and the Government's intention in drafting clause 3(1)(d) are necessarily at odds.

The destruction of weapons by the persons in unlawful possession of them is different from the evidence of such destruction. For example, if terrorists were in possession of a number of kalashnikov rifles, and if those weapons were provided to the commission with their barrels completely bored out or twisted beyond recognition, one could say that they were effectively destroyed, and destroyed by the persons in unlawful possession of them. That is completely different from the evidence of such destruction.

7 pm

I say this off the cuff, as it were, but perhaps clause 3(1)(d) should be amended to read, "destruction by persons in unlawful possession, and such destruction to be evidenced to the satisfaction of the commission". Not only would the weapons have to be destroyed, but evidence of their destruction would have to be such as to satisfy the commission that it had taken place. For example, it might be decided—as was done in Russia—to run a steamroller over certain pieces of equipment and thereby totally destroy them. I do not care who destroys them, provided evidence of their destruction is available to the commission.

I suggest to the Minister that clause 3(1)(d) be amended to read, "destruction by persons in unlawful possession, and such destruction to be evidenced to the satisfaction of the commission or such other verifying body."

Sir John Wheeler: I am again grateful to my hon. Friend the Member for Spelthorne (Mr. Wilshire) for raising this issue. Allow me to return to the reason for this part of the Bill.

Paragraph 44 of the Mitchell commission report, to which my hon. Friend referred, specifies four possible ways of dealing with firearms, explosives and ammunition. It acknowledges that those ways are by no means exhaustive, but in a desire to reflect the report's recommendations, we may have made clause 3 require a decommissioning scheme to make provision for one or more of those specified ways while still allowing the scheme to make provision for other methods, if required. In practice, a variety of methods might be needed, because the circumstances of where the munitions may come from will vary—the location and so on.

Amendment No. 1, proposed by my hon. Friend, and commented on and supported by others, would remove from the list of methods of decommissioning the one whereby those unlawfully in possession of weapons may destroy them. That method is, the Government believe, the one most likely to encourage terrorist groups to decommission. It is important for the House to remember that for that method not to be included when it was included in the Mitchell report itself would send the wrong signal to those whose confidence we wish to build in the direction of decommissioning.

I sense that the House is really asking me to give an assurance that it is not the Government's intention that that method should be carried out unsupervised. I can give the House that assurance. There would be no point in sending a note to the Northern Ireland Office to say that the Semtex has gone, it has been buried deep in the ground, lost at sea, or anything of that kind. That would not do. There is no question of any disposal under this method being unsupervised.

Mr. Wilshire: Will my right hon. Friend give way?

Sir John Wheeler: I shall develop my point a little more, and then see whether my hon. Friend still wants me to give way.

The Government envisage that a member, or members, of the commission to be appointed will be present to verify the destruction of weapons, Semtex and other munitions. It is through that verification process that public confidence in the decommissioning process can be built. The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) made the point that the verification must be credible.

Mr. David Trimble (Upper Bann): We are greatly encouraged by what the Minister has just said, but will he go just a little further and give the House an assurance that any decommissioning scheme that the Government introduce will contain clear, comprehensive provisions for the sort of verification that he has just mentioned, and that it will be clear in the terms of the scheme that such verification will take place?

Sir John Wheeler: I understand what the hon. Gentleman is seeking. I remind the House that, in the event of the decommissioning process succeeding, it will involve the Government of the Republic of Ireland, who are enacting similar legislation to that before the House this evening. Their proposed legislation has had its Second Reading, and I understand that they will continue with the scrutiny of their Bill before the end of this month.

The commission to be appointed must command the support and confidence of both jurisdictions, but I can go so far as to say, to satisfy the hon. Member for Upper Bann (Mr. Trimble), that there can be no point in this process unless there can be verification. The purpose of establishing the commission, which will operate in two separate jurisdictions—within the territory of the Republic of Ireland and the United Kingdom—must be to ensure that the decommissioning is genuine, and that it can be publicly ensured.

I am confident that when the commission is established, part of the requirements of its work, to be agreed by the two Governments and no doubt approved by the House, and the talks process, must be that it has firm instructions as to how it will carry out supervision, and report to the public and others with an interest how it has verified the destruction and disposal of the weapons and munitions. I hope that that satisfies the hon. Gentleman and the House as a whole, because it is an important point.

I make one other point. Disposal by that method, if it should occur, would have to be undertaken in a way that was safe to the public interest in either jurisdiction. That burden would also fall to the commission, so it would have a serious task to perform if we were to be at the happy stage of expecting decommissioning to take place.

I hope that I have been able to satisfy the House and that my hon. Friend will feel able to seek the leave of the House to withdraw his amendment.

Mr. Wilshire: It occurs to me that the argument advanced for not deleting the fourth requirement is powerful. If the requirement is in the Mitchell report, its presence in our legislation makes some sense to me.

[Mr. Wilshire]

I listened with some interest to the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), who offered me one word—"verifiable". I suspect that that is the schoolteacher in him. He wishes to keep it simple. Then I heard the lawyer, the hon. and learned Member for North Down (Mr. McCartney), offer me more words than I could write, because of my lack of shorthand. He offered me those words to achieve the same result, that of qualifying the fourth requirement and guarding against the very thing that worries me.

Would my right hon. Friend the Minister be willing to think further about the wording that has been suggested by the hon. Member for Fermanagh and South Tyrone and that suggested by the hon. and learned Member for North Down before the Bill goes to another place?

Sir John Wheeler: Yes, of course. I shall take from the debate my hon. Friend's urgings and the sense of the House as I perceive it to be. I shall do my best to ensure that the concepts that have been discussed are built into the process that we shall have to contemplate when and if a commission is established to supervise and verify the destruction of weapons and munitions.

Mr. Wilshire: I am grateful to my right hon. Friend. I judge from hon. Members' nods that his response has probably satisfied the House. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 7

THE COMMISSION

Mr. Wilshire: I beg to move amendment No. 2, in page 4, line 10, leave out from 'State' to 'may' in line 11.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss amendment No. 3, in page 4, line 13, leave out from 'State' to 'may' in line 14.

Mr. Wilshire: The amendments leave out the phrase:

"after consulting the Minister for Justice of the Republic of Ireland".

I cannot believe that I am alone in the House in being amazed that a sovereign Parliament is being asked to enact legislation relating to an integral part of its sovereign territory that requires one of the Queen's Ministers to go cap in hand to a member of a foreign Government before we do something. I know that we have had problems with our sovereignty in relation to Brussels, but whatever we might think about that, the issue has not become so bad that we should write into legislation a commitment to go cap in hand to the Dublin Government before we take certain actions in our own country.

If that were not bad enough, the Minister in the Dublin Government to whom we must go is the very Minister who has let out of prison this week someone whom the German authorities want to interview for terrorist activities. I am against the principle of going to a Minister in the Dublin Government, and I am against the Minister who has been selected to have something of a say in our affairs.

It may seem that I am raising a small point. It may seem also that I am being unhelpful, as the hon. Member for Lewisham, West (Mr. Dowd) implied a while ago. I see, however, the start of a slippery slope. First, the Secretary of State must consult. When we next have to legislate, he will have to seek permission. After that, we shall have to seek the permission of the Dublin Government and the involvement of a supervisory joint body. I am raising more than a small point. Indeed, we are facing the thin end of a wedge.

Mr. Worthington: Everyone seems to assume that the great majority of the armaments that we are discussing are within the Republic, and that we should be seeking to get the full co-operation of the Republic for there to be decommissioning. How can that occur if there is not consultation, which should be built upon so that we might get rid of weaponry throughout the island of Ireland?

7.15 pm

Mr. Wilshire: The purpose behind the amendments is not to forbid consultation. My objection to the Bill is that it fetters the sovereignty of this Parliament by placing a requirement on the Secretary of State to go cap in hand to a foreign Government. Any Secretary of State worth his or her salt will consult, but to introduce a statutory requirement to consult is to begin to concede that Northern Ireland is somehow not a proper part of the United Kingdom. I cannot go along with that. I am sure that the requirement is not necessary, and on that basis I hope that my right hon. Friend the Minister will be able to tell me that common sense will break out, discussions will take place and the requirement will not have to be set out in the Bill.

Mr. Trimble: I support the amendment. If the Bill, when enacted, is to be effective, that will require co-operation. Indeed, it will require an agreement to be made between Her Majesty's Government and the Government of the Republic of Ireland even to establish the commission. No one wishes to exclude co-operation that will bring about the decommissioning of terrorist weapons. We want, of course, to see all such weapons removed.

I am concerned about the references to consultation with the Minister for Justice of the Republic of Ireland because we are in danger of bringing about a situation in which the Secretary of State will not be able to act. He will not be able to bring legislation into force if there is not that consultation or if the consultation is not effective. It might be possible for a future Minister for Justice of the Irish Republic to stultify the operation of the proposed legislation that is before us.

We must—especially as there are elections pending in the Republic of Ireland—take into account the possibility that we might find ourselves with a Government who will not be co-operative in the way that we now expect.

Rev. Ian Paisley: The hon. Member for Spelthorne (Mr. Wilshire) has raised an important issue. Has the Minister been consulted about the Bill that is now before the Dail Eireann? Is there a reference to consultation in that Bill? Does that Bill refer to the Secretary of State for Great Britain and Northern Ireland? Is that term used in the Bill?

Let us get things straight. We had the southern Republic refusing at the time of the Anglo-Irish Agreement to give the United Kingdom its proper term. I have had to fight the issue in Europe. The Eire Government want to refer only to the United Kingdom and not the United Kingdom of Great Britain and Northern Ireland. What is the reference in their Bill? If a reference to the United Kingdom of Great Britain and Northern Ireland is not in their Bill, why should we have the requirement to consult in the Bill that is before us? If the Eire Government are not prepared to recognise our proper jurisdiction and description, we should not have to consult them.

Mr. Robert McCartney: I am sure that the hon. Gentleman will recollect that when the Anglo-Irish Agreement of 1985 was signed, there were two forms, one signed by the United Kingdom Government, which was an agreement between the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic, and one signed by Dublin, which was between the Government of the United Kingdom and the Government of the Republic. I take it that that is the point to which the hon. Gentleman alludes.

Rev. Ian Paisley: That is the point, and it is an extremely important one. In Europe, a subtle change was introduced under the Irish presidency on one occasion. It was only after representations were made to the President that it was reversed. We joined the European Union as the United Kingdom of Great Britain and Northern Ireland. Thereafter, there was a reference to Great Britain only, followed by a reference to the UK. The final part of the UK's description was omitted. As I have said, the hon. Member for Spelthorne has raised an important point.

Is it not the first time in British history that a Minister of another regime is written into our legislation—a reference that has the effect that our Minister can do nothing until he first consults that foreign Minister? Who will prove that we have consulted him? Will the Minister of Foreign Affairs of the Republic of Ireland have a right to tell a British court, "I am supposed to be consulted, but I was not"?

Such a scenario is where this provision—which was formulated by Irish civil servants—will lead us. We have seen posters showing people with demon eyes. I have sat at the talks and looked at the whites of those boys' eyes, and they have demon eyes. Some of them would do Loyola and the Jesuits credit, because they know every way in which to try to put a dagger in the back of the Ulster people and of the United Kingdom. The Minister needs to tell us what we are trying to do.

Mr. Robert McCartney: The suggestion seems to be that consultations with Ministers of the Republic of Ireland, and particularly with their Minister for Justice, are necessarily beneficial. Earlier in the debate, the hon. Member for Spelthorne (Mr. Wilshire) alluded to the recent matter of the extradition of Mr. Lowry, who is wanted by the German Government in connection with the post-Canary wharf, post-ceasefire outrage at the British base in Osnabrück. Although somewhat belatedly, the Irish Government signed the European convention on the suppression of terrorism, and they did so knowing that the convention's function was to ensure that terrorists are provided with no hiding place in the territory of European Community member states—each of which, to achieve membership, must have been defined as a democracy, not a police state, which operates under the rule of law.

Dr. Godman: What does the hon. and learned Gentleman make of the claim made by the Minister for Justice that no extradition treaty exists between those two member states of the European Union? Are not the Government of Germany as responsible for the situation as the Government of the Irish Republic?

Mr. McCartney: I take that point on board. However, if the purpose of the convention was to ensure that terrorists should find no hiding place in the Community, all the signatories must have realised that their domestic law would have to be modified by agreeing a treaty, or by agreeing that the convention itself provided sufficient legal authority to achieve the convention's intent. Is it not passing strange that the Irish Government, since 1987, after signing the convention and realising its purpose, have failed to make any modification of their internal law or to alter their relations with Germany to effect the purpose of the convention?

Rev. Ian Paisley: Will the hon. and learned Gentleman give way?

Mr. Deputy Speaker: Order. As far as I can tell, the amendment is not about extradition arrangements between the Republic of Ireland and Germany.

Mr. McCartney: I am dealing with the broad principle of consultation and the issue of whether it is a good idea to consult someone about whose bona fides one has an element of doubt. However, I take on board entirely your suggestion, Mr. Deputy Speaker, that I may have strayed beyond the bounds of strict relevance.

It is curious that it should be necessary to consult the Republic's Minister for Justice on a decommissioning scheme for arms found in Northern Ireland. Clause 8, which provides for arms in England, Wales and Scotland, does not require a similar consultative process. Is that because—as I said earlier in the debate—Northern Ireland is not considered a bona fide, real and first-class member of the United Kingdom of Great Britain and Northern Ireland, thereby making consultation with the Irish Government necessary? Is consultation necessary on arms in Northern Ireland, but entirely unnecessary on arms in a first-rate member of the United Kingdom, such as England, Scotland and Wales?

Mr. Maginnis: I am anxious not to contravene your reminder to stay close to the subject, Mr. Deputy Speaker. However, as we are discussing the role of the Irish Republic's Minister for Justice, I should say that—irrespective of which treaty or arrangement the Irish Republic willingly enters into—primacy rests in that state's constitution.

In 1985, that fact was demonstrated in the Anglo-Irish Agreement. I was party to a challenge, in their own supreme court, to the Government of the Irish Republic. The senior judge in that court ruled that the status of Northern Ireland—which the Irish Republic stated that it would respect—was not defined, and carefully not defined. When we have to deal with wordsmiths who can concoct language, which is always secondary to the

[Mr. Maginnis]

constitution of the Irish Republic, we have to be aware and wary of what is intended. Before you remind me, Mr. Deputy Speaker, I shall sit down.

Mr. McCartney: I do not want to incur your wrath, Mr. Deputy Speaker. However, on the issue of consultation with the Irish Government, my experience has been that virtually no extradition warrant on which they have been consulted has ever been successful—the papers have been lost or the name or address of the wanted person has been wrong. Inevitably, a technicality has been found to refuse the warrant, which is why I have reservations about the value of consultation.

Sir John Wheeler: I am again grateful to my hon. Friend the Member for Spelthorne (Mr. Wilshire) for enabling the House to have such an ingenious and interesting debate. I hope that I shall be able to satisfy hon. Members who have spoken in the brief debate on the amendments.

The Bill's provisions have been carefully constructed in co-operation and consultation with the Government of the Republic of Ireland because we realise—as I am sure that the House does—that, to achieve success, decommissioning must take place in both the north and south of the island of Ireland. We also realise that, on 28 November, when the two Governments announced that they had agreed in parallel to establish an international body to facilitate decommissioning—

Mr. Roy Beggs (East Antrim): May I ask the Minister, to satisfy those of us within the Unionist community, to use the term "Northern Ireland" instead of "north and south of Ireland", which contains many incorrect connotations?

Sir John Wheeler: I acknowledge, of course, that Northern Ireland is part of the United Kingdom; that is beyond dispute. I am happy to give the hon. Gentleman that assurance.

As currently drafted, clauses 5, 6 and 7 do no more than provide for a continuing and essential joint approach to the problem of decommissioning. The Bill provides for the two Governments to consult on the timing of commencement of clause 7.

The equivalent provision of the Government of the Republic of Ireland's decommissioning Bill requires consultation with the Secretary of State before it comes into operation. I have a copy of that Bill and I quote from clause 3(1):

"The subsequent provisions of this section shall come into operation on such day as the Minister"—

meaning the Minister for Justice in the Republic—

"after consultation with the Secretary of State, may for the purpose of enabling the agreement to have full effect, by order appoint."

I can further assure the House that in the Republic's Bill

"'Secretary of State' means a Secretary of State in the Government of the United Kingdom".

Several hon. Members *rose*—

7.30 pm

Mr. Maginnis: That illustrates better than I could have hoped my point about ambivalent language. There is no such thing as "the Secretary of State". There is a Secretary of State for Defence, a Secretary of State for Northern Ireland and a Secretary of State for Scotland, but there is no such thing as "the Secretary of State". That is an example of the disingenuous language of Dublin's wordsmiths. I need say no more.

Sir John Wheeler: There is, at least in the lifetime of this Parliament, a Secretary of State for Northern Ireland. What there will be in any future Parliament depends on the will of any future Prime Minister and the structure that the House chooses.

Rev. Ian Paisley: The measure refers to the United Kingdom and not the United Kingdom of Great Britain and Northern Ireland. That is the legal term. Our coinage depicts the Queen of Great Britain and Northern Ireland. Let us get the matter straight. It is an example of the evil skulduggery of Dublin and we are right to raise the issue. Dublin is always after the same thing. The Irish Government would not allow us to describe their country as the Irish Republic. It would be impossible to get that on to a document. It has to be the Republic of Ireland, but it is not; it is the Irish Republic. The Irish Government certainly do not govern all Ireland, but if we described their country as the Irish Republic, they certainly would not put that title in their law, but by hook or by crook they will get their knife into the Union.

Sir John Wheeler: I am not sure how to respond to that intervention. However, as far as I am concerned, we are the United Kingdom of Great Britain and Northern Ireland and I refer to the Republic of Ireland when I refer to that country.

I have explained what is in the measure to be laid before the Parliament of the Republic of Ireland, the provision for consultation and what it means. The consultation is just that. It does not give one Government a veto over the affairs of the other or constrain their actions, but joint action is the only sensible approach. Unless we proceed together as two countries, we shall not achieve our aim of establishing a joint strategy basis for decommissioning terrorist arms wherever they may be. That is the purpose of the clause, and I hope that, having heard my remarks, my hon. Friend will feel able to withdraw the amendment.

Mr. Wilshire: At the start of the debate I assumed automatically that there would be no question but that I would withdraw the amendment. However, the debate has taken on a slightly different complexion.

First, let me address the point raised by the hon. and learned Member for North Down (Mr. McCartney) about the value of consultation. In all fairness, having heard the debate, I should put it on record that I was attacking the office of Minister for Justice in the Republic. I have known Nora Owen, the current postholder, for a long time and I should make it clear that I was not casting any slur on her, but was criticising the office of the Minister for Justice in the Republic. As the hon. and learned Gentleman said, when people take on that role, something seems to happen to them, and they take strange decisions.

I am not impressed by the argument that, because the Republic's Bill referred to us, it must be right. If the Government of the Republic want to get involved, let them rejoin the Union. That would be one way in which they could talk to the rest of us. I certainly do not buy the notion that somehow two wrongs make a right.

My right hon. Friend the Minister sought to reassure us by reading out those words from the Republic's Bill, but that turned an otherwise pleasant, brief debate into a fundamental issue. The reaction of the House spoke volumes. We did not need to hear what was said; we could see the rightful anger that was generated at that moment.

Rev. Martin Smyth (Belfast, South): Does the hon. Gentleman agree that that anger has existed for a long time, but it has intensified because there is no evidence that our Government are arguing that very point? Some years ago, at the Inter-Parliamentary Union in Ottawa, delegates from the Irish Republic did what they have tried to do in Europe. By majority voting, they changed the title of United Kingdom of Great Britain and Northern Ireland to the United Kingdom because they had a political axe to grind. Does the hon. Gentleman share our concern that representatives of the United Kingdom of Great Britain and Northern Ireland do not appear to have the same determination to maintain our integrity?

Mr. Wilshire: I understand the hon. Gentleman's point. I hope that, over the past few years, I have made it quite clear, at least to him, that I understand his concerns and I am prepared to speak up for them.

My right hon. Friend sought to reassure us by quoting those words, but he did the exact opposite. They were weasel words. If anyone had any doubt, they laid bare exactly what the Dublin Government get up to whenever they get involved in the subject.

If I am being asked whether I will withdraw the amendment because I am reassured, I can say that I am not reassured and I will not withdraw on those grounds. However, I am prepared to consider withdrawing it because I am a realist. On the basis that there is not the slightest chance of the amendment being carried by the House, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Ottaway.]*

7.37 pm

Dr. Hendron: I had not intended to make this point, but I found the last 10 minutes of the previous debate rather amusing. Occasionally, I spend a weekend in Donegal, which is in northern Ireland. I realise that it is not in the state of Northern Ireland, but it is definitely in the north of Ireland. No member of my family feels that we are visiting a foreign country. I shall not bore the House by explaining that there are two traditions in Northern Ireland as hon. Members know what I mean.

I listened carefully to the debate in Committee and on Report, and I am sure that I shall say nothing new. I have listened carefully to all the arguments and I shall make only a couple of points.

All hon. Members, and 98 per cent. of people in Northern Ireland, want peace and want the gun out of Irish politics permanently. The hon. Members for Spelthorne (Mr. Wilshire) and for Fermanagh and South Tyrone (Mr. Maginnis), and the hon. and learned Member for North Down (Mr. McCartney), spoke about the role of the Irish Republic. I remind hon. Members that, when the Irish Government had the presidency of the European Union, they were present daily at Stormont castle to participate in the peace process.

A Bill similar to this is going through the Dail Eireann. I do not know whether it has become law yet, but as an act of good will the Irish Government showed the Ulster Unionist party the proposed legislation, at that party's request. The hon. Member for Fermanagh and South Tyrone accepted that it was a stronger Bill than this one. Aspects of it have been used in this Bill, but I shall not pursue that point because I am not sure of the details.

The Bill would not be before the House if we had not had the Mitchell report. The same applies to the Bill going through Dail Eireann. The purpose of both Bills is to implement that report. As other hon. Members have said, decommissioning is a voluntary exercise. When peace comes to Northern Ireland—I believe that it will come—it will not be at the end of a gun. Perhaps those of us who hope for peace are naive. I accept the point made by several hon. Members, including the hon. Member for North Antrim (Rev. Ian Paisley) that the more we give, the more those people want. Those are not his words, but that is the implication of what he said. Somewhere along the road, a line has to be drawn in the sand to say that enough is enough. However, it can only be right to try to draw in those involved in violence, who are part of a tradition going back centuries—that historical fact is an important point.

I have spent a lifetime in west Belfast, which has seen more violence than any other part of these islands, Britain or Ireland—I do not care how anyone wants to define the United Kingdom or the Republic of Ireland. I have seen more than most of the violence and, wearing my medical hat, the suffering of families. The Catholic, nationalist people of the Falls road and the Protestant, Unionist people of the Shankhill road hope for peace. I link myself with them when I say that we cannot afford to stand on some sort of moral high ground, saying that we shall not speak to A, B or C. We want peace. It can only be right to try to involve the people who are involved in violence, as part of a tradition that goes back centuries.

There is no excuse for violence, even though it is a tradition in the island of Ireland. The despicable recent attack on the children's hospital in the Falls road—the main regional hospital for Northern Ireland—happened in my constituency. The IRA attempted to murder the colleague of the hon. Member for North Antrim, or bodyguards, or both. That was a despicable act and did not seem like the behaviour of an organisation that was supposed to be talking peace. I certainly have a problem with that. Then, the other evening—I think that it was the evening before yesterday—there was a mortar attack in Andersonstown. An elderly couple were held hostage and an attempt was made to murder members of the security forces.

The strange fact is that the people who talk peace—I refer to the paramilitaries and their representatives—in addition to attempting to take life, are bringing soldiers on to the streets of my constituency. In so doing, they are ensuring that there will be many house searches. It is ironic that the organisation carrying out the violence thereby brings security forces on to the streets, causing more searches. The people in many housing estates resent those searches, but they do not seem to appreciate that the fault lies with the Provisional IRA.

[Dr. Hendron]

The Minister referred to a settlement and to democracy. I have nothing new to say on the subject, but I should like stress that that is what the talks in Castle buildings are all about. That is why we had an election last May. Some of those who wanted that election are now saying that we can postpone the talks until after the next election. The people of the island of Ireland—including the Irish Government—especially the people of Belfast, want those talks to succeed, but for them to be total and inclusive, Sinn Fein must be present.

No hon. Member is better qualified than I am to put a question mark against the credibility of an IRA ceasefire, should one come about. We cannot judge the IRA by its words, but we judge it by its deeds. No one else—not this Government or the Irish Government—will know whether a ceasefire is credible. I accept that several murders took place during the last ceasefire. They were so-called drug-related murders—a term that I would not normally use. They were committed by the IRA. The Northern Ireland Office was slow to put the blame where it rightly lay, as were the Irish Government. I assume that they were hoping that the IRA and the republican movement would go down the road of democracy. I understand that, but it was the IRA that carried out those murders. Recently, in the heart of my constituency, a young man was tied upside down and had his legs broken, again for some so-called crime.

If a ceasefire is called, I, perhaps more than most, shall certainly put a question mark against it, but I still want the IRA to call one. Only time will tell whether it is serious. A ceasefire relates not just to soldiers and police. It concerns the communities of west Belfast and far beyond. It is to do with community control—a subject that others referred to earlier and which I could go on about for hours. It is to do with beating young people and with vigilante groups. When a ceasefire is called—it may be called before the election—instead of standing on some sort of moral high ground and saying, "We will not talk to them," people should say, "Let's see what is going to happen." Only time will tell. We shall have to judge the IRA by its actions, not by its words.

7.46 pm

Mr. Maginnis: As we come to the conclusion of the debate, we are, I suspect and hope, considering the Bill in the certain knowledge that IRA-Sinn Fein form an irredeemable organisation, inexorably wedded to a strategy of violence that is intended to take them through to the next millennium. On that basis, many will wonder whether the Bill is a waste of time. During the past quarter of a century, normal society has had to endure not just violence, but the propaganda and the justification of that violence nationally and internationally.

Throughout the world, the constant barrage of such propaganda has unfortunately fixed in the minds of some the concept of freedom fighter versus occupying force. We must constantly grapple with how best to show that that is not the case. It is essential that the Government and society have formal legislative measures in place to demonstrate effectively that we are a democratic society and that, as President Clinton said when he visited Belfast late in 1995:

"Violence has no place at the table of democracy and no role in the future of this land."

If we use it to press home that point, the decommissioning legislation can convey the message that Northern Ireland is an integral part of a sophisticated democracy that has in place the means whereby men and women of violence can recant and come in from the cold. To protect innocent members of society, it will of course be necessary for the Government to continue to meet force with force. Let there be no doubt or equivocation about that. Terrorists must never be in doubt that they will face the full and unrelenting rigours of the law. At the same time, however, we must be able to show that there is prepared and ready a safe and privileged path along which today's terrorist can pass with impunity into the democratic mode. That will help to refute his assertion that he is in any way denied an alternative to the course that he has previously chosen in defiance of the expressed will of the greater number in Northern Ireland.

Whatever the response, what we are in the process of enacting today must not be seen as the property of the terrorist—something to be pigeonholed until he decides to respond. Instead, it must be employed as another weapon in the arsenal of democracy to be used unrelentingly to diminish the propaganda of the terrorist.

Like many in this House, I am jealous of the integrity of what I call my Britishness. I do not believe that other nations have any right to interfere in our internal affairs, but on the other hand I hold the view that our international friends have an obligation to us—and we to them—in times of trouble and distress. I wish that I could be convinced that those who live to the south of me were my international friends.

On such a basis, we have considered a Bill that allows the Government to invite people of international reputation and such technical skills as will be required to participate in the disarmament of the terrorist process, and we must use our openness to involvement by others to our best advantage.

Like others here, I do not believe in deals with terrorists. I hope that the Government learnt a salutary lesson between 31 August 1994 and 9 February 1996. They should now know that working assumptions that fly in the face of reality and ignore informed advice can only end in tears. That must never happen again. Since our society accommodates each individual on the basis of their willingness to abide by its norms, neither I nor anyone else has the right to preclude someone from either making that choice or making a positive adjustment. Disarmament must be a prerequisite of such a metamorphosis.

The issue of retribution must of course arise, for heinous crimes have been committed. Where the perpetrators can be brought to justice through the courts, that must be done and be seen to be done. We must never equivocate on that. Where that is not possible, and if the alternative to be accepted is the orderly and verifiable disarmament of terrorists, so be it. In the practical interests of the law abiding and the vulnerable in society, whom we represent in this place, every viable and justifiable avenue towards peace must be open. That, it must be understood, is the purpose of what we are attempting to enact today, and every aspect of what my party deems to be the Bill's purpose must be understood and implemented if we are not to make a mockery of this place.

The Bill must never be seen as a sop or an accommodation to the evil men of violence. It has to be the property, a bulwark and a defence of the most vulnerable in society. It must be what decent people can expect and hope to achieve—never what the terrorist, or indeed any inherently disingenuous Dublin Government, will permit.

7.54 pm

Mr. Worthington: I should like to raise a particular point and make some general remarks. The particular point is that, in Committee, we tabled an amendment and I should like to invite the Government to respond to it. As I said in a previous debate, the issue involves some imagination—that a decommissioning scheme was in place, that there was therefore a ceasefire, and that what we have been talking about today went forward satisfactorily.

I am sure that the great majority of people would be very unhappy if the police and security forces were about to make an arrest, or detect somebody for the commission of a crime, and the person's get-out was the decommissioning of their weapon. That scenario need not necessarily concern a terrorist offence; it could concern a criminal offence involving the use of guns or weaponry. The person might sense that the police were about to move in and that the evidence of the weapon would be crucial to detection. It would not be satisfactory for the person simply to say, "I wish to decommission that weapon." I would like the Government's response to that point.

I should like to follow along the lines of the speech of the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis). Since we debated these matters in Committee, there have been no grounds for optimism. When we debated these issues on 17 December, there was a sense of unreality, which has certainly increased since. I am sure that images of events over the recess have stayed in hon. Members' minds, as they have in mine. The realisation that there are thugs around who are willing, even eager, to let loose automatic fire in the vicinity of an intensive care ward for newly born children has been referred to. No political goal can justify such behaviour. We were similarly appalled by the 1,000 lb bomb in the grounds of Belfast castle near a wedding reception, where the destruction would have been random.

It is clear that the IRA has been trying to provoke a full-scale resumption of hostilities. It must not succeed. I commend all those who have used their influence to stop the decline into a full-scale onslaught. The crucial point, of which we must not lose sight, is that, at the moment, a framework is in place on which a genuine peace process and a negotiating process can be built. It includes an independent chair, the backing of the two Governments, and negotiating teams who represent a great majority of the people in Northern Ireland. It has taken a great deal of effort to reach that position, and it must not be thrown away. It takes no effort whatever to go downhill to mayhem but, as the Minister knows, it has taken immense effort to crawl upwards to something near peace.

One of the most memorable parts of the Mitchell report was where Mitchell said that what was most needed was the decommissioning of mindsets. Unfortunately, in recent times, the dominant sound has been of the recommissioning of mindsets. Indeed, what Mitchell called

"the vast inventories of historical recrimination"

are reasserting themselves.

We ought to congratulate the police—I do not think that anyone else has—on their recent successes. It is clear that the IRA is disturbed by the improved information getting through to the police. We must give the security forces all the support that we can muster. No hope can come from the gunman: the only hope can come from the politicians. As the hon. Member for Fermanagh and South Tyrone said earlier, that means that the onus on the politicians is as strong as ever to show that they can make progress through negotiation. When I hear the hon. Gentleman and the hon. Member for Newry and Armagh (Mr. Mallon) debating in the House, I am convinced that they can find an agreement—I hope that that does not destroy their political careers—and that there is a solution that could command the support of the great majority of people. Efforts have to be redoubled to find points of agreement and obtain movement and progress.

It was clear that all members of the Committee felt uneasy about some aspects of the procedure. It is impossible to feel sanguine about the fact that the person who fired the bullets in the intensive child care ward would be able to decommission that weapon and that the evidence of that weapon could not be used against that person. No one could feel content about that, but we are pursuing a greater good in an attempt to take the gun out of Northern Ireland politics and to remove hideous weapons of destruction. There is a compromise, which the Bill embraces; giving up the evidence that the weapons would provide in return, for the knowledge that they will not be used for destruction, and for the contribution that decommissioning would make to the building of trust.

The Government were right to resist the amendments tabled by Unionists and Conservative Members that would have destroyed the idea of decommissioning as a voluntary step. It could not work if evidence from the weapons was to be collected and used. Mitchell concluded, and we agree, that arms decommissioning should not expose individuals to prosecution. Either we have voluntary decommissioning without the threat of prosecution or we do not have decommissioning. At the moment, decommissioning seems a long way away, but at least the Bill will put a framework in place if it ever becomes reality, and that is why we have supported it.

8.1 pm

Sir John Wheeler: I am grateful to the hon. Member for Clydebank and Milngavie (Mr. Worthington) for his words and I shall come at once to the point to which I undertook to respond on Third Reading when we considered the Bill in Committee. Of course I agree with the hon. Gentleman about the use of terrorist arms in evidence and the relationship between a decommissioning scheme and criminal proceedings. The way in which decommissioning will fit in with criminal proceedings when they have been instituted, or when the investigations of the police are well advanced, is indeed an important issue.

We cannot permit someone who is caught red-handed committing a crime to plead that any weapon in their

[Sir John Wheeler]

possession cannot be tested or used in evidence because when they pulled the trigger they declared they were engaged in the process of decommissioning. I undertook in Committee to seek to address that point when we come, in conjunction with the participants in the talks process, to draw up the details of the decommissioning scheme. There must be no room for criminals to abuse the scheme. Any such scheme will set out as clearly as possible the circumstances in which a person will be held to be acting in accordance with the scheme. Everything possible will therefore be done to minimise the possible mischief to which the hon. Member for Clydebank and Milngavie referred in Committee. I hope, therefore, that I have been able to give him that assurance: it is of course dependent on the future.

I am grateful to the hon. Members for Belfast, West (Dr. Hendron) and for Fermanagh and South Tyrone (Mr. Maginnis) for their contributions. I listened with great care to what they had to say. As has been said, this decommissioning measure is being considered against the backdrop of increasing tension in Northern Ireland and further and continuing terrorist acts by the Provisional IRA and others. They are to be deplored; there is no excuse for them. However, I share the satisfaction of the hon. Member for Clydebank and Milngavie at the success of the Royal Ulster Constabulary and others in the prevention of terrorist crimes. People are being arrested, people will be processed through the criminal justice system and terrorism will not win, but I apprehend that Northern Ireland and the rest of the United Kingdom will go through difficult times.

The Bill will provide a statutory basis for enabling detailed decommissioning arrangements to be put in place and ensure that there can be no delay or prevarication. The Irish Government share the determination of the United Kingdom to attain agreement on this most difficult and complex issue and to that end they have worked closely with us in preparing similar legislation, which will be put before their Parliament before the month is out and which will mirror clauses in the Bill.

Agreement on decommissioning would transform the prospects for political progress and I am in no doubt that it is achievable. The opportunity is there: I hope that in due course it will be taken. I commend the Bill to the House.

Question put and agreed to.

Bill read the Third time, and passed.

LIAISON COMMITTEE

Ordered,

That Mr. Matthew Carrington be discharged from the Liaison Committee and Mr. Barry Legg be added to the Committee.—*[Mr. Ottaway.]*

PETITION

Pontefract and Pinderfields NHS Trusts

8.6 pm

Mr. Jon Trickett (Hemsworth): Thank you, Mr. Deputy Speaker, for allowing me to introduce this petition. I am delighted to be able to introduce the petition, a part of which is being presented before the Table. It is a very large petition. The project manager for the trust merger accepted three months ago that more than 62,000 signatures had already been presented and three further months have now elapsed. It is a singular petition and has been signed by more than one in three adult citizens of the district of Wakefield. It also has the full support of the four hon. Members representing the Wakefield district.

I shall read out the petition:

The petitioners of the Campaign Group against the Merger of the Pontefract and Pinderfields NHS Trusts declare that the proposed merger of these trusts would have a detrimental effect on local health services. The petitioners, therefore, request that the House of Commons call upon the Secretary of State to reject any recommendation seeking approval of the merger of the two hospital trusts. The petitioners remain, etc.

I beg leave to present the petition.

To lie upon the Table.

North Korea

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ottaway.]*

8.7 pm

Mr. Harold Elletson (Blackpool, North): I am grateful for the opportunity to raise the subject of the Government's policy towards North Korea and to my right hon. Friend the Minister of State for agreeing to reply to the debate. It is appropriate that we should discuss Korea tonight, 200 years since the first contact between Britain and Korea and less than two weeks before the scheduled tripartite meeting between the two Korean Governments and the United States, at a time when uncertainty shrouds the intention of the North Korean leadership and unrest in South Korea attracts the world's attention.

Over the past six months, events on the Korean peninsula have thrown into sharp focus the very different destinies and prospects of the peoples of North and South Korea. They have shown the nervousness and instability that exists in much of south-east Asia because of the Korean situation and they have demonstrated the shock waves of destruction that might accompany the death throes of the North Korean regime.

North Korea is the world's last remaining Stalinistic dictatorship. It sits uneasily on the Pacific rim among tiger economies and emerging super-powers, frightened of their intentions and envious of their achievements. It glowers menacingly at its southern neighbour across the demilitarised zone, and at its old enemy to the east across the sea of Japan. To the north and west lie its former comrades, whose embrace of capitalism it watches with the bitterness of betrayal.

In the years that followed the Korean war, and with the development of a quasi-religious personality cult around the so-called "Great Leader" Kim Il Sung and a state ideology known as chuche—which means self-reliance, but is in fact a form of isolationism based around Stalinist command economics—North Korea isolated itself from the non-communist world, confident in its self-proclaimed position as the eastern forward outpost of socialism.

The shock of perestroika and an end to preferential trade relations with Russia and China—followed more recently by the death of Kim Il Sung—have left it more isolated, uncertain, unpredictable and uncontrollable than before. On 15 September, a North Korean submarine infiltrated a team of commandos into South Korea near the city of Kangnung. Their aim was to destroy military targets and to shatter the confidence of South Koreans in their Government's ability to deter threats from the north. It was a calculated act of aggression against a sovereign state that is one of Great Britain's major trading partners. Last year, South Korea accounted for more than £1 billion of our exports. The incident caused widespread concern about the true nature and intentions of the North Korean regime.

As a result of international pressure—including representations from my right hon. Friend the Minister of State—the North Korean Government agreed to apologise and to prevent the recurrence of such incidents. As my right hon. Friend said in reply to me on 13 January:

"the statement of apology . . . has led to a welcome easing of tension on the peninsula."—[*Official Report*, 13 January 1997; Vol. 288, c. 29.]

The Minister is right that the situation is now less tense.

There have been welcome developments in other areas, including attempts since the death of Kim Il Sung to persuade the leadership in Pyongyang to co-operate. The Korean Energy Development Organisation managed to sign a protocol with North Korea about its nuclear installations, and the United States signed a bilateral agreement freezing the development of nuclear weapons by North Korea. The fundamental problem has not gone away, however, and I cannot help thinking that in the very near future we face some serious challenges. Indeed, the very fact that North Korean Radio's version of the leadership's apology for the submarine incident was that South Korea had been made to apologise by the Americans shows Pyongyang's contempt for the concerns of the international community.

There are two issues that worry me most about the current situation. The first is North Korea's military strength and its political psychology; the second is its dire economic predicament and the threat of a sudden political implosion in Pyongyang. North Korea possesses an abundance of weapons of mass destruction. Its Scud B and C missile units deployed in hardened facilities 50 km from the demilitarised zone could reach Seoul and other targets in the southern half of the peninsula. It also took delivery recently of a Soviet-made SS21 missile from Syria and has been trying to reverse-engineer the missile's guidance package. Its No-Dong 1 ballistic missile has a projected range of 1,000 km and is now ready for deployment, giving North Korea the ability to hit targets throughout the south and also in most of Japan. Work is continuing on the Taep'o-Dong 1 and 2 missile programmes, with ranges of 1,500 km and 4,000 km, respectively. Despite the agreement with the United States to freeze its nuclear weapon programme, the Governments of Japan and of South Korea continue to be concerned about the ability of North Korea to field nuclear-tipped weapons or to attach chemical or biological warheads.

North Korea's conventional military capability is also substantial. It has more than 1 million active members of the armed services and 4.5 million reservists. Although South Korea's armed forces are better trained and equipped—and are also backed by United States military and air power—a sudden attack by the north could quickly inflict severe damage. There are still grounds for serious concern about the possibility of conflict. North Korea's unpredictability, isolationism and paranoia, and the unreality brought about by the diet of lies with which the regime has sustained itself, could make a military adventure seem an attractive way of obtaining concessions from South Korea and the United States. As the danger grows in North Korea of internal dissent—with a leadership aware that the necessary programme of reforms will only hasten its downfall—an attack on the south, perhaps of a limited nature, could be used to divert the attention of North Koreans from their hardships and rally them to the patriotic cause.

Even assuming that the military threat does not materialise, North Korea still represents a major problem. Its economy is spiralling downwards. GDP has fallen for the past six years and, according to South Korea's central bank, it fell by 4.6 per cent. last year. Trade dropped to a mere $2 billion last year—less than a week's-worth of

[Mr. Harold Elletson]

South Korean exports—and most of North Korea's sources of foreign exchange are now accounted for by the proceeds of occasional arms sales to other isolated regimes and remittances sent by Japanese of Korean descent.

Grain output of 3.5 million tonnes last year was less than half the demand, and grain shortages are now so bad that there are fights in food queues. There is not enough warm clothing in the bitterly cold winter and energy shortages have plunged major cities into darkness. As a result, the leadership—which, despite early indications to the contrary, appears to be in the hands of Kim Jong Il, the son of Kim Il Sung—is now faced with the classic dilemma that confronts ailing dictatorships: the necessity of reform inevitably bringing with it, sooner or later, an irresistible pressure for political change.

The danger is of total economic collapse and political implosion in Pyongyang, together with an exodus of starving refugees and a demand for massive assistance from South Korea and the international community. Neither of those concerns—the military or the economic—is one from which we can afford to distance ourselves.

There has been no peace treaty since the armistice which ended the Korean war in 1953, and South Korea has a defence agreement with the 16 countries—including the United Kingdom—which took part in the hostilities on the side of the United Nations. That agreement states that if aggression from the north occurs, the former contributing states will again resist it. We have a clear national interest in seeking to bring about a reconciliation between north and south.

Equally, the threat that North Korea poses to some of our most important trading partners in the region cannot be ignored. However, it is the threat of economic destabilisation that should be of most immediate concern to us. The fall of communism in the north of Korea will create an immediate demand for reintegration with the south. That will present a bigger challenge and create a greater strain on the world economy than the reunification of Germany, an event from which European economies are still recovering. The North Korean economy is in much worse shape than East Germany's was. The population ratio between West and East Germany was 4:1, whereas between North and South Korea it is only 2:1. That places a much greater burden on the shoulders of the South Korean worker.

When change comes in North Korea, it will come quickly and the shock of it will send more than just ripples across south-east Asia. The international community must ensure that it is ready for the change and is capable of responding with initiatives that are both effective and sustainable. We must not allow ourselves to be caught off guard, or to be overwhelmed by the sudden but foreseeable collapse of a communist dictatorship. The world needs a clear plan for managing change in Korea, and Great Britain—with all its experience, contacts and commitments—has an important role to play in developing it.

The United States is, of course, the driving force behind attempts to engage North Korea in dialogue. It deserves our full encouragement and support in its efforts, but it must be wary of North Korea's attempts to use improvements in bilateral relations with it, and a limited engagement with the wider international community, as a full substitute for seeking rapprochement with the south.

The Americans are crucial to the strategic balance of south-east Asia and it is worth remembering that events in Korea, among others, will ensure that the region remains a priority for US foreign policy makers, with the possible corollary of a decreasing willingness to maintain a wider role as a global policeman and, perhaps more specifically, to become involved on Europe's periphery. That must give us pause for thought.

The United States is the most significant foreign power on the Korean peninsula, but China, Russia and Japan also have important interests, and their concerns, together with their potential influence over Pyongyang, should not be forgotten. There may be merit, when the time is right, in expanding the present tentative tripartite arrangements to include other such powers with an interest in the area. Every opportunity must be taken to open North Korea to international influence and pressure. I hope that my right hon. Friend the Minister will help to do that and will make available the experience and resources of the United Kingdom.

I hope that there will be further detailed planning to assist South Korea and north-eastern China to deal with the enormous refugee problem that may follow the collapse of the North Korean regime. It would be inexcusable if we failed to assist in planning for that entirely foreseeable event. Equally, the international community must plan now to play its part in the eventual reconstruction of North Korea. That will help to stem the flood tide of refugees and mitigate the potentially disastrous effects of Korean reintegration on the economies of south-east Asia.

Our task is to assist in bringing about the peaceful, stable and orderly transition to normality of an unpredictable, unstable and dangerous dictatorship which constitutes a serious threat to some of our closest allies. It is neither an insignificant nor an easy task, but it is a matter, as I hope that my right hon. Friend will agree, of the greatest importance for the peace and stability of a region where Britain continues to have major interests.

8.21 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): I warmly commend my hon. Friend the Minister for Blackpool, North (Mr. Elletson) for raising this subject in the House today. United Kingdom policy towards North Korea is an extremely important subject that is rarely mentioned in the Chamber, so we are truly grateful to him. The tense situation on the Korean peninsula is a matter of concern to us and to the international community as a whole. As my hon. Friend graphically described, the threats are very great.

After the second world war, when Koreans hoped to resume their unity and independence, the peninsula was divided and two separate states were established. The invasion of the south by North Korea in 1950 resulted in a bitter and tragic conflict that cost more than 2 million lives. The results of the Korean war are starkly visible today in the continued division of the peninsula at the demilitarised zone, with its many miles of barbed wire, its minefields, and hundreds of thousands of heavily armed combatants facing each other, as I have seen for myself.

Britain was quick to pledge support for the United Nations action to defend the Republic of Korea in 1950, and our forces fought alongside the South Koreans in all the major campaigns of the war. More than 1,000 of our young men died, and more than 2,000 were wounded. We remember them still today.

The armistice agreement, signed on 27 July 1953, brought an end to hostilities, but, while the fighting stopped, the tension remained and continues to this day. North Korea has carried out regular breaches of the armistice, and has been involved in terrorist activities against the south. The recent submarine incident that my hon. Friend graphically described is the latest in a long line of such events.

After the armistice was signed, Britain continued to play an important role in preserving peace on the peninsula. Our forces remained there until 1957, and the British defence attaché in Seoul is still a member of the UN Command delegation to the military armistice commission. We have played an important role in South Korea's post-war reconstruction and, later, in the early stages of its economic take-off. South Korea is now the 11th largest economy in the world. Although its population is only twice as great as that of the north, its gross domestic product is well over 20 times greater.

Today, South Korea is one of our major trading partners, and we have succeeded in attracting more than 50 per cent. of all Korean manufacturing investment in Europe, with existing and planned projects valued at more than £4 billion and providing more than 11,000 jobs, mostly in large plants in regions vulnerable to unemployment. South Korea is a close and valued friend, with which our relations are expanding at an extremely rapid pace. I pay tribute to the work of the Korean ambassador here at the Court of St. James, Mr. Choi, and of our ambassador at Seoul, Mr. Tom Harris, both of whom work tirelessly to improve our mutual relations.

For obvious reasons, our links with the Democratic People's Republic of Korea in the north have been more tenuous. Its role in the Korean War, and its continued hostility to South Korea, made that inevitable. Britain has not, however, ignored North Korea. In the hope that wider contacts would lead to a modification of its hard-line policies, successive British Governments encouraged trade links and sporting and cultural contacts with North Korea, but sustained contact foundered in the face of North Korea's continued pursuit of unacceptable means to achieve its ends.

At the moment, we impose no sanctions against North Korea, and British companies are free to do business there. However, we make it clear to those exporters considering visiting Pyongyang that, in the absence of diplomatic relations, we cannot offer them any commercial assistance or consular protection.

One reason for the relatively low level of commercial contact is that North Korea's poor record of paying debts remains a major impediment to any suggested expansion of trade or investment. The North Koreans are, however, welcome to come here on legitimate business, and indeed, more than 40 visas were issued to North Koreans to visit the United Kingdom in 1996. We hope that those contacts will increase.

Because of the problems to which I have alluded, relations between Britain and the DPRK have never been normalised. In that, of course, we are not alone. However, we remain willing to help North Korea out of its isolation. When it joined the United Nations in 1991, we formally recognised its existence as a state. We allowed the establishment in London of a North Korean mission accredited to the International Maritime Organisation, and there are currently two North Korean officials and their families here on IMO business. There has also been a series of exploratory talks between British and North Korean officials to determine whether any further improvement in our relations is possible.

Like other countries, we are concerned at the reports of food shortages in the north. In contrast with the south, the DPRK is a rigidly centrally planned economy that relied upon preferential trading arrangements with the Soviet Union and China for its survival. Since the demise of the Soviet Union, the North Korean economy has nose-dived, and since 1990 its GDP has contracted by about 5 per cent. per annum.

Recent floods and serious droughts have exacerbated the problem of a systemic failure of the state-run agriculture to feed its people. The floods have been terrible, and the result has been increasingly widespread malnutrition. In 1995 and 1996, North Korea appealed to the international community for food aid. Britain responded: we have donated, on humanitarian grounds, through the United Nations and the Red Cross, a total of nearly £0.5 million for food aid and flood relief in North Korea.

The harvest in the north last year was again far short of the needs, but we stand ready to consider further appeals for assistance. Such palliatives, however, can do little to solve the underlying problem of a system in long-term structural decline.

There is great uncertainty about the intentions of the DPRK Government, and the attitude of the people. The Government exercise totalitarian control over the population, who have virtually no access to outside information. North-south contacts are strictly controlled by both sides, and North Korea maintains armed forces of more than 1 million and huge stocks of conventional weapons. It also has a missile development programme that, as my hon. Friend again accurately described, ranges from Scuds—with a range of several hundred miles—to development of an advanced derivative of Scud with a range of thousands of miles.

A crisis on the Korean peninsula would damage regional, and possibly global, stability. There is a risk that economic decline in the north might lead to a mass exodus of refugees. My hon. Friend set out those problems clearly. In the first instance, it would be for the countries on North Korea's borders to react as best they could, but they would be hard pressed to cope, and the international community would need to consider how best to respond. As a permanent member of the UN Security Council, and given our previous involvement in Korea, it is important that we should do what we can to reduce the risk of such a crisis.

In recent years, there has been widespread concern about North Korea's apparent nuclear weapons programme, because it has prevented International Atomic Energy Agency inspectors from gaining the full access to certain nuclear sites that would reassure the world. After long negotiations, there was a breakthrough in October 1994, when the US and North Korea signed a framework agreement whereby the north agreed to freeze, and

[Mr. Jeremy Hanley]

eventually dismantle, its existing nuclear reactors in exchange for the construction of two light water reactors and the provision of interim energy supplies.

South Korea agreed to provide the majority of the $4 billion required to fund the programme, and the Japanese Government are expected to provide most of the balance. Those two countries and the US formed an international consortium, the Korean Peninsula Energy Development Organisation—or KEDO—to finance and administer that exciting project.

We have strongly supported the agreement, and KEDO, as a way of countering the threat that the DPRK posed to the integrity of the non-proliferation treaty. We contributed $1 million to its start-up costs—the first European country to do so. We worked hard to achieve the recent agreement under which the European Union will contribute 15 million ecu annually until 2000 and become a member of KEDO. The Government are also considering national membership. We will maintain our support for KEDO and continue to encourage the DPRK to implement fully the framework agreement.

To ensure peace and stability on the Korean peninsula is an important task, inseparable from the peace and stability of the entire Asia-Pacific region—an area of extreme importance to us both politically and economically. We believe that lasting peace can be achieved only through meaningful dialogue between the north and the south and we take every opportunity to encourage such dialogue. For many years after the Korean war, both sides made frequent proposals on reunification, but there were no formal contacts.

In 1991, the world's hopes were raised following a series of meetings at prime ministerial level, and the signature of a set of potentially far-reaching agreements on matters such as non-aggression and mutual co-operation. However, the North Koreans moved away from the agreements almost as soon as they were signed, and they have remained a dead letter ever since.

Another moment of hope came in 1994, at the height of the nuclear crisis, when a summit meeting was planned between Presidents Kim Young Sam of the south and Kim Il Sung of the north. However, Kim Il Sung's death in July 1994 led to the postponement of the summit, and it has not proved possible to arrange one with his de facto successor.

North Korea has strongly opposed dialogue with the south, ostensibly because it was not a signatory to the armistice agreement. The DPRK has insisted that it should talk exclusively to the US, which signed on behalf of the UN. To end the impasse, we welcomed the proposal announced by President Clinton and President Kim Young Sam on 16 April 1996 that talks should take place involving North and South Korea, the US, and China as North Korea's main neighbour. Known as the four-party talks, the proposal was designed to initiate a process aimed at achieving a permanent peace agreement to replace the armistice.

Unusually, North Korea did not reject the proposal out of hand, and agreed to consider it, but it has yet to give a formal response. After some months during which North Korea showed little interest in participating in the talks, claiming that it needed more information on their purpose, US officials suggested a briefing meeting to explain the proposal.

However, those efforts came to a standstill when a North Korean submarine was discovered grounded on the east coast of South Korea, apparently on an infiltration mission. In the ensuing manhunt, 24 North Koreans were killed, one was captured and one is still at large. Twelve South Koreans died, including five civilians.

The incident raised tension on the peninsula to a very high pitch. South Korea, understandably angry about the flagrant violation of the armistice agreement and the loss of civilian life—indeed, of any life—demanded that North Korea take responsibility by apologising. Together with our European partners, we condemned the North Korean action as a serious violation of the armistice, and urged the authorities in Pyongyang to cease all activities that could result in a further increase in the tension.

After much difficult negotiation, the US managed to persuade the DPRK to issue a statement on 29 December that expressed deep regret over the incident, and undertook to make efforts to ensure that such an incident would not recur. The North Koreans also agreed to take part in a briefing on the four-party talks proposal. We are encouraged by that development, and urge the North Koreans to approach the briefing positively and constructively.

I mentioned that we have had recent contacts with the North Koreans. They were limited to three meetings at official level, the first taking place in 1995. Our aim is to reinforce the efforts of our partners on the nuclear issue and north-south dialogue, and to do what we can to improve North Korean contact with the outside world. We have made it clear to them that continuation of the process and any moves towards expanding our relations will depend upon their compliance with the nuclear agreement and willingness to enter into dialogue with the south.

We have kept the Government of the Republic of Korea fully informed of our contacts. The influence that we can bring to bear is, naturally, limited, but through our support for the Republic of Korea and the United States, our willingness to engage North Korea in dialogue and to provide humanitarian aid when needed, I believe that we have made—and will continue to make a—real contribution. I assure the House that those efforts will not slacken.

We should not forget that, if the North Korean regime remains on its present path, it will continue to be isolated. It is a threat to its neighbours and to the region. It is said that it abuses the human rights of its populace, and it cannot feed its people. We therefore believe that dialogue with the south is essential.

I pay tribute to my hon. Friend for raising the subject. I am sorry that there are not more hon. Members, especially Opposition Members, here to show an interest in this vital subject. He has graphically described the dangers; I hope that the efforts of the world community will mean that we will not see the impact of those dangers. I particularly hope that the north and south can enter into dialogue, because that is the way to peace.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes to Nine o'clock.

House of Commons

Friday 17 January 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

DEATH OF A MEMBER

Madam Speaker: I regret to have to report to the House the death of Iain Campbell Mills Esq., Member for Meriden. I am sure that hon. Members on both sides of the House will join me in mourning the loss of a colleague and extending our deep sympathy to the hon. Member's family and his friends.

PETITION

Dogs (Breeding and Sale)

9.35 am

Mrs. Diana Maddock (Christchurch): I present a petition from the branches of the Royal Society for the Prevention of Cruelty to Animals throughout England and Wales about control of the breeding and sale of dogs and puppies. It urges that amendments be made to the legislation to bring an end to unlicensed commercial breeding of dogs and puppies and to ensure high standards of welfare for all animals in breeding establishments. It is signed by members of the RSPCA in the 200 branches throughout the country. It states:

Wherefore our Petitioners pray that your honourable House gives the Breeding and Sale of Dogs Bill a speedy passage through Parliament.

And your petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Public Entertainments Licences (Drug Misuse) Bill

Order for Second Reading read.

9.36 am

Mr. Barry Legg (Milton Keynes, South–West): I beg to move, That the Bill be now read a Second time.

Members of Parliament often have opportunities to condemn drug use. Yesterday was another opportunity for Members of Parliament to speak out. We heard some dreadful remarks from Mr. Brian Harvey of East 17. He condoned drug use, suggested that Ecstasy made people feel better and stated that he used up to 12 tablets a day. I condemn those remarks and I think that all Members of Parliament will probably join me in that condemnation.

However, there was also a promising sign yesterday. I spoke to a 12-year-old schoolgirl in my constituency, who said that she would be taking down the posters of East 17. Most young people are sensible about those matters. They want to hear the message, "No to drugs". We need to speak out and give that message loud and clear.

Today, Members of Parliament have a further opportunity not just to condemn drug taking and the abuses that occur but to change the law to make it more difficult for young people to have drugs peddled to them. The Bill that I am presenting to the House would give new powers to local authorities to close down clubs where there is a serious drugs problem. This is tough legislation, but we need tough legislation.

In the past four or five weeks, we have seen four tragic deaths from drug taking among young people. We have all become aware of the agony of Ecstasy. I should like to take this opportunity to pay tribute to the parents of the youngsters who lost their lives. I have met several of them, and they are very brave individuals. They have been prepared to go on television and to talk to the media when they are still suffering grief, with the aim of getting the message over of, "No to drugs" and the dangers that even one pill can pose. Their action is courageous, and I support it; it comes from a desire to do something to stop this menace.

I pay particular tribute to Paul and Janet Betts, the parents of Leah Betts. They helped to inspire me to introduce the Bill. They believe that it will help to save young lives. They believe that if we pass it, we shall be doing something constructive to help crack down on the drugs menace.

Frankly, I fear the possibility of more deaths. The most recent British crime survey was a warning to us all. It showed that 43 per cent. of 16 to 29-year-olds had tried drugs and that 50 per cent. of 16 to 19-year-old boys had tried drugs. In fact, more boys in that age group had tried drugs than had played football in the past three months. That is the scale of the problem with which we are trying to deal. It has been estimated that, during a weekend, up to 300,000 people may try drugs—300,000 people may be at risk.

We can certainly do everything that we can to reduce the demand for drugs. I support the educational programmes, the advertising campaigns and all the good work that is being done in the community to try to convince people of the harm that drugs will do. I think most young people are

[Mr. Barry Legg]

receptive to that message. Those who say that we should send out a fuzzy message rather than a clear one have got it wrong. A lot of young people want to hear the "No to drugs" message. They want that moral support behind them to make the right decision. I support all those attempts to cut the demand for drugs. I note that the hon. Member for Newport, West (Mr. Flynn) shakes his head, and doubtless we shall hear from him later.

Mr. Paul Flynn (Newport, West): I shook my head because although "No to drugs" has been the message sent out in this country and America for the past 30 years, the use of illegal drugs has increased in every one of those years. It increased last year and it will increase next year. Is it not time to look at new policies on drugs?

Hon. Members: No.

Mr. Legg: The problem in our country is that we have been too permissive about drugs. We have not spoken with one voice against them. I hope that every hon. Member who speaks today will give out that message so that there is no doubt about it. We cannot afford to give the impression that drugs can be used for recreational purposes—one pill can kill. That must be the message sent from the Chamber today.

I back all the educational efforts to combat drug use, but we must also strike at the heart of the supply.

Mr. David Shaw (Dover): I am grateful to my hon. Friend for allowing me to intervene and I am particularly grateful to him for allowing me to be associated with his Bill, which is important to us in Dover. No doubt he will join me in congratulating customs officers in Dover who this week arrested a lorry driver who tried to get a consignment of 80 kg of heroin through the port of Dover. We must welcome the fact that control systems are in force to try to cut the supply of drugs through that port and others. It is important that we should maintain our customs controls as well as our borders.

My hon. Friend suggested that we must cut off the supply sources, but does he also agree that we must squeeze every penny of profit from the drug dealers so that they cannot make any money out of drugs?

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. That was not an intervention but a speech. I should also prefer to see the face of the hon. Member for Dover (Mr. Shaw) rather than his back.

Mr. Legg: I endorse my hon. Friend's remarks. I know that he works extremely hard in his constituency against drugs and that he makes every effort to support the authorities to crack down on the supply of drugs. I also agree that there is a lot of money involved in the business.

That is another reason for my Bill—a tough Bill that will give statutory backing to the efforts to crack down on the problem. I am afraid that guidelines are not good enough, because there are some unscrupulous people involved in the business who will do anything to circumvent guidelines. We need tough legislation that they cannot get round.

Nightclubs feature prominently in any attempt to strike at the heart of the supply of drugs. In all too many cases, those clubs and the associated dance culture have thrived on the presumption that drugs are a necessary and harmless part of a night out. The message put round in many clubs is, "What's wrong with joining the chemical generation?" Some pop music carries a positive message encouraging young people to take drugs. Incidentally, I was pleased yesterday to note that many radio stations and record companies said that they would ban the music of East 17. That is a welcome development. The nightclub culture is strongly associated with drugs and my Bill will help to crack down on the problem.

I have had discussions with Paul and Janet Betts about the Bill, because they have considered the issues in far greater detail than I have been able to do. They have dedicated themselves to the anti-drugs cause. They explained to me how children like their daughter Leah can go to clubs and be intimidated and threatened by the melée of pushers who may greet them. We have a responsibility to do what we can to ensure that such circumstances do not arise.

Under my Bill, if the police believe that there is a serious drugs problem in a club, they may report it to the local authority and recommend to it that the club should be closed down. The local authority would then be able to consider the evidence in the police report and come to a judgment. It could decide to close down the club or vary the conditions of licence. The threat of immediate closure is important, because I must admit that the current law is defective. Public entertainments licences are a privilege and if clubs do not treat that privilege appropriately, it should be removed from them.

Many hon. Members will be aware of the problems associated with Club UK in Wandsworth. Wandsworth council, in conjunction with the police, has been trying to close down the club for 12 months. As my hon. Friend the Member for Dover (Mr. Shaw) has already observed, there is a lot of money involved in such activities, and the club owners have behaved unscrupulously. They have used every legal device to keep the club open. They have dragged out the appeals procedure to enable them to continue their unsatisfactory practices, which continue to leave young people at risk.

The police have raided that club and found thousands of pounds' worth of illegal drugs on the premises. Its bouncers have been prosecuted and two deaths have been associated with the club. The local hospitals also have problems, because people from the club end up there most weekends. At present, the owners of that club are exploiting the law to keep it open.

My Bill would enable such unscrupulous clubs—they are probably the minority—to be closed down straight away once the police decided that they posed a serious drugs problem and the local authority, having considered the evidence, came to the same conclusion. That is the message that we are sending out. Clubs must clean up their act or be shut down. I suspect that a minority of clubs will face closure because of the Bill. It is a big stick and its main effect will be to send a message to clubs, club managements and owners that they must get their act sorted out. It will be a strong incentive for clubs to put their house in order. They will have an incentive to ensure that they work with the police and local authorities to raise standards and reduce the risks involved. That will the main benefit of the legislation.

I shall briefly describe my Bill in detail. Clause 1 amends the Local Government (Miscellaneous Provisions) Act 1982. It allows a local authority to revoke a licence if it is informed by the police that there is

"a serious problem relating to the supply or use of controlled drugs at or near the licensed premises".

There is a second important condition: the authority must be satisfied that revocation will assist in dealing with the problem.

Mr. Peter Viggers (Gosport): I told my hon. Friend before today's sitting that I thought that his Bill was the best private Member's Bill that I have seen; I give it my full support, as do the police and magistrates to whom I have spoken. Will he clarify one point about clause 1? How does he expect the police to define a serious drugs problem? Does he expect the police normally to evidence a serious drugs problem with proof that the club has been raided and arrests made, or will a subjective judgment sometimes be used?

Mr. Legg: The police force does a lot of work with clubs and is close to the problems involved. The definition would ultimately be a matter for the police, who would have to decide what a serious drugs problem was. It is right that it is left to them to take that decision. I do not think that we can place in law the precise definition of a serious drugs problem; it is up to the police to use their discretion to decide what they consider to be a serious problem. The police would normally regard dealing on the premises as a serious problem. It is up to them to report to the local authority, which will exercise its judgment as to whether it agrees with the police.

Mr. Harry Greenway (Ealing, North): I apologise for missing the first two or three minutes of my hon. Friend's speech. Definition is important—it is important to educate the public about what is and what is not acceptable. If we could establish a definition that meant that closure could always be anticipated, that would send a direct and clear message—certainly to children. As a teacher, I know that that would be important. Will my hon. Friend go a little further?

Mr. Legg: I welcome my hon. Friend's comments. I think that the word "serious" implies that dealing is taking place or that many people are consuming drugs. The definitions will ultimately be subject to overview by the courts. Some cases will end up in the courts—a body of law will produce definitions and the clarity that my hon. Friend seeks will be achieved.

Once the local authority has received a report from the police, it cannot close the club arbitrarily, but has to give its reasons for revoking the licence. After revocation, the licensee has 21 days to make representations to the local authority, which must consider any representations, and either confirm its original decision or retract it. Provision is made for a local authority to amend the conditions of a licence as it sees fit. For example, it could prevent a club from opening on a certain night. A local authority may refuse to renew or transfer a licence following a police report. Clause 1 also allows a court that convicts a licensee of breaching his licence to revoke that licence. The clause also deals with the appeals procedure. The Bill in no way diminishes a licensee's right to appeal. However, it insists that the licence will remain in suspension during any appeals unless a court orders that it would be unfair for the licence to remain in suspension during court proceedings.

Clause 2 amends the London Government Act 1963, which applies in Greater London, to make similar provision to that made by clause 1. Since announcing my Bill two months ago, I have received much feedback from various quarters. The British Entertainments and Discotheque Association—BEDA—has made some most constructive and helpful comments, as have various councils.

Many people to whom I wish to pay tribute have helped me with the Bill; they include the Betts parents. I thank my hon. Friend the Member for Colchester, South and Maldon (Mr. Whittingdale), in whose constituency Mr. and Mrs. Betts live, for the help that he has given me with the Bill. He cannot, unfortunately, be with us today because of constituency engagements, but I can assure hon. Members that he has been a great help to me in formulating the Bill and has given it his full support.

There may be three main areas of concern about the Bill, but I believe that in its current form it deals with them. The first concern may be voiced by those who argue that drugs should be made legal. Drugs are a menace to society and the position of such people is unsustainable after all the deaths that there have been. Millions of parents are concerned about the issue and we, as Members of Parliament, have a responsibility to act.

The second argument is that if clubs are closed, drugs will simply move elsewhere. It would be foolish to deny that that may happen to some extent: those who dedicate their time to obtaining drugs will always find them. However, the Bill will help to ensure that drugs are not so casually available. As we all know, temptation lessens with distance. Paul Betts explained to me that most young people do not actively seek drugs, but in many clubs drugs are literally pushed on to them. I hope that the Bill will help to combat such problems.

The third potential criticism is that the Bill will close clubs unfairly. The Bill is intended to be tough. A licence should be thought of as a privilege that must be earned and respected; in no sense is a licence a right. Considerable efforts have, however, been made to ensure that the Bill is not unfair. I hope that the Bill's broad impact will, except in a few cases, come in the form of a threat rather than the reality of closure. Clubs will know that the penalties for laxity exist and that they must therefore establish good working relationships with the police and local authorities. Communication with all three parties will help to ensure consistent and fair application of the law.

The Bill also contains three specific points that will safeguard well-run, responsible clubs. First, the revocation can take place only if the local authority is satisfied that such action will assist in dealing with the drugs problem. It could not, for example, embark on a campaign to close all clubs regardless of how any one, individual club was run.

Secondly, a local authority is obliged to give reasons for its decision and to take account of representations made by the club. After those representations have been made, the local authority must confirm its decision. Those measures are designed to ensure transparency in local authority decisions.

[Mr. Legg]

There is a final safeguard: during a legal appeal, a court may rule that it is unfair for a licence to remain suspended during legal proceedings. I hope that those measures will reassure licence holders that, provided they are responsible and make strenuous efforts to combat all drug-related activity, their clubs will not be subject to closure.

I do not claim that the Bill is a quick-fix solution to social problems of drug misuse. It must be accompanied by continued initiatives to crack down on dealers and educate young people. However, it provides a solid base for a much tougher policy towards nightclubs which, as I explained, are the source of our current woes.

Mr. David Evans (Welwyn Hatfield): When my hon. Friend refers to nightclubs, does he include discos?

Mr. Legg: I include any venue that needs a public entertainments licence, and I have drafted the Bill accordingly. I have not gone for venues that require only alcohol licences. There are now many clubs whose activities are dubious, but which do not sell alcohol—they sell or provide water and so do not need a drinking licence, but require a public entertainments licence. There are outlets other than clubs that require public entertainments licences and there may be drug abuse on their premises, too. I believe that by using the public entertainments licence system, we shall catch a wide range of premises where those problems may occur. I hope that my hon. Friend will support me.

In any decent society, individuals should not need to be given positive incentives to prevent harm to others. In an ideal world, clubs would combat drugs without Government intervention being needed. However, as we have seen, some clubs have not seen fit to behave in a responsible manner. Clubs can clean themselves up, but if they do not, the Bill gives local authorities the power to ensure that an entertainments licence is just that—a licence to entertain and not a licence to kill.

10.1 am

Mr. Tim Rathbone (Lewes): I am delighted to support the Bill promoted by my hon. Friend the Member for Milton Keynes, South–West (Mr. Legg). It is directed in the right way. If we needed any reminder of the need for action, we certainly had it in the past week, with the deplorable and irresponsible words and actions of Brian Harvey and Liam Gallagher. Those incidents underline the way in which the activities of those involved in the music scene, which is so close to young people's everyday lives and aspirations, can undercut all other activities by the Government, voluntary organisations and society in general to contain the horrendous growth in the problem of drug misuse.

Before talking specifically about the Bill, I want to point out that my right hon. and learned Friend the Home Secretary is duty bound to consider what new guidelines should be issued in respect of the use of cautions by the police. That is especially important after the Liam Gallagher episode at the beginning of this week. It appears that the guidelines are drawn so broadly that the police can technically correctly describe Liam Gallagher as someone who has committed only one offence in police eyes and treat him like any other first-time user on his own account and give him a caution. We all know that for months, if not years, Liam Gallagher has made no bones about the fact that he is a regular user of drugs, and the police should not have let him off with only a caution.

If the use of a caution is appropriate—I believe that it is in many cases—it must be linked with the police directing the person receiving the caution to get some sort of counselling or treatment that will encourage and help that person to stop misusing drugs.

Mr. David Shaw: My hon. Friend mentioned the music industry—we all applaud the fact that it is enormously successful and is a net earner to this country of approximately £1,000 million a year. However, will he join me in condemning the fact that some sections of the music industry are based on a drugs culture? Does he agree that we must send a clear message to the industry that we do not want its success to be based on a drugs culture?

Mr. Rathbone: I absolutely endorse my hon. Friend's comment and I believe that responsible sections of the industry would also endorse it, without any qualifications or qualms.

My right hon. and learned Friend the Home Secretary and the Under–Secretary of State for the Home Department, my hon. Friend the Member for Bolton, West (Mr. Sackville), who is here today, must also apply themselves to the question whether it is within the law for anybody—not only people such as Brian Harvey and Liam Gallagher—to advocate breaking the law. That is what they are doing when they say to young people, as Mr. Harvey said:

"if it makes you feel better and gives you something to do at the weekend and you go out and have a good time, I don't see why not, man, because life's too short, you know what I mean."

He should know that life is too short and that he is shortening the lives of many young people by advocating such behaviour. I hope that, even if he is unable to address that aspect of the problem that we are debating today, my hon. Friend the Under-Secretary can look into it.

My hon. Friend the Member for Milton Keynes, South-West mentioned that he wished that the industry could have tackled the problem itself, without legislation being required. That is the proper attitude. Mention should be made of the London Drug Policy Forum's excellent initiative, "Dance 'Till Dawn Safely", which provides guidelines for the operation of clubs and a health and safety code of practice. The initiative was launched at the Ministry of Sound a few months ago and was warmly welcomed by the music industry. The House should give praise where praise is due and commend both the London Drug Policy Forum and the Corporation of London, which was the motivating force behind the initiative. The forum's chairman, Peter Rigby, deserves our particular thanks.

Sadly, such efforts have proved not to be sufficient, which prompted my hon. Friend to introduce the Bill. He was right to emphasise the description of the Bill as being applied to

"a serious problem relating to the supply or use of controlled drugs at or near the licensed premises".

I repeat, a serious problem.

Any responsible club owner or operator should have no qualms about the Bill, as was confirmed to me last night, when I was lucky or unlucky enough to participate in "The Midnight Hour" television programme. A representative of the Ministry of Sound also appeared and he made it absolutely clear that he had no qualms about the Bill's effects in respect of his premises. However, he went on to say that he had been to innumerable clubs where he had seen dark figures skulking in a corner with a bagful of Ecstasy and selling it to anyone they could persuade to approach. They were taking such a businesslike attitude that, even in that gloom, they would hold up the £5, £10 or £20 note to whatever light there was, to see whether it was a forgery. There is a need for the Bill and, sadly, there are clubs to which it will apply.

Another element underlying the Bill, although not included in its provisions, is the way in which clubs police their environment. The Ministry of Sound has no difficulty with its doorkeepers and operators. They are usually referred to by that rather rude term, "bouncers", but they have an important function in running such clubs. The Ministry of Sound has no need for national or local training guidelines because it has its own security men, well trained and well directed. However, I hope that my hon. Friend the Under–Secretary will keep an open mind as to the need for such guidelines, because if there is a widespread need for higher standards of policing at club doors and on club premises, there may be a need for better training of those club security forces.

Whatever popular stars say, drug misuse will put their and anyone else's abilities at risk and adversely affect their ability to achieve and to lead a healthy life. We all know—my hon. Friend the Member for Milton Keynes, South–West mentioned it—of the tragic deaths that can come about from drug misuse.

Moreover, drug misuse causes problems for the entire community, especially as a result of drug-related criminal activity and the strong fear that it engenders in many people. The Bill will have a beneficial effect, not only on the operation of the music environment and young people, but on everyone in every community, urban or rural, because it will help to stop young people being lured into drug misuse.

The Government's strategy, "Tackling Drugs Together", correctly accepted that there is no single reason why young people choose to experiment with drugs and that no single action will prevent them from trying them out. That is why there is a need, which is being met, for a co-ordinated range of preventive actions to tackle drug misuse. Inaction or bad action in any part of that spectrum of activity will undercut the efforts on all fronts and erode the considerable common purpose of the very many people, throughout our country, who are involved in tackling the problems of drug misuse and persuading people of the dangers of being lured into it.

I commend my hon. Friend the Member for Milton Keynes, South–West for introducing the Bill, which I believe that the House should support.

10.12 am

Mr. Paul Flynn (Newport, West): Methylenedioxymethyl amphetamine, MDA, Ecstasy, is a chemical product that should never be taken for recreational purposes. It marinates the brain in serotonin—it floods the brain with a substance that we should rarely have in the brain. Those who take it risk their mental health. I will yield to no one in my opposition to the use of chemical products in the way that Ecstasy and other substances have come to be used, but nowhere have we identified the risk involved and what the Bill's effects should be.

I am frequently accused of advocating the legalisation of drugs. I have never advocated the legalisation of any recreational drugs, and the next newspaper that says that I have will pay my election expenses. I do not take drugs. I have a ferocious objection to medicinal drugs, which we vastly overuse. I have never used an illegal drug and I have not smoked for about 30 years. I do take a drug, which is a drug of the House, a drug of my generation and our generation of Members of Parliament, because I take the occasional glass of beer and other alcohol.

Let us consider what is happening in the country. There is a huge gulf of misunderstanding between us—and our generation—and the generation we are trying to help. I know the agony of the Betts family. There is no worse bereavement than the loss of a child, unexpectedly, for no purpose, which they have suffered. We all, as parents, want to give them a consoling hug and to try to help them in the terrible torment that they have suffered, which is continuing. We understand their campaign, and the need to work out the process of grief. We all commend the work that they have done, so I do not say what I am about to say lightly. All those factors do not mean that we should switch off our critical faculties and refrain from asking about the value of the campaign of saying no.

Regrettably, the Bill is framed in the light of the well-intentioned but mistaken views of 10 or 20 years ago. We have moved far beyond them. We would say to our young people, "Say no to any chemical product; say no to those drugs," but have we forgotten what we felt when we were 15 or 18? All young people know that they are immortal—as did we when we were young. Others may die, but they will not. They are risk takers—that is part of being young. Saying no to them is often a perverse incentive for them to take such products.

Let us examine the serious drug risk. Introducing the Bill, the hon. Member for Milton Keynes, South-West (Mr. Legg) did not quote one figure on Ecstasy deaths. I have asked many parliamentary questions to discover the extent of the risk and the reason for deaths. The hon. Gentleman quoted four deaths this year. There may turn out to be no deaths this year.

The death that received a great deal of publicity on the "Today" programme was the death of a young girl a fortnight after Leah Betts died. It was described as an Ecstasy death. At the inquest, it was found that the young girl had taken an unknown quantity of alcohol, one Ecstasy tablet and 30 coproxamol tablets. The coproxamol tablets were enough to kill her three times over. Do we have a Bill on that?

Two hundred and fifty deaths a year occur as a result of coproxamol. Government figures show that, over five years, 34 deaths occurred in which Ecstasy was the only drug involved and 53 occurred in which Ecstasy was one of the drugs involved. That is a very small proportion of the deaths in clubs. We could name the clubs.

I wish that the hon. Member for Milton Keynes, South-West had heard the following when he spoke about a serious problem: in the period when there were 34 Ecstasy deaths, there were 650 deaths from alcoholic

[Mr. Paul Flynn]

poisoning. That is not people choking on their vomit or walking under a bus, but people who have gone to a club and, because of the irresponsible behaviour of the club owners and bar staff—perhaps on an 18th birthday—taken a cocktail of alcohol containing a huge amount of vodka or gin and died, within hours, of alcoholic poisoning. We talk of 10 Ecstasy deaths a year.

Mr. Legg: I made some estimates of drug usage each weekend. The hon. Gentleman needs to appreciate that this is a private Member's Bill, proposing a solution to a specific problem—closing a loophole—which is what private Members' Bills should be about. Whatever views he has on other issues—he is free to introduce Bills—I hope that he will support my Bill.

Mr. Flynn: I cannot support the Bill. Many other people do not support it either, and I believe that it will do more harm than good. Indeed, it will cause more deaths.

Why do people die from taking Ecstasy? The Leah Betts case attracted the most publicity of recent years. The advice current at the time was that someone who has a bad reaction to the drug should take water. Leah Betts was not killed by Ecstasy; she was killed by a combination of Ecstasy and an excessive amount of water. The drug meant that her kidneys were not working properly, so she could not discharge water: she died from an excess of water. If she had taken Ecstasy alone she would have been all right; if she had taken water alone she would have survived. The combination killed her.

Other Ecstasy-related deaths are almost all the result of overheating. *[Interruption.]* If the hon. Member for Milton Keynes, South–West would only listen, he might learn something. Why, for instance, are there Ecstasy deaths in this country but not in Holland, where about a million people regularly take the drug? There has been only one death there in all these years. The reason is to be found in how Ecstasy is taken in our country. The problem is not the chemical itself, bad though that is; the problem is overheating.

The clubs allow people to dance continuously to that extraordinary music which sounds so alien to all of us. Not for them the three foxtrots that we might have danced a long time ago; they dance for hours on end in overheated surroundings. The autopsies prove that these people die of heat stroke.

If we want to avoid more deaths, as we all do, we must attack the cause of those deaths, which is bad treatment—after the event sometimes—with excess water. That causes a small number of deaths, but the main cause is overheating, because Ecstasy alters people's judgment.

Mr. Rathbone: The hon. Gentleman is doing the Bill a disservice by accentuating so heavily the deaths that result from taking Ecstasy in a small minority of tragic cases. The real problem is that anyone taking any amount of Ecstasy puts his body at risk of internal bleeding in the short term and of brain damage in the longer term. I therefore plead with the hon. Gentleman not just to stress the death count, because every single pill of Ecstasy taken erodes a person's good health and possibility of a happy life.

Mr. Flynn: I started by making that point, but I am happy to repeat it. We politicians have a responsibility to introduce laws that are practical and which will do good. I, too, applaud the splendid document that the hon. Gentleman mentioned; it represents a major advance in ideas of how to reduce the harm caused by drugs. It is no good Parliament or anyone else telling young children to say no. That policy has failed year in, year out. Every year we hold a drugs debate. Every year, hanging over the Chamber in that debate, is a statistic that mocks our efforts. Every year more people use drugs than before—that is true of the past 20 years. Next year, again, we shall be told that more people are using illegal drugs.

The Government's policy statement, "Tackling Drugs Together", was a major event in itself. It stated:

> "Efforts should therefore also be made to protect those who are at risk by a range of responsible measures, often expressed as 'harm minimisation'".

That is the best we can do, because drug use is now endemic among our young people. Whatever laws we bring in, that is set to continue.

The great damage that this Bill might do has been described by that highly responsible body, the Association of Metropolitan Authorities, which has written to many hon. Members pointing out the difficulties. The Bill would stop drugs being sold in clubs. For goodness sake! In my constituency, there is some use of amphetamines, less of crack, and some of LSD, but the fashionable drug among children is alcohol. They do not buy it in clubs—they buy it during the day in supermarkets. They then consume it outside the supermarkets, where they can buy it at a third of the normal price. They enter the clubs already inebriated. If the Bill is passed, the source of supply will move from the clubs to the streets, where there will be even less control or restraint. That would merely serve to increase the dangers.

The hon. Member for Milton Keynes, South–West mentioned people who support the Bill, but all the outreach workers and those working on harm minimisation are critical of its effects. They say that drug use will continue, and that by far the most dangerous drugs in circulation are alcohol and tobacco—the drugs of our own generation. We know, for instance, that young people who smoke are 22 times more likely to go on to illegal drugs than non-smokers; and 95 per cent. of first-time hard drug users are people under the influence of alcohol. No wonder, then, that young people with a different drug of choice turn to us and say, "There you are in your Parliament with its 15 bars telling us not to do drugs—you standing there with a glass of whisky in one hand and a cigarette in the other, and a couple of paracetamols in your pocket for your headache tomorrow morning."

I remind the House that, in 1994, 585 people were killed by paracetamol; in the same year there were three deaths from Ecstasy. That puts the matter in perspective.

Sir Michael Shersby (Uxbridge): Does the hon. Gentleman agree that deaths from paracetamol usually occur because people consume too much of the product—often by accident—either because they believe that twice the dose will cure the cold more quickly or because they do not realise that it is included in other products?

Mr. Flynn: Paracetamol is contained in 570 products—most people do not realise that—and among medicinal drugs it is the major killer. I have been active in ensuring

that such products are properly labelled, and in trying to get the antidote included. We can solve this problem easily. The drug destroys an element of the liver called methonime. A product containing the antidote is now available, and I hope that everyone will start to use it. We could easily solve the paracetamol overdose problem, but I am afraid that the cynical drugs trade is wary of any campaign against paracetamol, knowing that a campaign for a safe form of the drug would involve advertising just how deadly dangerous products like Night Nurse and Lemsip are.

I do not question the intentions of the Bill's promoter, but I believe that it would be wrong to rush it through the House, in view of all the objections from serious people who say that it could do harm. Good practice in clubs means allowing young people to chill out in a designated area so that they do not overheat. Some clubs already do that and have water to hand, but they make sure that the amount of water drunk is limited. We must therefore tell young people, "Don't do it, but if you do do it do not overheat, and drink no more than a pint of water an hour."

The conscientious clubs would be penalised by the Bill. That is not my view, but that of the Association of Metropolitan Authorities. It says that evidence that clubs are implementing good practice could be taken as showing that the club has a serious drug problem. The police might ask why the club is bothering with a water supply and chill-out area, why it controls the length of time that the music goes on, and why it has such good ventilation. Clubs run by responsible owners could then be penalised by the Bill. I carry no brief for greedy, irresponsible and cynical club owners who have no respect for the lives of their customers, and I have no objection if their clubs are closed down because of their behaviour.

We have many drug problems, and today we had the bad news about children who drink alcohol: half of 13 to 14-year-olds and more than three quarters of 15 to 16-year-olds have drunk alcohol in the past month. They are drinking not conventional drinks, but alcoholic pops. This country spends £100 million trying to persuade young children to drink alcohol—a gateway drug to other drug use—and we know that it is drunk by 13 to 15-year-olds. I seriously suggest to the hon. Member for Milton Keynes, South–West that, when a party of 18-year-olds celebrates someone's birthday in a club and somebody buys over the counter a large amount of vodka or gin and laces somebody else's drink with it, causing that person to die—there are 150 such cases every year—that club should be closed down because it had some control over the drink that was supplied.

It is difficult to oppose a Bill that seems, on the surface, worked to be beneficial, but the House must consider seriously the truth of the drugs epidemic that we are suffering and look for practical measures to deal with it. The Bill is framed in an out-of-date philosophy which has never worked and can never work.

I once said that one of the main faults of this House is that it introduces tabloid politics that are framed and dictated by tabloid newspapers. This well-intentioned Bill is framed in ignorance. It is written with a great deal of prejudice and it is a poor example of tabloid politics dictated by the tabloid press. It could cause more deaths than it would prevent.

10.33 am

Sir Michael Neubert (Romford): The hon. Member for Newport, West (Mr. Flynn) is clearly sincere and well intentioned, and appears to be knowledgeable about the technicalities of the drugs scourge. Ultimately, however, he is misguided in arguing with so much qualification against the Bill and its consequences. Although he may rail against tabloid papers and so-called "tabloid politics", the great merit of tabloid newspapers is that they provide a clear, simple message that everyone can understand. On the subject of drug abuse, the House must give out a clear, simple message that cannot be misunderstood. That is why emphasising all the technicalities which seem to cast doubt on the central proposition that drug abuse is essentially evil is against the best interests of the great mass of the British people, and that is to be regretted on this occasion.

My first obligation is to congratulate my hon. Friend the Member for Milton Keynes, South–West (Mr. Legg) on introducing the Bill, which will be valuable if it reaches the statute book. I also congratulate him on having the chance to introduce a private Member's Bill—an opportunity which, in 23 years in this place, has not so far come my way. He has taken good advantage of it and is to be commended for doing so.

I support the Bill strongly, having constantly campaigned against drug abuse. I do not believe in the prevailing liberal tendency to go soft on soft drugs—that would be the beginning of the end. I am glad that the Bill appears to have the Government's support in the person of the Home Office Minister who is present today. It will be an additional weapon in our armoury.

I must, however, enter a caveat, and the nature of my reservation will become clear when I describe my personal experience. It must be said that my experience is limited—nightclubs are not my natural habitat—although my constituency of Romford has some claim to be the night spot of the south. We have several excellent clubs which provide entertainment for young people. While people of my generation may find it difficult to understand what pleasure can be gained from such experiences as late-night clubs and discos, we see every night of the week that many young people like to congregate and meet their fellows in such places.

My only experience was during the last general election campaign, which coincided with a charitable fund-raising event called "Trading Places". The daughter of the owner of one of the clubs in my constituency, Hollywood, challenged me to change places with her for one day. I took up the challenge in the spirit in which it was made and, for one day, she became the Conservative candidate for Romford, going around in a pinstripe suit with a blue rosette. At the end of a long day taking her round and letting her see what it was like to be a parliamentary candidate, I took her place at the nightclub and presented the entertainment programme there. That gave me a unique opportunity to communicate with literally hundreds of young people in my constituency and from elsewhere, which I would not have had in any other way. I acknowledge that my interest and experience are limited to that. My impression was that the club was well run and sought to maintain high standards. I remember standing at the door and watching how people were checked as they came through. Anybody wearing dirty jeans was rejected because that was not in accordance with the standards that the club was trying to impose.

[Sir Michael Neubert]

A more serious problem developed with another club in my constituency called Secrets. It attempted to run a club in north London where the ethnic mix of the community was very different and the nature of the club changed. This is relevant to my hon. Friend's Bill because the club's owners and operators experienced a great deal of difficulty when they became the object of drug dealers' attention through no fault of their own. Although the Bill is well intentioned and will be effective in so far as it goes, it tends to say that the problem starts at the club door. It is clear from that club's experience that that is not solely the case.

That successful club became the focus of criminal interest. Even people who travelled to that part of north London by train were regularly mugged between the station and the club, so even before they reached the club they were subjected to criminal assault and robbery. My hon. Friend the Member for Milton Keynes, South–West acknowledged that, on the whole, club owners are keen to run well-regulated establishments. That particular club went out of its way to solve the problem, which was not of its making, by providing buses to take customers from the station to the club so that they would not be assaulted on the streets. Once customers reached the club, however, criminal elements brought other pressures to bear on the club, and this has not been expressed enough so far in the debate.

Powerful criminal elements—particularly in London, from which I come and about which I speak—are trying to move in on any club that succeeds in bringing large numbers of young people together, and that is what occurred in this instance. There was an ugly incident involving the shooting of someone who was not involved in the fracas. Knives were produced and, even though a police station is located opposite the club, the police were not able to intervene effectively. My caveat is that it is not enough to believe that if clubs are well regulated, no other pressures will contribute to the serious problem of drug abuse in this country.

This week the BBC "Panorama" programme broadcast the first instalment of a two-part series on drug abuse, and we should not underrate the extent to which drug abuse threatens our society: it is one of the major issues of our time and hits close to home. The first programme found that some 70 per cent. of property thefts in Leeds are committed to finance drug taking in that great city. I am sure that much crime in other cities, including London, derives from the need of drug takers to finance their habit.

Drug taking is a very serious problem. Those of us who are fortunate to lead ordinary working lives cannot imagine the life of the drug taker who lives by the day or by the hour, robbing in order to obtain easy money to pay for a quick fix. It is a life that one would not wish upon anybody. That is why I think that it is dangerous to prevaricate about the different causes of drug taking and to include alcohol and cigarettes in the same category as other drugs. Although they are drugs, they are not of the same nature as the chemical drugs about which we are concerned today. Drugs destroy lives: that must be our simple message.

The threat posed by organised criminals in our midst is obvious. Since the episode that I described—which led to the club owners withdrawing from the operation and deciding never again to attempt to run a successful club in north London, thereby depriving people in a fairly underprivileged area of that form of entertainment—another incident has occurred in Ilford, near Romford. A bouncer was shot dead and two other people were injured as a result of a person being refused entry to a club. That illustrates the point that, although clubs may be well run, it will not necessarily stop the abuses or dissuade the criminal elements who attach themselves to such venues. We do not know the full circumstances of that incident—no one has been apprehended and charged with the offence—but it appears that some people will go to any lengths, including shooting those who stand in their way, in order to enter clubs to peddle drugs and make money.

I welcome my hon. Friend's Bill. I support it strongly and I believe that it will provide an effective sanction. However, we must recognise that we are all involved in the campaign against drugs. The police, in particular, must be prepared to work with the clubs to combat the problem. I know that they are doing so but, ultimately, society faces a major threat. We must not create the impression that by passing the Bill—I hope that it will receive its Second Reading this morning—we are effectively preventing drugs from being peddled to young people who congregate in clubs. I acknowledge that, as the hon. Member for Newport, West said, people will find other ways of procuring hard drugs. However, ensuring the good running of clubs is a step in the right direction and therefore I welcome the Bill. I am glad that the Government support it and I wish it a speedy passage to the statute book.

10.43 am

Sir Michael Shersby (Uxbridge): I congratulate my hon. Friend the Member for Milton Keynes, South–West (Mr. Legg) on his good fortune in gaining second place in the ballot—I say that with some feeling as I achieved only 20th place. I am glad that he has had the opportunity this morning to discuss an important landmark Bill which he hopes that Parliament will enact in order to save the lives of young people who are exposed to drugs, particularly in badly run and improperly supervised clubs of the kind to which several hon. Members have referred. One hopes that the Bill will end the series of tragedies that have deprived parents of their children who have been tempted to try drugs such as Ecstasy.

I listened with considerable attention to the speech by the hon. Member for Newport, West (Mr. Flynn), who made an interesting contribution to the debate. I am sorry that he does not support my hon. Friend's Bill, but he raised some points that should be considered carefully—particularly his reference to the increased consumption of alcohol and the increasing availability of alcoholic pops and similar products.

There is no doubt that people's awareness of the association between public entertainment venues and the misuse of drugs was heightened tragically by the harrowing media reports of the death of Leah Betts. I join my hon. Friend in paying tribute to Leah's parents, whose dignity and calmness in the face of losing their daughter helped to bring forward the proposals. Since the death of that beautiful young woman, there have been further media reports about the drug-related deaths of young people whom this country can ill afford to lose and whose deaths occurred in preventable circumstances.

The death of Leah Betts and the subsequent trial of the student who admitted helping to supply her with an Ecstasy tablet illustrate the fact that action is necessary. According to a report in *The Times* of 12 December last year, the person who was supposedly responsible for security at the club concerned is no longer alive, as he was implicated in the supply of drugs and was shot in a triple killing in 1995. That gives hon. Members some idea of the kind of people behind the supply of dangerous drugs.

As my hon. Friend pointed out, public attention has been focused on the problems arising from attempts to close Club UK in Wandsworth. The licensing committee refused to renew its entertainment licence in May last year and I think that it is important to examine the timetable of events. The club had been associated with two drug-related deaths and undercover police operations suggested that drugs were readily available on the premises. That was confirmed in March last year by council officials. The club lodged an appeal and the hearing against the closure order began in November. Judgment was reserved on 19 December and the decision to uphold the council's refusal was announced only on 6 January. That is a good example of the amount of time it takes to close a club when there is clear evidence of a drugs problem. My hon. Friend's Bill is important because it aims to overcome that delay and deal with matters promptly.

At the Conservative party conference, my right hon. and learned Friend the Home Secretary announced proposals to make possible the revocation of public entertainments licences and the closure of premises with immediate effect in cases where there is clear evidence of a serious problem relating to the supply or consumption of controlled drugs on or near the premises. The Home Secretary's message at that conference was clear. He made it absolutely clear that it is not good enough to try to persuade children at school and in the home not to experiment with drugs. Action is needed to stop drugs getting into their hands: action at ports, on the streets and, most importantly, in the clubs.

I ask the House to remember that Leah Betts took just one tablet of Ecstasy bought in a club. Hours later she was dead. My right hon. and learned Friend made it clear that we owe to Leah's parents, and to millions of other parents, the duty to stop pushers poisoning our children. That is one reason why I am in the House today to support my hon. Friend's Bill which, as we know, has Government support and, indeed, the support of many hon. Members. In Churchill's immortal words, we are here to take "action this day" and not allow the problem to drag on any longer, where a year can elapse between clear evidence of a problem in a badly run club and its effective closure following appeal.

The Bill is important because clubs, as we all know, are a magnet for drug pushers. Bad clubs, as my hon. Friend the Member for Romford (Sir M. Neubert) pointed out so clearly in his most interesting speech, are a particular magnet for the criminal fraternity, who fasten on to them because they know that they will provide them with a ready market among vulnerable youngsters. Sometimes it appears that the clubs themselves—the bouncers, managers and owners—are in on the act. The police often know which clubs these are. I am not talking about all clubs—I am talking about bad clubs and badly run clubs.

Hon. Members will know of some of those clubs. The police certainly do, but they cannot close them because they do not have the necessary powers. Even if they succeed in getting a licence revoked, the owner can appeal and prevaricate. There is then a delay, during which the club continues to offer both entertainment and drugs to the youngsters who frequent it.

The danger therefore remains, and it cannot be allowed to persist. That is why it is important that the law be changed. I do not believe that the hon. Member for Newport, West is right in saying that if the Bill is enacted, it will make the situation worse. The Bill is directed at bad clubs and the delay that occurs between evidence becoming available and the closure order coming into effect.

We hear much in the House and read in the media about drugs, which is a generic term to describe a group of various drugs which exist and are used for very different purposes—mostly medicinal. It is important to make it quite clear what we are talking about. The Misuse of Drugs Act 1971 controls

"dangerous or otherwise harmful drugs"

which are designated as "controlled drugs". The primary purpose of the Act is to prevent the misuse of controlled drugs. It does that by imposing a total prohibition on the possession, supply, manufacture, import or export of controlled drugs, except as allowed by regulations or by licence from the Secretary of State.

Schedule 1 includes the hallucinogenic drugs, such as LSD and cannabis, which have virtually no therapeutic use. The production, possession and supply of drugs in this schedule is limited, in the public interest, to research or other special purposes.

Schedule 2 includes the opiates, such as heroin, morphine and methadone, and the major stimulants, such as amphetamines, and quinalbarbitone. A licence is needed to import or export drugs in this schedule, but they may be manufactured or compounded by a licence holder, practitioner or pharmacist or a person lawfully conducting a retail pharmacy business.

Schedule 3 includes a small number of minor stimulant drugs, such as benzphetamine, and other drugs that are not thought so likely to be misused as the drugs in schedule 2, nor to be so harmful.

Schedule 4 includes the benzodiazepines. The restrictions applicable to schedule 3 drugs apply to those, with a number of relaxations.

Schedule 5 contains preparations of certain controlled drugs, for example, codeine, pholcodine, cocaine and morphine, which are exempt from full control when present in medicinal products of low strength. The hon. Member for Newport, West referred to some of those in his remarks.

A wide range of drugs that exist in our society are controlled by the Act. It is exceedingly dangerous for some of those to get into the possession of the criminal fraternity, sometimes to be modified by them, to be diluted, watered down or interfered with in some way that alters their purity, which in itself can constitute a serious danger to anyone taking such a drug.

My hon. Friend the Member for Lewes (Mr. Rathbone) made a very important reference to safety at clubs. He spoke about the responsibilities that some club officials have in supervising the entertainment that takes place in

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them. I have looked into the matter because I am interested in the part that the running and supervision of clubs can play in making it safe for young people to enjoy entertainment on licensed premises.

In February last year, the Home Office issued a draft circular on the health and safety of young people at dance events and clubs. It provided model licence conditions, designed to encourage measures to improve the health and safety of young people, with particular emphasis on reducing the availability and acceptability of drugs.

The conditions were intended not to be prescriptive but to enable local authorities and agencies, as well as the organisers of dance events, to devise conditions that meet local needs and circumstances. That seems to be moving in the right direction. The model conditions in the circular were prefaced by the following general considerations.

First, the onus is to be placed squarely on the holder of the licence to provide health and safety measures, irrespective of whether drugs are being taken, which meets one of the points made by the hon. Member for Newport, West.

Secondly, the criteria for granting licences should include the availability of rest facilities in a cool environment; the monitoring of temperature and air quality; and the provision of information on the dangers posed by drugs. All of those are highly desirable.

I share the views of the hon. Gentleman, who spoke about some of the music that is played nowadays, the incredible noise that it generates and the heat generated as a result of dancing for long periods, which in itself is a great danger.

Mr. Rathbone: I should like to add to the list that my hon. Friend just enumerated the availability of free water, because many clubs, unfortunately, take advantage of the need to drink a lot of water in order to sell water at an exorbitant price.

Sir Michael Shersby: That is a very valuable point. It meets squarely the observations made by the hon. Member for Newport, West. It is clear that the heat generated in these clubs as a result of dancing for long periods requires access to water, and it is important that that should be included in a regulatory regime.

When my hon. Friend the Minister replies on behalf of the Government, I hope very much that he will have something to say about the outcome of the consultations that have been taking place. I hope also that he will tell the House what conclusions the Home Office has reached as a result of the contacts that it has undoubtedly had with local drug action teams or reference groups.

Local authorities play an important role. They are often best placed to attach any necessary conditions in the light of local needs. Councillors, in representing their wards, know their local areas intimately. They are well placed to be able to participate in the decisions taken by local authorities. It is important that we get on with implementing proposals that complement the Bill's provisions. Particular emphasis needs to be placed on the reduction of the supply of drugs by searches of visitors where there is reasonable suspicion that drugs are being carried and on the provision of first aid.

It is clear to me that the views expressed by the Home Office reflect closely those set out in the London Drug Policy Forum's paper entitled, "Dance 'Till Dawn Safely"—an activity that, perhaps a few years ago, every Member of this place has enjoyed and one that we would like to see the young people of today enjoying. We want them to be able to dance safely till dawn, free of drugs and with the availability of water and proper rest facilities.

I feel quite strongly about the question of doorkeepers. In its 1994 report on police, drug misusers and the community, the Advisory Council on the Misuse of Drugs commented:

> "There is a limit to the extent to which enforcement and security action can be taken to prevent drug dealing at such events. Even the most vigilant action by door staff cannot prevent drugs from being smuggled into raves, particularly as staff cannot legally conduct strip or intimate body searches, and may encourage drug taking before entering the venue. In any case, it is claimed that door and other security staff are frequently involved in the drug dealing that takes place and we comment later in this chapter on the need for regulating and training such staff."

I hope that this element of the problem that exists at clubs will be considered. I do not know whether it will come strictly within the ambit of the Bill. When it is discussed in Committee, however, there might be an opportunity to consider the position of doorkeepers and others involved in the regulation of clubs.

Another interesting report on the topic of doorkeepers and security staff was directed specifically at the private security industry. The Select Committee on Home Affairs noted that the evidence provided by the British Entertainments and Discotheque Association, which represents the nightclub industry, on the conduct of door supervisors' required some attention. The Merseyside police force conducted a survey which revealed that of 476 door supervisors, 279 had previous convictions, including 28 for drug offences.

The Association of Chief Police Officers reported that a local regulation scheme which involved the positive vetting and training of door supervisors, combined with the power to revoke registration, had led to a 50 per cent. reduction in criminal offending in the first six months.

BEDA, representing the nightclub industry, advocated in its evidence a national statutory scheme of registration rather than self-regulation because there would be insufficient participation in voluntary schemes. The Select Committee's main conclusions were that there should be better access to criminal records for the industry as a whole, that no statutory controls beyond better access to criminal records were needed in most parts of the country, and that statutory measures were necessary for the contract manning/guarding sector.

All these matters, although not appearing in every clause of the Bill, are part of the overall problem of regulating and supervising organised clubs which provide entertainment—it is mostly music and dancing, and principally for young people.

The Bill represents an enormously important first step in dealing with the problems that we have been discussing. Taken as a whole, it is probably a problem that we shall never solve, but it is one that we can tackle and reduce to perhaps a less dangerous level. I strongly support the Bill. I welcome it and I hope that it will reach the statute book quickly so that local authorities, the police and other agencies, working together, will be able to identify where drugs are being supplied to young

people, thereby putting their lives at risk, and to close the offending clubs straight away. They should not be allowed to continue in business for another 12 months while lawyers argue on their behalf at one appeal after another, thus dragging out the procedure while the business continues unchecked.

My hon. Friend the Member for Milton Keynes, South-West has my full support and I wish his Bill every success.

11.5 am

Mr. David Evans (Welwyn Hatfield): I congratulate my hon. Friend the Member for Milton Keynes, South-West (Mr. Legg) on introducing a Bill that is needed to help combat the war against drugs. I deplore Brian Harvey of East 17 for his comments. It seems that Ecstasy has already taken an effect on his brain. I wonder what Paul and Janet Betts think about his remarks. They have been courageous in bringing the drugs issue into the forefront for the nation's consideration and are to be congratulated. They continue to appear on television and radio programmes to put their point of view with great clarity. My hon. Friend, who has helped them, should similarly be congratulated.

The Government cannot afford to take their eye off the ball. The drugs industry has grown up, as it were, and so have the ways of pushing and dealing. Focus points for the selling of drugs are discos and nightclubs. The aim behind the Bill is to curtail the trade in clubs, and it must be welcomed by hon. Members on both sides of the House.

The need to introduce new measures has been brought home to the House by the tragic incidents of teenagers losing their lives as a result of taking illegal substances at discos and nightclubs. If we can prevent such tragic incidents, we must do so.

My daughter, Amanda, has sung and danced in many clubs over the past two or three years. She would tell the House that she is offered drugs every time she performs at one of those clubs. I am nervous for her. She is a strong girl, but she has told me time and again that there is a great temptation just to try drugs.

We must give the police and local authorities the power to close clubs where drugs are freely being pushed. It is essential that they have that power. We must enable police chiefs to target clubs where drugs are sold. They can then take the evidence to local authorities and then to magistrates, who will have the power to shut the club immediately, irrespective of whether the owner has been convicted. That is a necessary step in the war against drug dealers, those evil reptiles who prey all too often on innocent teenagers.

The club owners are not always innocent parties in respect of the drugs trade in their own clubs. Sometimes they are aware that drugs are sold. They could even be taking a percentage of the profit. It is right to target such clubs.

As a result of a number of high-profile drug incidents, nightclubs claim that they have cleaned up their act. That is just not true. Their new attitude is supposed to be reflected in signs on walls that state, "Customers found in possession of illegal substances will be handed over to the police and prosecuted." All too often, the rhetoric does not match the reality. An investigation by a national newspaper, *The People*, discovered that in clubs such warnings went unheeded, and did not seem to be rigorously enforced. It discovered clubs in Leeds, Newcastle and Manchester that professed to be anti-drugs, but where drugs were freely available and changing hands for money. The selling of drugs is illegal. Nightclubs and discos are not exempt from that rule, and should not be allowed to frustrate the law by having the conviction of the licensee postponed, thus allowing the club to continue to operate and be a lucrative den for dealers. The Bill would close that loophole and the drug clubs.

Club owners have a responsibility to ensure that no illegal activities are taking place on their premises. By not clamping down on drug taking, they are, in effect, condoning it. The same applies to the forces of law and order. It is the responsibility of Members of Parliament to give the police and local authorities the power that they need to put drug-infested clubs out of business. The police must work with local authorities to marginalise drug abuse, which, unfortunately, is all too readily becoming part of mainstream culture. That trend must be reversed.

The Executive, legislature and the judiciary have a responsibility to take a leading role in the fight against drugs, which invade and destroy our society. The Executive, in the shape of the Home Secretary, have taken the lead in the fight, and he has given his full support to this private Member's Bill. I urge the House to do the same, and—just as important—I urge the judiciary to back the Government in their fight against drugs.

The Government have taken steps, and it would be right to remind the House of some of those measures. The Government spend £500 million every year tackling all aspects of the drugs problem, from gathering intelligence on international drug barons to operating drug education programmes. The Government's comprehensive strategy to combat the drugs menace is three-pronged: reducing the supply of drugs, the demand for drugs and the health risk that drugs cause.

Drug traffickers and drug dealers earn immense profits from the destruction of other people's lives. The Government have increased the penalties for drug peddlers. The maximum sentence for trafficking in class A drugs, such as heroin, cocaine and Ecstasy, has been raised from 14 years to life. The Criminal Justice Act 1993 strengthened the powers of the courts to confiscate the profits of drug trafficking and laundering drugs money. The Crime (Sentences) Bill will introduce a stiff minimum mandatory sentence of seven years for those who are convicted on three separate occasions for trafficking in hard drugs. The Security Service Act 1996 has enabled the Security Service to support the efforts of law enforcers to fight drug trafficking.

The current sentencing structure must match the Government's stance, and, in turn, reinforce the sort of society that we want to create. I regret that that was not reflected in the recent sentencing of a high-profile performer, Liam Gallagher of Oasis. That individual was let off with a small fine. As a result of that incident, it has become apparent that first-time drug offenders are usually only cautioned. That is outrageous. Gallagher cultivates a loutish image, and has boasted about spending up to £300 a day on cocaine. He should have been dealt with in such a manner as to wipe that smug grin off his face.

Instead, those whose duty it is to combat the destructive impact of drugs on the young have displayed a forbearance so permissive as to make parents weep.

[Mr. David Evans]

The forces of law and order should realise that they are sending the wrong signal to society with that lenient approach. It is morally reprehensible. A liberal approach to drugs has a corrosive effect on society. Ultimately, the position of a tough Government is undermined if the other branches of the state are sending different signals to society.

We have recently heard much about the crime-fighting concept of zero tolerance. Zero tolerance cannot be applied selectively. All minor offences must be punished. Being found in possession of a quantity of drugs should be treated as a serious offence, irrespective of whether it is a small quantity or a first-time offence. If individuals fear being caught with drugs, they are less likely to purchase them, thus hitting the dealers. However, the system currently in operation does not punish possession—that is wrong. I propose a system of zero tolerance for drug abusers, which would mean that those found in possession of an illegal substance would be given an automatic gaol sentence. If I thought that it was remotely possible, I would advocate the death penalty for those in possession of drugs. That works in Singapore and Malaysia, so why not here?

The drug culture has been divided into hard and soft drugs. Consequently, we have downgraded the possession of so-called soft drugs, so that both possession and abuse are no longer stigmatised or properly punished. We have conferred on them a degree of acceptability. Society and the sentencing structure need to send an entirely different message. Cannabis possession and use should be stigmatised by society, and should result in an automatic gaol sentence. It is an illegal substance and it should not be legalised. Many teenagers start out by smoking cannabis, thinking it to be non-addictive—which it most certainly is not—and many go on to harder, more powerful substances. That underlines my argument for a no-nonsense, zero tolerance approach to all those caught in possession of or using illegal substances.

Liberal solutions to social problems are not the answer. An overweening liberal ethos has infested British institutions and should be eradicated. The end result is programmes such as BBC's "Panorama", which, when reporting on Britain's drug problem, tend to reinforce the liberal agenda that declares that young men in non-industrial areas have no option but to turn to drugs, that prison does not work and that the law cannot cope or solve the problem. Too many young people have been misled by the Liberal Democrats' call for the legalisation of cannabis into thinking that if it is okay for the wacky baccy party, it cannot do any harm. One youngster told his dad, "If it's okay for Paddy the pot, it's okay for me." That is absolute nonsense.

Young men in non-industrial areas know the difference between right and wrong. They should take advantage of the new, flexible labour market and—dare I say it—get on their bikes and look for work. Youngsters should face up to reality and should not be excused for rejecting it. The reality is that work will not come and seek them out; they have to go and find it. Prison does work, and the law can provide some order and some solutions. A society without a strict set of rules will become overrun and dominated by the activities of those who are ignorant of their responsibilities to others, and who indulge in anti-social behaviour. The need for strong disincentives is overwhelming. As Charles Murray said:

"If the risk of imprisonment goes down, crime goes up."

As well as strengthening the forces of law and order, we should also concern ourselves with factors related to the increased use of illegal substances in Britain's nightclubs. It is a well-known fact that drug gangs and cartels operate in our big cities. Those gangs live off the profits of selling drugs, often to vulnerable and impressionable teenagers. Such teenagers are targeted in pubs and clubs. Those same gangs often control the doormen, whose job it is to turn away the very people who may be the drug dealers. It is a bitter irony that in many cities bouncers are dependent on drugs getting into nightclubs so that their bosses can make a profit. It is perverse. The job prospects of a doorman should depend on his preventing drug dealers from entering nightclubs.

An exposé in *The Sunday Times* on drugs in Britain's cities revealed the extent to which gangs control the flow of drugs and the places where they are sold. The chief of one city drug gang was alleged to control 100 bars. The article quoted a gang member who revealed that

"the gangs need to control the doors of the pubs and clubs so that they can get their dealers in to sell. In some clubs 95 per cent. of clubbers will be on some sort of drug."

That remark—not from a politician or an academic—shows how drugs are being pushed, the importance of doormen in the drug chain and the pervasiveness of the drug culture. It also shows that much more still needs to be done to stiffen the moral fibre of the nation to reject the drug culture and the punishment for those involved in promoting the filth.

Drug taking should be seen not as a life style choice but as a fast route to prison. The drug culture and the criminal culture need to be smashed.

A key problem may be the fact that there is no unitary body responsible for overseeing the appointment of nightclub doormen. I understand that there are pilot projects under way, but it may be necessary to contemplate a national register of nightclub doormen. All persons wishing to be doormen should need to apply for a licence from an approved body.

My hon. Friend the Member for Milton Keynes, South–West has already stated his intention that one of the longer-term consequences of the Bill should be to foster a more co-operative relationship between clubs, police and local authorities. I welcome that objective, which should be strengthened. A strategy for regulating doormen should be formally established and properly implemented. It should then be an offence for a nightclub owner to hire a doorman who did not possess an approved licence. That would hand the authorities some measure of control over the individuals responsible for overseeing those who are allowed to enter nightclubs. For instance, if an applicant had a previous drugs-related conviction or known underworld connections, it would seem sensible to bar him from controlling the entrance policy of a nightclub. It is an overdue regulation.

If the process could be devolved to local level, all the better. I am not in favour of centralisation, but it is important that such a system is comprehensive and properly enforced. Proprietors who are convicted and lose their licence should be blacklisted and prevented from owning or working in another nightclub. It may be advisable to establish a nightclub proprietors blacklist.

I also support the proposal of my hon. Friend the Member for Ribble Valley (Mr. Evans) for the establishment of a national telephone line, so that people could volunteer information about drug dealers. It would be based on the same principle as the benefit rip-off line which, according to early indicators, is a huge success. That scheme saves the Department of Social Security money; a drug dealers line would probably save lives.

I support the Bill. It is certainly a step in the right direction, but we can—and I hope that we shall—take further steps to clean up Britain's clubs and close down the drugs trade.

11.23 am

Mr. Bernard Jenkin (Colchester, North): I am pleased to follow my hon. Friend the Member for Welwyn Hatfield (Mr. Evans), who made an excellent speech. There is something of a cultural divide between his speech and that of the hon. Member for Newport, West (Mr. Flynn), which I shall address in a moment.

We have to choose between a permissive attitude towards drug taking, regardless of its legality, and a non-permissive attitude. My hon. Friend the Member for Welwyn Hatfield mentioned Singapore. I recently visited Singapore and was struck by the clean and upright social environment there. Although there may be anxieties about civil liberties, I have little doubt as to which society the majority of my constituents would prefer.

While many of us who inhabit leafy suburbs and comfortable middle-class surroundings indulge in the fashionable liberalism of the late 20th century, most of our constituents live in more adverse circumstances and face the consequences of excessive tolerance of soft drugs, for example. How much petty crime is generated by people trying to raise money to pay for a drugs habit has been mentioned.

Hon. Members have to consider seriously whether to take the fully permissive route which legitimises drugs, and to include in the framework of society social rules about the use of those substances, or whether to adopt the only practical policy and stick with the illegal status of drugs and condemn their use—in which case we shall have to move somewhat in the direction advocated by my hon. Friend the Member for Welwyn Hatfield. Creating a permissive atmosphere around the use of drugs because enforcement does not represent the best use of police time or of our courts and punishment system would put us in danger of fostering the very culture that we wish to eradicate.

I congratulate my hon. Friend the Member for Milton Keynes, South–West (Mr. Legg) on scoring so brilliantly in the ballot for private Members' Bills. I have not yet perfected that skill, but I shall keep trying, although I have been asked to pilot through someone else's Bill this Session. I also congratulate him on his choice of topic. There is growing anxiety, and a sense of powerlessness, among parents about the drugs problem.

I regret that the hon. Member for Newport, West is not in his place and I apologise for commenting on his speech in his absence, but no doubt he will read my remarks in *Hansard*. I am amused that he regards the Bill as prejudiced, tabloid-inspired politics. Conservative Members are not usually denigrated by the Opposition for representing the ordinary man in the street. I find it difficult to apologise for that. In fact, my hon. Friend the Member for Milton Keynes, South–West should be proud of the service that the Bill will do the House and the country.

I shall reply to the remarks of the hon. Member for Newport, West. He was extremely well informed and produced many facts and figures of great interest and relevance to the debate. I am pleased that hon. Gentleman has returned to the Chamber. There is no doubt about the relevance of his comparisons between drugs. He said that the drugs culture is reflected in the increasing recorded evidence of drug use that the "Say No to Drugs" campaign has apparently failed to address. We are always told how unreliable statistics can be. I wonder how much drug use would increase, and how much more appalling the statistics would be, if we were not saying no to drugs. Just because the problem has become more severe does not mean that we should give up on the policy. It is rather like saying that, because the war went rather badly for Britain in 1939-40, we should have given up and let Hitler take over the country. That would not have been a good argument in 1940 and the hon. Member for Newport, West is not making a good argument in this instance.

Mr. Flynn: There is clear proof that drug prohibition throughout America and the free world is not working. The prohibition of alcohol in 1920s America did not work. A royal commission should look at drugs policy so that we may examine harm reduction and not continually rely on a policy that is leading to an increase in drug use by giving a greater incentive, the profit motive—in a criminal and entirely irresponsible market.

Mr. Jenkin: I shall make a couple of points in response to the hon. Gentleman, the first of which I shall repeat because he was not in the Chamber when I first made it. The increasingly permissive attitude of the law and order authorities towards minor transgressors who use soft drugs is fostering the drug culture. If there were a zero tolerance attitude to drugs, people, especially young people, would not think that a little casual drug taking was all right. Unfortunately, that is the attitude that we have fostered by concentrating on the big guys rather than on minor drug infringers. Liam Gallagher and other, similar, cases give that impression, which is counter-productive to the "Say No to Drugs" campaign.

The hon. Member for Newport, West is fond of making comparisons with alcohol, but I do not think that they are legitimate. We face a rising feeling that drug taking is a fashion, especially among the young. That was most prominent in the 1960s at the big pop festivals, where cannabis was fashionable. People took the view that a little bit of cannabis smoking was all right. They said, "I am grown up and I can handle it." But more research has shown that the long-term use of such drugs is considerably more harmful than popular mythology first supposed.

In the 1980s, there was the same phenomenon with cocaine. Happily, no one has suggested that a little heroin is all right, but cocaine became the designer drug. It was said that it would not do anyone any harm. Again, we heard people say, "I can handle it, I am grown up enough." But as I have said, such drugs cause damage and we are now in the era of Ecstasy.

The hon. Member for Newport, West made it plain that he is not in favour of the legalisation of drugs. I am one of the many people he corrected; he sometimes gives the

[Mr. Jenkin]

impression of being in favour of some substances. I fully accept that that is not the case, and it was important for him to put that on the record. The hon. Gentleman spoke about the physical damage of Ecstasy, and that needs to be emphasised. However, I fail to see how parents of young people who are trying to get their children off these substances are served by the creation of an atmosphere that hinders the effort to prohibit or restrict the supply of such substances.

The atmosphere of drugs must be shown to be not only morally wrong because it is against the law, but damaging. The hon. Member for Newport, West seemed to suggest that drug taking is on a par with other happenings in society and is therefore all right. That is extremely damaging to the fight against drugs.

The Ecstasy culture has become pervasive. I have taken the trouble to speak to people who are not of my generation, but are perhaps 10 or 15 years younger, about the sort of life style that they lead. Ecstasy is a stimulant which apparently enables people to survive an entire weekend or longer without sleep. Its attraction is that it puts people in a high state of excitement and enables them to dance effortlessly for hours on end to curious music. It is the cause, although perhaps not the direct cause, of the overheating that was referred to earlier. It enables the recipient to undertake the excessive and prolonged physical exercise which his physical condition may not be able to sustain. All the problems about overheating follow.

People finish work on Friday evening, get on Ecstasy, and party all weekend. We are talking not about deprived, unemployed or socially victimised young people, but about career people, manual workers, people who work at desks and those who are employed in the City. They present themselves as fit for work on Monday, no doubt topping up their bodies with some sort of substance to keep them going through the week. As I have said, Ecstasy creates excitement and obviates the need for sleep. People who take it convince themselves that it is not doing them any harm as long as they do not take alcohol with it. We hope that they have learnt that, but we have no idea of the long-term effects of taking the drug. No research results are available, because nobody has been taking such drugs for more than a few years. No doubt this is another fashion that will run its course and people will turn to something else.

Mr. Rathbone: Although my hon. Friend is technically correct, there are strong signs that, in the long term, Ecstasy may cause extremely serious paranoia of one sort or another.

Mr. Jenkin: I am interested to hear that, and noted what my hon. Friend said earlier about the effects on the brain of the excessive use of the drug and the unnatural substance that it creates in the body.

I shall speak briefly about the argument against legalisation. We have semi-legitimised a life style by our over-tolerant attitude towards minor drug use; legalisation would legitimise it. The hon. Member for Newport, West spoke about alcohol and tobacco abuse. It is difficult to control the use of those substances because they are legitimate, but research shows that the substances we are debating are much more dangerous—the hon. Gentleman may contest that on the basis of his figures—because much smaller amounts are used to produce much more instant and dramatic effects.

The problem with legalising these substances is that it would legitimise the whole culture, which is already out of control. We should not only say that the substances are illegal, but tell opinion formers such as the bands East 17 and Oasis that they have a duty of good citizenship. That duty means that sentences for such people should go far beyond the punishment that an ordinary citizen should be handed out in the same circumstances. There is a shortcoming in the law in respect of public figures, especially role models for young people such as East 17 and Oasis, who are caught red-handed setting a bad example and taking such substances. The idea that it is acceptable to hand out a caution—it was not even a fine—is ridiculous. I think that there was a case involving a footballer who had committed a crime in public and who was given an exemplary sentence. Exemplary sentences should be available for people who set bad examples to society.

People who regard themselves as responsible users of soft drugs, in respect of whom the argument for liberalisation and legalisation is often advanced, should be told that, if they are responsible adults capable of handling the drug, they should not be taking it at all because of the poor example that it sets to others. If that does not happen, we will be driven towards the Singapore model of more and more draconian punishment. That is not inherently desirable, but our constituents will inevitably demand it.

I have an observation to make about the general state of the law and order debate. It used to be an eccentric right-wing monopoly to make crime an issue in politics. Now, the Conservatives are being chased by the Leader of the Opposition and his new Labour magicians as fast as they possibly can to try to keep up with the law and order reforms that we are putting through the House. So terrified are they of being divided from us on any law and order issue that they no longer dare oppose our law and order legislation, even though many of their Back Benchers are crying out for them to do so. However, I understand that the Labour leadership have recently crumbled and will not back all the provisions of the Police Bill; shame on them.

We need to create a new legal structure in which we positively encourage good citizenship. I recall the debate that followed the statement by Frances Lawrence about good citizenship. Good citizenship cannot be taught in isolation. Morals cannot be taught; they are imbued in use by the structures in which we grow up. A moral society not only teaches children that drugs are wrong; schools must assert the authority that they represent. It goes right down to getting children to hand in their homework on time, put on their uniforms properly, turn up on time and behave like responsible citizens so that they can avail themselves of the opportunities offered by schools and so that the temptations, when they arise, are far less alluring.

In a way, the Bill is about removing temptation. The powerlessness of the police and the authorities in the face of clubs is at its core. They are a legitimate target. The Bill provides that local authorities may revoke a public entertainments licence if informed by the police that

"there is a serious problem relating to the supply or use of controlled drugs at or near the"

licensed premises, and if they are satisfied that their action will assist in dealing with the problem.

Legitimate, well-run clubs have nothing to fear. The police know which clubs are seriously co-operating with them in tackling drugs, and which are not. Some people suggest that all clubs will be caught up in a draconian process that indiscriminately disperses the drugs problem to other areas. What do they think our police do? Do they think that they are automatons directed by legislation? Of course they are not; they are highly intelligent and responsible people to whom we owe a great debt, especially in the fight against drugs. I have no doubt, certainly when speaking for the police in my area, that they will use the power with restraint and responsibility, and where it is needed.

What about issues such as water and bouncers? If it is evident that bouncers are part of the drug promotion culture of a club, the police will clearly take that into consideration when assessing the matter. That is not a separate issue, but something that I hope the police will be empowered to consider when deciding what action to take under the Bill. They will be looking for management who seriously co-operate in dealing with the problem; where management are obstructive, we need to give the police the power to deal with and punish them. The ultimate punishment for management is not a criminal prosecution that requires a burden of proof beyond all reasonable doubt. We need some effective and simple remedy. My hon. Friend the Member for Milton Keynes, South-West put it well: a public entertainments licence is a privilege. The authorities should be able to withdraw it if it is abused.

The Bill will not solve all the drug problems in society, and this is by no means the only drugs problem, but it is one matter on which we as law makers can act, and act decisively, to help in the fight against drugs. It removes a temptation that is being put in front of our young people. As a parent, I would like my children to grow up with one extra temptation removed, one avenue to drug taking blocked off. It is legitimate for us to do that, and I support and commend the Bill.

11.47 am

Mr. George Howarth (Knowsley, North): I congratulate the hon. Member for Milton Keynes, South-West (Mr. Legg) on his good fortune in gaining a high enough place in the ballot to secure this opportunity, and on his choice of topic. I do not intend to oppose his Bill, but I have some criticisms, and a suggestion that would resolve them. However, the Bill is worthy of moving forward and it will make a difference.

Before I discuss the Bill in detail, I should like to make a few observations on the thoughtful speech of the hon. Member for Colchester, North (Mr. Jenkin). It is true that every town, village and city has a problem with drugs. We must be equal to those problems in proposing strategies to deal with them. He made some interesting comments about tolerance, which I shall discuss shortly. However, an otherwise thoughtful speech was somewhat spoiled by an unnecessary attack on the attitude of the Opposition. We have been consistently supportive of the Government's approach on this subject. We were among the first to go on record as supporting the Green Paper, "Tackling Drugs Together", and we have supported it in speeches in the House and elsewhere. The hon. Member for Colchester, North will confirm that we try to be constructive and helpful in forging a consensus across the House.

The hon. Member for Colchester, North also made a point about the Police Bill. My hon. Friend the Member for Blackburn (Mr. Straw), the shadow Home Secretary, suggested amendments to the Bill in the House of Lords last night, not because we were chasing the Government—as the hon. Gentleman put it—but because we listened to the legitimate concerns of a range of people, including people within the judiciary. After wide consultation, I think that we have arrived at a set of amendments that will do two things. First, they will protect the genuine civil liberties of individuals and secondly, they will provide the police with a workable system to pursue what they rightly consider an important part of surveillance. So perhaps the hon. Gentleman need not have made those points.

I have made it clear on every occasion when I have had the opportunity to do so that the Opposition do not believe that there is any case whatever for decriminalisation or legalisation of soft drugs. Without going into great detail on the arguments, I simply state two reasons why it is most important that that is the case. First, the statistics prove that there is ambiguity among young people about whether it is acceptable to take drugs. If one questioned young people closely, most of them would understand the dangers of heroin, but they are often wholly unaware of the short-term and long-term dangers of so-called softer drugs such as Ecstasy and cannabis.

So any argument in favour of decriminalisation or legalisation is bound to send out completely the wrong signal to young people. It would in effect say that Parliament and the Government in some way condoned the taking of those currently illegal substances, or might consider doing so. The proposal of the Liberal Democrats is to set up a royal commission. The problem with that is that, while they do not send out that signal directly, the indirect message from the establishment of such a royal commission is that we might consider legalisation or decriminalisation in the future.

Sir Michael Neubert: Does the hon. Gentleman agree that, from a different standpoint, the hon. Member for Newport, West (Mr. Flynn) also muddied the message? It must be a clear message. It should not be confused or blurred by the rather rational considerations that he brings to the problem, which do not get through to the young people who need to hear the clear message that we are trying to give this morning.

Mr. Howarth: My hon. Friend takes a different view and expresses his views in very different terms from me. I should point out—he would be the first to make this point—that his views are distinctively his own and not those of the Opposition. However, my hon. Friend has made an important clarification this morning: he has made it clear that he is not in favour of legalisation. He considers the dangers of certain drugs—most prominently cannabis, I presume—to be no less than those which confront people who use alcohol and tobacco, but I understand that the only legalisation for which he argues is in certain cases for medical purposes. I think that that is a fair summary of his views.

Mr. Flynn: That is exactly right. The clear message that we should be giving is that the actions that we are

[Mr. Flynn]

taking at present are not working and are perversely leading to more drug deaths and drug abuse. It happens every year. I want to see a royal commission examine the possibility of replacing the present drugs market, which is criminal and irresponsible, with a market that can be rigidly policed and controlled and can reduce the use of drugs. The test of the Bill is whether it will reduce or increase harm. I believe that it fails on that test.

Mr. Howarth: I do not want to prolong this argument. I have covered the argument about a royal commission and the faults with that proposal. I will leave it at that. I shall make some other observations about my hon. Friend's speech a little later.

The purpose of the Bill, as the hon. Member for Milton Keynes, South–West clearly stated, is to make it easier for local authorities and the courts to close clubs

"where there is a serious problem with controlled drugs."

That is a laudable objective and certainly one that we support. There are some difficulties with it that need to be discussed because we are dealing with the matter as a piece of legislation. I hope to make a suggestion later as to how we might deal with them.

Under clause 1(3), the Bill will apply when a report is received

"from the chief officer of police that there is a serious problem relating to the supply or use of controlled drugs at or near the place."

There are two obvious areas of concern. First, what constitutes a serious problem? It is not defined in the Bill. Therefore, there is a danger that the Bill will effectively produce subjective legislation, which could lead to inconsistent implementation and so weaken the Bill's authority. There is some evidence for that. There is already some inconsistency, which has been presented to Members of Parliament by the Association of Metropolitan Authorities.

The AMA says:

"The Metropolitan Police have made it clear that they support implementation of the Code of Practice and would not take it to indicate 'a serious drug problem'. However, there are other areas of the country where the problems may arise. For example, reports state that Devon police already routinely oppose the issuing of licences for dance events."

The legislation may be applied routinely where there is only subjective rather than factual evidence of a problem.

The AMA suggests a possible definition of "a serious problem", which is:

"Prior to an application being made to a local authority, convictions have been obtained for serious offences under the Misuse of Drugs Act 1971 that have taken place on the licensee's premises, and/or, the club licensee is complicit in serious offences under the Act taking place on his or her premises and the level of evidence obtained clearly demonstrates this."

Perhaps that definition could be improved, because at some stage we need to provide an adequate one.

Mr. Andrew Hunter (Basingstoke): I am a little surprised by the hon. Gentleman's argument. Does he not accept that in scores of items of legislation we accept "reasonable excuse" as a legitimate defence, which is interpreted subjectively by the magistrates court, the county court or whatever? Surely the Bill could provide for such a subjective interpretation based on the evidence of "a serious problem".

Mr. Howarth: I am quoting the view of the local authority association. Given that the Bill is designed to give local authorities the power to close a club, we should take notice of the AMA's views. I am not citing its opinion in order to argue against the Bill, but we need to discuss the definitions provided in it. We may have to take action to mitigate against the possible difficulties outlined by the AMA. I stress, however, that I am not using its evidence to argue against the Bill.

The hon. Member for Romford (Sir M. Neubert) referred to the problems expressed by the British Entertainments and Discotheque Association. That trade association of the club industry represents more than 700 clubs across the country and it has suggested:

"In a fiercely competitive climate there is scope for one club to 'sabotage' another with accusations of drug dealing."

Although there is no reason to believe that local police would be swayed by such tactics, they would be under an obligation to investigate such allegations. There is a danger that valuable police time would be wasted because the definition provided in the Bill is too loose.

The Bill also refers to the powers a local authority may have to close a club which is situated near to a known area with drug problems. That is a rather vague notion and it could place responsibility on a licensee for public property over which he has no control. It is a policing matter because clubs could not provide the security staff in public places in lieu of the police. That problem must also be dealt with during the Bill's passage.

Last year, the hon. Member for Milton Keynes, South–West said in an article:

"Well run clubs that have taken robust efforts to prevent drug misuse have nothing to fear."

I hope that that is the case. There are many such clubs which have taken considerable time and care to provide proper training for their staff. Some of them have proper drugs policies which they operate responsibly and properly in co-operation with the local authority and the local police. I hope that none of us intends that they should suffer under the Bill.

It is also worth noting that BEDA, which represents most clubs in this country, has stated:

"It is therefore important that a safeguard is built into the Bill to ensure that the police do not 'ambush' clubs where a problem has not traditionally existed. In these cases the worst offence committed by the licensee would be naivety."

That is a fair point and for those reasons BEDA has proposed the use of a written warning whereby Government drug action teams could provide written instructions to a club about what improvements could be made. The hon. Member for Milton Keynes, South-West may argue that that is unnecessary because there is scope within the Bill for a council to change the conditions of a club's licence. Given the risk that the measures contained in the Bill could be interpreted inconsistently, however, we should allow for a more productive co-operative approach.

A written warning would allow scope for productive changes to be made at a given club. If those proposals were not adequately implemented, there would be scope for strong action against the offending club.

The Bill would allow for the immediate closure of clubs. I accept that the behaviour of the management of the club at Wandsworth, which has been cited more than once today, is justification for such a power, but it is one of the most controversial measures in the Bill and raises a number of problems that should be addressed.

The AMA has voiced concern about repercussions that may arise if a club's licence is revoked following an allegation that is subsequently proven to be unfounded. In those circumstances, a local authority may be liable to be sued by the licensee for damages and loss of income. That could involve substantial amounts of money. As protection against that, local authority associations would support clarification from the Government—not the hon. Member for Milton Keynes, South-West—about what criteria should be used when revoking a licence.

Under the heading "Financial effects of the Bill" it states:

"The Bill will not involve any significant increase in public expenditure."

We need clarification about the position of local authorities in the circumstances described by the AMA; otherwise, additional costs may be involved.

The closure of a club would also have a dramatic effect on its employees, who may be entirely innocent of any wrongdoing. It is therefore important that the terms governing the closure of a club are clear and consistent. There are concerns about encouraging good practice. A letter that we produced following the publication of a document by the Home Office Advisory Council on the Misuse of Drugs stated:

"We recommend that criteria for the granting of licences for raves and other such events by local authorities should include:

—the availability of free cold water

—provision of rest facilities in a cool environment"—

often called chill-out facilities—

"—monitoring of temperature and air quality

—provision of information and advice on drugs

—compliance with a regulatory scheme for the selection, training and management of door staff".

The point was covered by my hon. Friend the Member for Newport, West (Mr. Flynn) and others—including, I believe, the hon. Member for Uxbridge (Sir M. Shersby).

The AMA has expressed concern that the emergency revocation of licences could become counter-productive in reducing drug misuse by penalising existing good practice. Where good practice exists, I hope that we can bolster rather than undermine it.

Finally, I wish to raise a subject that has been mentioned by many hon. Members. The issue of door supervisors—doormen, bouncers or whichever term one wishes to apply—has been raised by the hon. Member for Uxbridge and, I believe, by the hon. Member for Welwyn Hatfield (Mr. Evans) and others. The hon. Member for Uxbridge spoke of statistics contained in a good briefing provided by the House of Commons Library in its research paper 97/2. It mentioned a survey done by the Merseyside police which revealed that of 476 door supervisors, 279 had previous convictions, including 28 for drug offences. That is clearly unacceptable.

During the summer I had a long discussion with the licensing officer of Liverpool city council, Mr. Wibbley. The council has introduced a registration scheme that it is in the process of implementing. Mr. Wibbley made the same point as many others have made to me: because it is difficult to establish a local registration scheme, it needs to be carried forward on a statutory national basis. The Select Committee on Home Affairs produced an excellent report on the subject a year or so ago, and we should continue with that approach. I hope that the Under-Secretary of State, the hon. Member for Bolton, West (Mr. Sackville), will make some welcoming comments on that subject.

I would go one step further. If we are to have a registration scheme for door supervisors, it seems logical that we need a proper regulatory regime for the private security industry. Interestingly enough, many of the more reputable companies in the private security industry support that proposal. It would be an important step towards dealing with the sort of problem highlighted in the survey conducted by Merseyside police.

I do not want to be negative—as I said at the beginning of my speech, I want the Bill to be given a fair wind and to make progress today. Nevertheless, there are clearly problems—the AMA, whose members will have to administer the scheme, say so—which must be dealt with. I hope that the Minister can provide some help with a suggestion that I wish to make. As there will be problems with the implementation of the legislation, the Home Office needs to issue a comprehensive and clear code of practice to deal with the problems raised by many hon. Members today. If the Minister can give an assurance on that issue—I hope that he can—I believe that this well-intentioned and sound legislation could become a practical proposition and could provide a useful tool for local authorities and, ultimately, the courts to deal with the problems experienced in clubs up and down the country.

There is a considerable club industry in this country. Much of it is well run by respectable companies and people with proper and legitimate interests, but a minority of clubs provide a clear route for drugs to be transferred to young people at a cost. If the Bill helps to undermine those problem clubs, it will be doing a good job. I wish the hon. Member for Milton Keynes, South-West well and assure him that he will not face any opposition from Labour Members.

Mrs. Audrey Wise (Preston) *rose in her place and claimed to move,* That the Question be now put, *but* Mr. Deputy Speaker *withheld his assent, and declined then to put that Question.*

12.10 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): Thank you for calling me, Mr. Deputy Speaker. I am pleased to welcome the Bill and I, too, congratulate my hon. Friend the Member for Milton Keynes, South-West (Mr. Legg) on bringing it forward.

The Bill was foreshadowed in a speech by my right hon. and learned Friend the Home Secretary at Bournemouth, which has already been mentioned today. He said that clubs, which are places of entertainment and against which we have no objection in principle, are, unfortunately, magnets for drugs use and represent one of the aspects of the drug problem. While many clubs are well run, others are not and are tolerating the organised supply of drugs in and around their premises. The Bill

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gives police and local authorities better and more flexible powers to deal with the minority of clubs which have not addressed the problem in any other way. It is with great pleasure, therefore, that I express the Government's total backing for the Bill.

It is a sad fact that I stand here discussing a measure to do with drugs against a background of a frighteningly large and wide-ranging problem, not only in this country, but elsewhere throughout the western world and beyond. Too many young people are taking drugs and getting into trouble as a result. Many ruthless and unscrupulous people are making large sums of money out of drugs, intimidating people and criminalising and undermining society. In many parts of the world, such people are undermining the institutions of the societies in which they live through organised crime, in which, increasingly, drugs play a central role.

Against that background, 12 years ago, my hon. Friend the Member for Lewes (Mr. Rathbone) founded the all-party committee on drug misuse, of which he is chairman. He has been chairman of that group for several years, and I had the honour to serve as its secretary for several years. I was sufficiently alarmed, partly by what I had seen in this country and partly as a result of having lived in a large American city in the 1970s, to publish a volume entitled "Heroin: Threat to a Generation" which was published in 1985. In it I said—it was nothing new even then—that unless we could find a means of attacking the problem, it would have disastrous social and human consequences for a whole generation. That has happened, it is happening and the problem that we are discussing today is only one aspect of it.

The international background is not easy. Some areas of the world are pretty much out of control of their own Governments—for example, in parts of Latin America and south-west Asia, drugs are freely grown and form the foundation of an enormous enterprise and there are those who have a huge vested interest in keeping the trade going. In some areas, the growing of coca plants and opium poppies is protected by private armies run by those who process and distribute drugs to the rest of the world. It is an immense problem.

In this country, we are now perhaps 10 or 20 years behind America, where a vast market for drugs was created in the 1960s, 1970s and 1980s, with a problem of similar magnitude to that which I first witnessed 20 years ago in the United States. It is a business that is hard to stop. About 50 million passengers arrive in Great Britain every year, and millions of pieces of cargo. We have a huge traffic in marine vessels, from yachts to large cargo vessels. Drugs may be imported in a myriad of different ways.

I have been in parts of the world that are especially dangerous to us. I visited Colombia; the cocaine barons have a grip on large parts of that country. Unfortunately, in many other countries in that area—the Caribbean and beyond—drug barons have enormous power and it is very difficult for local police and customs to do anything about it.

Recently I visited Turkey, where there have been repeated scandals throughout the hierarchy of police and Government, where it is extremely difficult to control the drugs trade and where the political will is always in doubt. Turkey's problems begin with its geographic position, as do the problems of the Caribbean. An enormous problem is that we do not have the co-operation that we need from some key Governments worldwide. Our customs, police and intelligence services, in tackling those problems, are always in difficulties because of doubts about security of intelligence and the political will of some Governments.

On the receiving end is a generation of children and young people who are at risk not only from the physical and mental effects of drugs, such as the long-term effects of Ecstasy use, some of which my hon. Friend the Member for Lewes described. There are also the social effects of young people being criminalised, being rendered almost unemployable and being driven into crime by drugs, and there are the combined effects of drugs on society.

With nostalgia, I saw in the Gallery earlier a group of children from the school that my son attended some years ago, when he was five years old.

Mr. Flynn: Order. The Minister is hallucinating.

Mr. Deputy Speaker: Order. I hesitate to intervene on the Minister, but he should well know that he should not be referring to people in the Gallery.

Mr. Sackville: I accept your guidance, Mr. Deputy Speaker.

Young children go through a period of innocence before their teens. They are in danger when they arrive at a certain age—we can debate what that age is—but it is becoming increasingly apparent that we must start telling children about drugs in primary school, as soon as they are old enough to get the message, because they are in extreme danger in today's society. I welcome the Bill, which—in a fairly draconian way—addresses one of the most serious aspects of drug use.

It is not going too far to say that many parents live in terror of their children becoming involved in drugs. Whereas some reservations have been expressed from some quarters about the Bill, most parents, grandparents and people who look after children will welcome the Bill as a forthright way to attack drug dealers and organised drug supplying.

I shall now comment briefly on what has been said during the debate so far. My hon. Friend the Member for Lewes lamented the fact that clear messages are not being communicated to young people. He mentioned the issue of a famous pop star who was cautioned as a result of being found in possession of cocaine. I share his concern. In fact, when the news broke I spoke to the Commissioner of Police of the Metropolis to express my concern. He gave me a number of assurances. What is more, the Home Secretary is looking into the whole question of cautioning following that case. I certainly do not underestimate the damage that such examples can do to the message that we need to give young people.

My hon. Friend the Member for Lewes also suggested that remarks made by people in the public eye who perhaps have more fame than brain should constitute an offence when they appear to incite others to take drugs. Under section 19 of the Misuse of Drugs Act 1971, it is indeed an offence for a person to incite another to commit an offence under the Act. So we could certainly look to the Crown Prosecution Service to consider whether such views may fall into that category.

I am glad to say that the person involved in the most recent case—the member of East 17—issued a whole-hearted retraction afterwards. Whether he himself or others with influence over him were responsible for that I do not know, but I am glad that the full consequences of what he had said were brought home to him promptly. That is a step in the right direction, but it does not detract from the damage or absurdity of what he said 24 hours earlier.

My hon. Friend also discussed whether such clubs, playing that type of music and designed to allow people to dance all night through, can be completely clear of drugs. I believe that clubs certainly can ensure that there is no organised supply of drugs in or near the premises. I reinforce what he said about the Ministry of Sound. The measures that it has taken meet the approval of the police in that part of London and of many others who have inspected the arrangements. They include ensuring that those in charge of security staff do not come from the local area. The Ministry of Sound gets them from an agency in the midlands—

Sir Raymond Powell (Ogmore): On a point of order, Mr. Deputy Speaker. I know that this is an important Bill, and I seek your guidance. Those of us who have been listening to the debate this morning know how important it is to air all the related issues before the Bill is proceeded with. You are also aware, Mr. Deputy Speaker, of how that may curtail the opportunity to discuss other Bills on the Order Paper.

The next Bill is of great importance, especially to all the old-age pensioners in this country. I wonder whether all Members present in the Chamber and seeking to catch your eye will bear in mind the fact that, on another occasion, they may find themselves in the same position as my hon. Friend the Member for Preston (Mrs. Wise), who is waiting to introduce a Bill that offers great advantages to all old people. I therefore seek your help and guidance, Mr. Deputy Speaker.

Mr. Deputy Speaker: That is not a point of order for the Chair; it is the hon. Gentleman's point of view. He has been here a long time and he knows the procedures of the House.

Mr. Michael Connarty (Falkirk, East): Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it the same point of order?

Mr. Connarty: No, it is not the same point of order. I have not been in the House for as long as my hon. Friend the Member for Ogmore (Sir R. Powell) and I have travelled down from Scotland today because I am interested in the next Bill on the Order Paper. I heard our Front-Bench spokesman say that we do not oppose the drug misuse Bill and there will therefore be no attempt to block it—it will have the House's support. Is there any way in which we can move procedurally to curtail the debate on this Bill to give us time to debate the next Bill, for which I have travelled from Scotland—

Mr. Deputy Speaker: Order. The hon. Gentleman is simply trying to pre-empt my discretion. I have already ruled on that matter. I am sure that the hon. Gentleman knows the rules of the House.

Mr. Sackville: Thank you, Mr. Deputy Speaker. As I was saying, a club that brings its security staff—

Mr. Connarty: Will the Minister give way?

Mr. Sackville: No, I shall not give way.

If a club that is vulnerable to local drug dealers brings its security staff from another part of the country, it is taking positive action to ensure that there is no collusion between security staff and local drug dealers. As they come from a different area, they do not know each other. That is an important part of the policy of a club that appears to be as close as we have to a model because it does not tolerate the organised supply of drugs.

Secondly, that establishment maintains close contact with the local police. I understand that it sometimes has plain-clothes police officers on the premises, and that fact is probably well known to people who would like to carry on drug-dealing activities in the club. Its policy is to follow up every single offence that is discovered.

The important point is that, despite all that, the club is hugely successful and in great demand. As far as I know, it is full on most Friday and Saturday nights at least, and that cannot be explained just by its location and the fact that it has good marketing. Some of its appeal may be that people who go there are not assailed by drug dealers the moment that they walk into the place, and that is an attraction to some people, contrary to what is sometimes said about those clubs. So there is an example. A club can bar all organised sales of drugs and be very successful, and that is what is behind the Bill. The Bill is aimed at clubs that do not take such measures and I am afraid that there are a large number of those.

One of the motivating factors behind the Home Secretary's original interest—expressed in his speech at Bournemouth—in legislating in this way, and his delight that my hon. Friend the Member for Milton Keynes, South–West has introduced such a Bill, was the example of the Ministry of Sound and other clubs, which proved to us that such an establishment can be run without the drug dealers being in charge.

I was glad that my hon. Friend the Member for Uxbridge (Sir M. Shersby) also welcomed the Bill. He said that we should proceed with the model conditions of licensing, which, apart from the security aspects that the Bill deals with, should include the provision of water and other safety measures. Those do not condone drug use at clubs but are sensible measures for the welfare of young people within clubs. I hope that we shall introduce those soon, as they complement the Bill. He also mentioned regulation of the security industry, particularly bouncers. I am glad to remind him that a circular recently went out for consultation on regulation of the security industry, particularly vetting for criminal records. Part of that document referred to the very question of bouncers in clubs and I hope that it will be decided that those should be included.

All the voluntary schemes that already exist—various hon. Members have already referred to them—are welcomed but we still need some kind of national scheme to ensure that all clubs come into line.

I also compliment my hon. Friend the Member for Welwyn Hatfield (Mr. Evans), who is not in his place. He made several points in support of the Bill and said that we must adopt a no-nonsense attitude to drugs. I would not like to comment on whether that approach should include introducing the death penalty for possession of drugs, as he suggested. However, he is moving in the right direction by saying that we cannot condone drug taking. Some people suggest that perhaps drugs do not pose a major problem and that those caught breaking the law in

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that regard should not be charged with an offence. That is a dangerous path to tread and it will send the wrong messages to young people.

My hon. Friend the Member for Romford (Sir M. Neubert) raised several important points. He mentioned various nightclubs in his constituency and referred to recent drug-related shootings and other acts of violence at clubs. That is one of the by-products of allowing clubs to remain magnets for drugs. However, I stress that there will be such violence only if club managers allow it to occur. If they make it clear that drug dealing in or near clubs will not be tolerated, criminals will have no reason to threaten each other or fight over ownership of the pitch.

I think that my hon. Friend will agree that the Bill is designed partly to address that problem. Drugs not only damage young people's bodies and lives but bring violence in their wake. For example, some alarming incidents in recent years have revolved around the right to supply drugs to a particular establishment.

As usual, my hon. Friend the Member for Colchester, North (Mr. Jenkin) represented the voice of common sense. Importantly, he welcomed the Bill from his position as a parent. Very few of those who favour legalising drugs or who are unconcerned about the drugs problem are parents of young children. All parents are terrified about what may happen and, as my hon. Friend said, we must argue strongly against a permissive line on drugs or calls for legalisation.

The hon. Member for Newport, West (Mr. Flynn) made a number of comments which, taken alone, may sound fairly sensible. He referred to the alcohol problem in this country and to accidents with pharmaceutical drugs, such as overdoses of paracetamol and other legal pharmaceutical products. However, those facts should not confuse our message to young people that illegal drugs are dangerous and must be avoided. We must be careful not to confuse that message. I am cautious about the hon. Gentleman's remarks, although they contained a perverse logic.

The hon. Gentleman mentioned that few deaths could be attributed directly to Ecstasy, pointing out that they were due to overheating, water intoxication of the brain and so on. However, that is only one step away from saying that we should not worry about Ecstasy—that is what it sounds like to the man in the street. The hon. Gentleman must decide whether he favours legalisation of Ecstasy. I hope that he does not.

Mr. Flynn: The Minister referred to what I said about the dangers, the special perils, of Ecstasy. Will he address the question why there have been virtually no Ecstasy deaths in other countries—one in Holland, where 1 million people have taken it, and none in other countries? It is a particularly British phenomenon because of overheating and people taking excess water to cool down. That is the real problem. That is what we should address, and we should not take the line that the Minister is taking. The Bill will not reduce harm.

Mr. Sackville: I am afraid that there are Ecstasy deaths in this country that originate from the fact that it has been supplied and taken.

Mr. David Shaw: It is an absurd argument to say that it is the fault not of the drug that is being taken but of the things that people do after taking it. If they did not take the drug, it would not matter what they did.

Mr. Sackville: I thank my hon. Friend for reinforcing the point that I think I was making: the fact that Ecstasy is being supplied—particularly in clubs, although it could be supplied elsewhere—is at the heart of this. At the same time, we need to ensure that people in clubs do not die from other problems. Those deaths are, generally speaking, Ecstasy-related, so I find the argument of the hon. Member for Newport, West extremely dangerous, and ask him to try to clarify what his attitudes to drugs really are.

The hon. Gentleman mentioned drugs that are diverted from clubs and sold on the street. Well, so be it. Disruption of drug supply is a key target of all police forces. It is a valuable objective. We cannot necessarily defeat drug supply, but the more we disrupt it, the more we make it difficult and dangerous; that is an end in itself.

The hon. Member for Knowsley, North (Mr. Howarth) made a number of sensible points with which I could not in any way disagree. I welcome the fact that he condemned legalisation. He also said that, in addition to this measure, we need a scheme to regulate doorkeepers. I hope that, as a result of the consultations that are taking place, we shall see a scheme by which the vetting of criminal records in particular will form part of the regulation of the security industry, including bouncers and other security staff at clubs.

I can give the hon. Gentleman the assurance that he seeks that, if the Bill becomes law, as I hope that it will, it will be accompanied by guidelines from the Home Office as to how it should operate, which I hope will provide some assurance to people who believe that the Bill is too strong.

Mr. George Howarth: I am grateful to the Minister both for giving way and for giving me that assurance. Can he also assure me that he will engage in thorough consultation with local authority organisations so that their views can be taken into account when the guidelines are drawn up?

Mr. Sackville: Yes. It goes without saying that we would want the views of those who would have to administer the proposed legislation, which is not only the police but local authority licensing committees. It would be contradictory to write guidelines without knowing exactly how they felt about them.

This country faces a difficult and dangerous situation over drugs for a number of reasons. One reason—perhaps it is subsidiary, but it is one about which I am increasingly concerned—is the underlying campaign for legalisation that bubbles within parts of the media, and which comes out occasionally on television programmes that purport to be debates but which I rather consider as campaigns for legalisation.

Within the media, a number of people would like to see an alteration in the law. We see that occasionally break out among members of the entertainment industry.

We have already discussed the member for East 17 and his absurd remarks yesterday. Coupled with that are certain attitudes among some senior professionals, whether in the social work sector or elsewhere, and particularly among those working with drugs, who I find have especially permissive attitudes towards drug use. The more we condone drug use among those already using drugs, the more we confuse the message to what I would hope to be the majority of young people who are not using drugs, and probably never will.

We run great risks if we allow those who purport to be the experts on drugs to adopt an agenda that is based on the needs and attitudes of those who are already involved in drugs. We should think about those whom we are trying to steer away from drugs, especially the very young. We are hampered because there are many people in quite influential posts who are soft towards drug policy. I am glad that the Bill cannot be described in any way as soft. It is a draconian measure that confronts the problem full on.

The police and customs, in trying to deal with drug distribution and drug dealing generally, find themselves up against some extremely dangerous and well-organised people who form the opposition. It is apparent that drug dealers, and those who finance them, are extremely well off. Those who stay out of gaol and who remain in business have enormous profits at their disposal, which allow them to buy themselves protection. They generally have people working for them who are armed and able to frighten others. They have good communications.

It must be said that the advent of mobile telephones, especially digital telephones, while being a great boon in many ways, has made life much easier for many criminals, including drug dealers. It is now much more difficult for their communications to be detected and for the police, customs and others to follow them up, to gather evidence of the sort that would be necessary for a trial and to bring them to justice.

Drug dealers generally have good financial organisation. Anyone who deals in drugs in a big way has to dispose of a great deal of cash, which then comes back to him. There are too many ways in our deregulated international financial markets to launder money. That is why we have gone to great lengths in the United Kingdom—our endeavours have been mirrored in most other countries in Europe and beyond—to check on deposits made at banks. We invite all financial institutions to report suspicious deposits. I am glad to say that we have a sophisticated mechanism that is designed to try to stop dealers being able to dispose of the proceeds of their crimes.

There is evidence that some lawyers are aiding and abetting organised criminals, including drug dealers, in a way that is contrary to the law. That is unsatisfactory. It has happened often in other countries and I believe that it is beginning to happen here. We are up against a well-organised opposition. Some large-scale British drug dealers, including those involved in Ecstasy and those who have made large profits out of clubs, live abroad, in Holland and, typically, in Spain, which has become something of a haven not because of any deficiency on the part of the Spanish Government but because of difficulties with extradition and different legal systems. Those people organise the importation of drugs, including Ecstasy, into this country from Spanish territory. We cannot collect evidence against them. We can liaise with those other countries, but it is up to their police forces and customs to collect evidence that would enable us to extradite those people and bring them to trial.

Paradoxically, the other disadvantage that we face is the high standards of evidence that our legal system requires before we can obtain a conviction. People involved in the large-scale importation of drugs—whether it be heroin, cocaine or Ecstasy—often stay a long way away from the drugs in which they are trading, and from the physical currency that they are making from that trade. It is hard to get at them so as to obtain evidence that is good enough to convict them. They know that, so in order to get at them we must look more and more to an intelligence-based system for the police and customs.

Various measures have been introduced in the past—the Bill is another one of them—to tighten the law so as to free the hands of the forces of law and order and help them to get to criminals who trade drugs on a large scale. We introduced confiscation of assets legislation under the Drug Trafficking Offences Act 1986.

Mr. George Howarth: I was able to make all the points that I was concerned to make on the Bill in a 22-minute speech. I concentrated my remarks on the provisions of the Bill. Interesting though the Minister's speech is—on another occasion I would like to debate this matter with him—it is not entirely relevant to the Bill. Will he make progress, so as to give my hon. Friend the Member for Preston (Mrs. Wise) a chance to present her Bill?

Mr. Deputy Speaker (Mr. Michael Morris): Order. The Minister has been entirely in order so far.

Mr. Sackville: Thank you, Mr. Deputy Speaker. I am glad that the hon. Gentleman found my speech interesting. I shall continue for a little longer if I may.

Financial institutions make disclosures to the police about transactions that imply money laundering. A series of laws has been put on the statute book that has changed the burden of evidence, so that it is more difficult for people who deal in large quantities of drugs and make large quantities of cash from it to hide those profits from the authorities. People who are brought to trial for drug offences are made to prove that the assets that they have at their disposal are not the proceeds of crime. That has helped us to pursue such criminals. No one should underestimate the difficulties of finding evidence against them.

We have recently proposed much stronger penalties for drug traffickers. Under the Crime (Sentences) Bill—which has just completed its passage through the House—we have proposed that persistent traffickers in class A drugs should receive a minimum seven-year sentence. That policy has found favour on both sides of the House and among public opinion.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. You will be aware that no one has spoken against the measure proposed by the hon. Member for Milton Keynes, South-West (Mr. Legg). We recently debated the Finance Bill. As on many occasions, the House was divided on controversial issues and the Treasury Minister who replied to the debate spoke for 20 or 30 minutes. Today, the Minister has already spoken

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for 45 minutes about a measure that has not been opposed. Is it not clear that the Minister is trying to stop the Cold Weather Payments (Wind Chill Factor) Bill getting on to the statute book and he will stand accused by every old-age pensioner in Britain?

Mr. Deputy Speaker: That was not a point of order for the Chair, but a point of debate.

Mr. Sackville: Many parents of children who have been in trouble with drugs, particularly as a result of having attended clubs, will have heard the remarks of the hon. Member for Bolsover (Mr. Skinner) and will know how dismissive he is of the legislation.

Rev. William McCrea (Mid–Ulster): I have listened with care and no one could disagree with the Minister. In fact, no one has disagreed. Surely he is pushing the issue over the top and although he is properly in order, he should bear it in mind that he is sending a message to the community. As drugs certainly kill, the Bill, which appears to have unanimous support, should be allowed to progress and we should move on to something else that kills and let people have proper cold weather payments.

Mr. Flynn: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a new point of order?

Mr. Flynn: Yes. There will be opposition to the Bill as I have criticised it, but let me make it clear that I have no intention of opposing the Bill and nor has any other hon. Member.

Mr. Deputy Speaker: It is not for the hon. Gentleman to judge what any other hon. Member will do.

Mr. Sackville: Various points of order have further delayed the debate, but I shall proceed towards my conclusion.

The Bill provides for confiscation and changes the burden of proof. A Bill is currently before the House to increase sentences for large-scale drug traffickers. In addition, the Police Bill contains proposals to give the police more flexible powers to gather evidence against major organised criminals and drug traffickers. I very much hope that that Bill, which also addresses the issue of bringing large-scale drug traffickers to book, will not be impeded by Parliament. The problem is now so serious that we need new measures to deal with it directly.

Mr. George Howarth: On a point of order, Mr. Deputy Speaker. The Minister is well aware that our approach to the Police Bill, which has no bearing on today's debate, was covered in an earlier speech to which I responded. The Minister is simply repeating the same arguments.

Mr. Sackville: The Bill is part of a series of tough measures that is required to address a problem that has become so serious that previous legislation is not sufficient to bring to book those who are putting our children in danger.

I congratulate my hon. Friend the Member for Milton Keynes, South–West on introducing a tough measure that addresses the specific problem of drugs in licensed premises. It will have a great effect and is probably the single measure that will attack drug dealers most directly. It will symbolise the tough attitude that we need to address the problem of drugs. Once again, I congratulate my hon. Friend and I hope that his measure will become law.

Mrs. Margaret Ewing (Moray) *rose in her place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent, and declined then to put that Question.*

12.54 pm

Mr. Peter Viggers (Gosport): It is reassuring that the Minister who replied to the debate—

Mrs. Ewing: On a point of order, Mr. Deputy Speaker. The Bill has been debated for almost three and a half hours. It has been made clear that there is no opposition to it and we are waiting to debate other private Members' Bills. Surely this is an abuse of the rights of Back Benchers.

Mr. Deputy Speaker: The hon. Lady is entitled to her view, but I have made the Chair's view clear. All Bills are important.

Sir Andrew Bowden (Brighton, Kemptown): On a point of order, Mr. Deputy Speaker. The House would very much like to discuss the next Bill. When will you feel able to accept a closure motion?

Mr. Deputy Speaker: I do not pre-empt judgments. I listen attentively and take the feeling of the House.

Mr. Viggers: I am reassured about the Minister who replied to the debate because he was secretary of the group that he formed with my hon. Friend the Member for Lewes (Mr. Rathbone) to deal with drug abuse on an all-party basis. It is reassuring that the issue which many of us as parents feel powerless to deal with was responded to by a Minister who has taken such a long-term interest in it.

Those of us who approach the issue of drugs need to learn a new vocabulary and adopt a new attitude to life. We need to read, talk and listen and we must try not to preach. We should try to do all that while still maintaining our standards and trying to guide the young. There are no 20-year-old hon. Members, but if there had been, I suspect that we should have heard some very different contributions to the debate. Statistically, about 21 per cent. of the 20 to 24 age group have tried LSD; 28 per cent. have tried speed; 45 per cent. have tried cannabis; 12 per cent. have tried Ecstasy; and some 15 per cent. have tried magic mushrooms.

Those people do not see themselves as junkies on a slow decline to the gutter. They see themselves as discerning consumers who will decide for themselves what to take and when. If Brian Harvey of the pop group East 17 has made a contribution of any kind this week, it was to tell the world that occasionally he has taken 10 or 12 Ecstasy tablets a day. Perhaps that will persuade those who take an occasional Ecstasy tablet and who think that they can use it as a recreational drug that will not be habit forming to realise that that will lead to an increase in use.

After a while, one tablet is not enough and two, three, five or 10 or, in the case of Mr. Harvey, 10 or 12 will be needed. Mr. Harvey has recanted and I hope that people who think that they will not become addicted to Ecstasy or other drugs will learn from that.

I am told that the characteristic of the 20 to 24-year-old age group is to enjoy staying up all night. Those people listen to loud repetitive music and many of them enjoy the novelty of taking drugs. All that wanes with age. Some 55 per cent. of people in the 25 to 34-year-old bracket drink regularly; only 1 per cent. take LSD and 2 per cent. have taken Ecstasy. Some people in the 45 to 54-year-old bracket will have tried drugs in the 1960s and kept away since. The statistics show that some 13 per cent. of that group have tried cannabis in the past; 2 per cent. have tried LSD; and 1 per cent. have tried magic mushrooms. I am told that, statistically, 0 per cent. have tried Ecstasy and 0 per cent. have tried cocaine. For people in that age group, Ecstasy was not available when they were young and cocaine does not impinge on the statistics.

People in that group were part of the hippy culture. It was all right to take drugs such as cannabis and LSD that were thought to expand consciousness, but stimulants such as cocaine were thought to be anti-social. Now, a rave culture has eradicated those rules; nothing is regarded as out of bounds or unhip. Thirty years ago, all drugs were regarded as powerful substances that controlled the taker and dominated his or her life style; now, the opposite seems true to the young. Older teachers or social workers lecturing to the young on drugs find that those in the audience know more about the subject than the lecturer—or at least they think that they do. In the even younger age group, 3 per cent. of 12 to 13-year-olds, and 14 per cent. of 14 to 15-year-olds, say that they have taken drugs at some time.

Drugs are a massive problem. In any one year, 6 per cent. of the population, some 3 million people, take an illegal drug, and 1 million Ecstasy tablets a week are consumed, almost all in the dancing and entertainment context. Many people think that little harm is involved, but there is a major medical problem. There have been about 50 known deaths from Ecstasy in five years and 1,400 deaths from heroin. The Parliamentary Office of Science and Technology has concluded that drug taking has become a teenage rite of passage.

Dr. John Henry, a psychiatrist at Guy's hospital and a drugs specialist, made comments that were echoed by my hon. Friends the Members for Lewes and for Colchester, North (Mr. Jenkin) when he said:

"There are enough biochemical reasons to make us concerned about Ecstasy. I believe we have a natural experiment which is rolling and we will only know the outcome of it in 20 years or more."

That is daunting.

David Bryce, who runs drug rehabilitation courses in Glasgow, said:

"An ecstasy user will look at a junkie and sneeringly tell you that will never be him. But the junkie will laugh and tell him: See you next year."

I visited a drug rehabilitation unit in my part of Hampshire; it was unnerving. I was told that some of the young people there would come off their habit—I am talking about serious habits, mainly heroin—but that statistically, some of them would go back to their habit. I was told that the latter group would almost certainly be dead in 18 months.

There is a massive criminal problem associated with drug distribution and taking. My hon. Friend the Minister mentioned the criminals involved in the distribution of drugs, which is one of the biggest businesses in the world. There is also the problem of the addict who steals and takes to crime in other ways to pay for his habit. It is estimated that a heroin habit costs about £10,000 a year. Few addicts can earn such money; they need to steal.

A third criminal problem relates to motoring, an issue that has concerned me and on which I have done some research. In the United States, one in three young people—

Mr. Deputy Speaker: Is motoring covered by the Bill?

Mr. Viggers: Indeed not, but I am putting my remarks in the context of the fact that most hon. Members are middle-aged, or even older. We find it difficult to understand the young rave culture that takes people to the clubs that are so much involved in drug taking. I will not make a significant point about this, but—

Ms Liz Lynne (Rochdale): On a point of order, Mr. Deputy Speaker. Is it in order for hon. Members to filibuster to prevent another Bill from being debated?

Mr. Deputy Speaker: Order. The hon. Lady should know that if I sensed a filibuster, I would stop it immediately. A few seconds ago, she will have heard me asking the hon. Member for Gosport (Mr. Viggers) whether his remarks were relevant.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a new point of order?

Mr. Rowlands: Yes. A few minutes ago, you said that you would take the feeling of the House. May I register the feeling of thousands of old-age pensioners in my constituency who want the next Bill to be discussed?

Mr. Deputy Speaker: That seems like a point of argument to me, not a point of order. Of course, I was referring to the whole House.

Mr. Viggers: I have spoken for eight minutes and I put my name in to speak some time ago. I have discussed drugs and clubs with my local police force and magistrates. I find it monstrous that I have been interrupted several times by hon. Members accusing me of filibustering. I resent that. It is simply not true.

To conclude the point on motoring offences, which involves young people, Mr. Deputy Speaker, I welcome the three-year research programme by the Department of Transport, the Home Office, the Coroners Society and the Association of Chief Police Officers, to establish the incidence of drug use among fatal road casualties.

The fourth problem relating to drugs and criminality is that of drugs in gaols. It is a significant problem. I am told that some people who have been found guilty of possessing or dealing in cannabis may be sent to prison, where they have to give blood samples to be screened for drugs. Cannabis stays in the bloodstream for three weeks,

[Mr. Viggers]

whereas heroin stays for two days. So some people who seek to avoid being caught out by blood tests switch from cannabis to heroin.

I submit, following the points made by the two Labour Members who have been present for the whole debate—the hon. Members for Knowsley, North (Mr. Howarth) and for Newport, West (Mr. Flynn)—that it would be wrong to consider decriminalisation of drugs. I quote John Lawn, a former director of the United States Drug Enforcement Administration, who told a Senate committee investigating legalisation:

"Drugs are not bad because they are illegal, they are illegal because they are bad."

So how should we face up to all those problems? First, we need as wide as possible a dialogue between parents and children, old and young, police and those who might take drugs. I pay tribute to the police force in Hampshire, with which I have had some discussions. I am greatly impressed by the maturity of its approach and of its judgment, and by its determined attempts to do all that it can to reduce and eliminate drugs in Hampshire.

Secondly, we need to take some practical steps to ensure safety in clubs. Some of my honourable colleagues have more experience of that than me. I listened with interest to the points made by my hon. Friend the Member for Lewes, who talked about the promotion of safety measures in clubs in London. That is an important issue, to be expanded and developed further.

I have already mentioned the possibility of the acceptance of soft drugs, but the reverse is the answer. We should adopt an attitude of minimum tolerance. I am sure that expectation is the most important thing in education of the young and that if we expect a lot of them, we shall get a lot. If we expect little of them, we shall get little. Therefore, minimum tolerance is the better line.

There has also been some mention of cautions for first offences, particularly that given to Liam Gallagher. When I spoke to my local police force some time ago, I was surprised to find out that there was no standard procedure for giving cautions to those guilty of a first offence involving drugs. I was told by a policeman whose task it was to administer cautions that he had been given no guidance or training on how he should administer such cautions. It would be appropriate to set some general guidelines on exactly what constituted a caution.

I welcome the Bill. In my researches, I learnt a great deal about the ownership of the clubs that the Bill will control. I discovered to my surprise that there were seven major operators, but that between them they accounted for only 16.5 per cent. of admissions to clubs and 13 per cent. of revenues. That proves that most clubs are independently owned. We can control not only the major companies, which are often subsidiaries of listed companies, but the individual operators and proprietors. I believe that they will be amenable to the pressure that will be available to the police under the Bill.

The Bill will undoubtedly strengthen the hand of the police in dealing with clubs. That I welcome. It is an excellent Bill. The hon. Member for Knowsley, North and my hon. Friend the Member for Welwyn Hatfield (Mr. Evans) referred to another aspect of club control—the control of doorkeepers. I am concerned about that, and it should be the subject of further legislation.

The hon. Member for Knowsley, North has already referred to the 1994-95 report of the Home Affairs Select Committee into the private security industry. It revealed that of the 476 door supervisors questioned in Merseyside, 279 had criminal records, of whom 28 had criminal records for drug offences. It strikes me as extraordinary that someone who is responsible for policing the door of a club to ensure that access is given only to the appropriate people and who controls conduct within that club should, in some cases, have a criminal record for drug offences. We must deal with that problem.

Before the publication of Home Affairs Select Committee report, a report along the same lines was produced by the Advisory Council on the Misuse of Drugs. It revealed that 60 per cent. of police forces encountered difficulties in obtaining full co-operation from doorkeepers at clubs. It was thought that 20 per cent. of them were involved in dealing.

I welcome the Bill, as well as the many other measures that have been taken to inform young people at schools and colleges about the damage caused by drugs. I am sure that the Bill will achieve its purpose and that it will have a successful passage through the House. I congratulate my hon. Friend the Member for Milton Keynes, South-West (Mr. Legg) on introducing it.

Mrs. Wise *rose in her place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent, and declined then to put that Question.*

1.11 pm

Mr. Nick Hawkins (Blackpool, South): I should like to join in congratulating my hon. Friend the Member for Milton Keynes, South-West (Mr. Legg) on his success in the ballot and on choosing the subject of his Bill.

Despite the mutterings and fulmination from the Opposition, it is absolutely right that the hon. Member who is lucky enough to come second in the ballot should have his Bill thoroughly considered before we proceed to discuss Bills, however worthy, introduced by hon. Members who were not so lucky in that ballot. I have not yet been lucky enough to secure any of the high places in it, but those who are lucky and who introduce such worthwhile measures should have their Bills thoroughly considered by the House.

My hon. Friend will recall that when the result of the ballot was announced, I was one of the first hon. Members to tell him that I wanted to support the Bill. It is important that we should deal with it in depth. I put my name down in advance to speak in the debate and I have been in the Chamber throughout.

Mr. George Howarth: On a point of order, Mr. Deputy Speaker. We have now spent in excess of three hours and 40 minutes discussing a Bill on which there is no opposition from any corner of the House. If there was any room for doubt, my hon. Friend the Member for Newport, West (Mr. Flynn) made it absolutely clear that he would not oppose it. I do not wish in any way to challenge the judgments made by the occupants of the Chair, but statistics and arguments are now being repeated ad nauseam about a Bill on which there is no disagreement. I cannot for the life of me see why we should continue to debate the Bill.

A clear pattern of filibustering is beginning to emerge among those on the Conservative Benches. It has the clear intention of thwarting the passage of the Bill introduced by my hon. Friend the Member for Preston (Mrs. Wise). Frankly, those outside the House will be dismayed and upset by the behaviour of Conservative Members who are trying to thwart my hon. Friend's Bill.

Mr. Iain Duncan Smith (Chingford): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a new point of order?

Mr. Duncan Smith: Yes. We have just heard a claim about filibustering, but the Opposition spokesman, the hon. Member for Knowsley, North (Mr. Howarth), spoke for nearly 25 minutes, which is far longer than most of the speeches made by Conservative Back Benchers. *[Interruption.]*

Mr. Deputy Speaker: I can sense that the House is getting a little distressed about this morning's proceedings. [HON. MEMBERS: "Yes."] I sense that just a couple more hon. Members want to make a contribution to the debate, as is their right. It is right that those hon. Members, who each represent a significant electorate, should have the opportunity, if they so choose, to make their speech. Let us progress and see how we get on.

Mr. Howarth *rose—*

Mr. Deputy Speaker: I hope that it is a new point of order.

Mr. Howarth: Further to the previous point of order, and for the correction of the record, I spoke for 22 minutes and kept my remarks strictly to the Bill. The Minister spoke for 44 minutes and before he did so he said to me, "I intend to wander far and wide in my speech." He did just that.

Mr. Deputy Speaker: I call Mr. Hawkins.

Mr. Hawkins: I can promise the hon. Member for Knowsley, North (Mr. Howarth)—

Mrs. Ewing: On a different point of order, Mr. Deputy Speaker. May I ask through you whether the Clerk can furnish us with details of the last time a non-controversial Bill introduced by a private Member had to be debated for three hours and 40 minutes, as it seems to be unprecedented? I appreciate that there are sometimes controversial Bills, but the Bill that we discussing is not controversial and is being used to hold up legislation proposed by other hon. Members.

Mr. Deputy Speaker: The hon. Lady entered the House with me, and if she were to spend a little time in the excellent Library of the House, she would find all sorts of useful information on that subject. I call Mr. Hawkins to proceed on the Bill.

Mr. Hawkins: So far, the annunciator screen has recorded my contribution as lasting for five minutes, but I have spoken for less than one minute. All the time is being used up by fatuous and bogus points of order from Opposition Members. I can promise the hon. Member for Knowsley, North that I shall speak more briefly than he did and make entirely fresh points.

I have received three detailed submissions from important organisations with serious concerns about the Bill that they want raised. Given the number of clubs in my constituency, it is important that BEDA, the Business in Sport and Leisure organisation and First Leisure Corporation should have their concerns about the Bill—which I have copied to my hon. Friend the Member for Milton Keynes, South–West—fully considered by the House.

Business in Sport and Leisure has told me that there are tremendous variations in the procedural requirements and consistency of approach of local authority licensing committees towards their jurisdiction over public entertainments licences. Business in Sport and Leisure's submission to the Home Office in the review of public entertainments licences at the beginning of 1996 contained headings that largely related to local authorities controlled by the Labour or Liberal Democrat parties. Those headings included: "The frustrations of working with Local Authority Licensing Committees"; "Councillors abdicate responsibility"; "Evening Hearings Unfair"; "No legally Qualified Person Present"; "Bored with a case"; and "Concede or be delayed". Such headings about the inconsistency of Labour, Liberal Democrat and Opposition coalition-controlled local authorities tell their own story.

Since 1993, Business in Sport and Leisure has been asking my hon. Friend the Under-Secretary and his colleagues at the Home Office to issue guidance to local authority licensing committees to ensure some consistency, and I was delighted to welcome my hon. Friend's remarks this morning. Business in Sport and Leisure continues to believe that it is necessary to have clear guidelines. I have no doubt that what may emerge in Committee will help.

Business in Sport and Leisure understands that the intention of my hon. Friend's Bill is that any new powers given to local authorities will not contain any legal safeguards to ensure that owners and operators are given adequate protection. The organisation's concern is that if the powers to shut nightclubs were wrongly used in a draconian way, they would drive the misuse of drugs in clubs underground and on to the black market. I know that that is not what my hon. Friend intends or what the House would want.

There is a concern that it is the Bill's intention to deal with drugs only in premises with a public entertainments licence, not in other premises such as pubs, which have only liquor licences. I am sure that in Committee my hon. Friend the Member for Milton Keynes, South–West and my hon. Friend the Minister will wish to address that problem. There is a danger that, without the right protection, there will be large numbers of cases in the High Court involving the right of club owners to natural justice.

Business in Sport and Leisure has made it clear to me that it supports the considerable amount of work carried out by BEDA—the trade association of the nightclub industry—with Home Office officials, to consider how to combat drugs in nightclubs. BEDA has been, and still is, undertaking a public information campaign on the dangers

[Mr. Hawkins]

of drugs—which I strongly support—making information available through its 700 members. BEDA has campaigned for several years for the introduction of the national licensed door supervisor scheme and has prepared detailed information about my hon. Friend's Bill.

BEDA has proposed a system that I hope my hon. Friend will be prepared to consider when the Bill goes to Committee. It provides for written warnings to be given to clubs before local authorities shut down the premises and for speedy hearings in relation to such decisions. That is in line with the enforcement practice of section 5 of the Deregulation and Contracting Out Act 1994, which makes it clear that written warnings are required on the basis of "minded to prosecute". Those warnings were introduced to ensure natural justice. BEDA has also requested that, if a club is shut, that club should have the right to an expedited hearing to appeal against the closure.

An alternative proposal by Business in Sport and Leisure is that the current procedures for the revocation of liquor licences might be used to provide powers for the revocation of a public entertainments licence. Although local authorities do not currently have the power to revoke a public entertainments licence, magistrates have the power to revoke a liquor licence at any time. That reinforces the argument that BISL is not, in any way, trying to undermine the spirit of my hon. Friend's proposals—indeed, it strongly supports the spirit behind the Bill. All the reputable trade organisations are determined to make it clear that they are as keen to crack down on drugs as my hon. Friend and me.

Under the system for the revocation of liquor licences, the premises with the liquor licence continue to trade, but the case is normally heard within three or four weeks. I am sure that my hon. Friend will agree that it is speed of decision making that is vital in this respect. The existing legislation could be amended and used as a framework for introducing similar powers for local authority licensing committees.

A further concern felt by BISL is that the club could be closed if it was found that drugs had been abused

"at or near the premises".

I ask my hon. Friend to clarify the definition of "near", which is clearly an important point—we do not want cases brought under the Bill to fall because of uncertainty about that. BISL believes that there is a real danger of the Bill not working as my hon. Friend and I intend it to work, unless some amendments giving guidance as to the Bill's application are made in Committee. There is plenty of evidence that we need to lay down precisely what is intended, so as to avoid inconsistent interpretation, which would undermine my hon. Friend's aims. It will not have escaped hon. Members' notice that, over the new year period, as well-known a name as the David Lloyd health and tennis club at Heston suffered a well-publicised drugs incident. We fear that there will be continuing problems if there is any lack of clarity about whether, for example, a car park attached to a premises is covered by the Bill.

BEDA suggests that there should be a written caution that would recite the police's concerns and request that the licensee and/or the owner propose ways of dealing with the problem. The licensee and/or the owner could be given a specified, very short, period in which to issue written suggestions on how to deal with the problem to the police, who would then monitor the situation. That would act as an additional safeguard for the benefit of the public. The local authority could then consider the conduct of the licensee and/or the owner during the period of the caution, to ascertain whether it was then necessary to close the premises.

I have worked closely with Superintendent Dick Taylor of Blackpool police in connection with Blackpool's difficulties with its large number of clubs. He and his predecessor, Chief Superintendent Ken McKay, have managed to maintain a balance between cracking down hard on drugs and allowing tourist resorts such as Blackpool to benefit from having thriving clubs. It is clear that the reputable section of the trade—companies such as the First Leisure Corporation and the Rank Organisation—is just as keen as my hon. Friend is to ensure that a tough stance is taken against drugs.

The chief executive of the First Leisure Corporation, Mr. John Conlan, has written to me to say:

"Drug misuse is unfortunately a widespread problem in the society today".

However, he is concerned that there should not be any concentration on the discotheque and nightclub industry to the exclusion of pubs, bars and other public places. It may be that my hon. Friend the Minister will wish to pursue the question of further legislation that extends wider than my hon. Friend's Bill.

Mr. Conlan writes to emphasise:

"A number of major UK public companies are involved in the ownership and operation of discotheques. They passionately care about the eradication of drugs misuse and will fully support any Bill that seeks to do so",

but they wish to ensure that

"it treats all licensed premises in an even handed fashion".

I know that my hon. Friend the Member for Milton Keynes, South–West will wish the Bill to do so, and I congratulate him again on introducing this much needed piece of legislation.

1.24 pm

Mr. Andrew Hunter (Basingstoke): Perhaps because I have waited nearly four hours for the privilege of catching your eye, Mr. Deputy Speaker, I can be brief because the debate has covered almost all the important points that should have been made. I shall, however, make one or two observations that have not been emphasised.

Before I do so, Mr. Deputy Speaker, first and foremost I join my hon. Friends who have caught your eye and the hon. Member for Knowsley, North (Mr. Howarth) in congratulating my hon. Friend the Member for Milton Keynes, South-West (Mr. Legg) on his good fortune in being drawn so highly in the ballot and on his choice of subject.

Opposition Members have said from a sedentary position that the Bill has no opposition in the House. That is the case, but outside the House there is a principled concern about one or two points and it is unfortunate that such concern has not been expressed greatly in the debate.

I wish to draw attention to the point made by the hon. Member for Knowsley, North. I too have received communication from the Association of Metropolitan Authorities. It makes a valid point about the need to

clarify the concept of a "serious problem". We should debate that matter, and I hope that it may be debated in Committee.

Mr. George Howarth: I asked the Minister to clarify that concept, and he said that the Home Office would issue guidance that would resolve that problem.

Mr. Hunter: I welcome that.

My two final observations follow from the comments of my hon. Friend the Member for Blackpool, South (Mr. Hawkins). I too received the briefing notes or commentaries on the Bill from the British Entertainments and Discotheque Association and Business in Sport and Leisure, and it is important that, in this Second Reading debate, we place on record more of the anxieties that they feel about aspects of the Bill. I must emphasise, as they do, that they support the Bill's overall objectives, but they believe that some aspects should be fully debated, and I hope that they can be in Committee.

One of those aspects is the caution. My hon. Friend the Member for Milton Keynes, South-West acknowledged in his opening speech that the Bill is a tough measure. I have no objection to tough measures, but I want to ensure that, in the process of being tough, we do not undermine or devalue natural justice. We must ask ourselves whether, as suggested by those organisations, an amendment should be made to the Bill to the effect that club owners or operators should be cautioned before the revocation process is put in train. That is a valid question which should be discussed in Committee.

My hon. Friend the Member for Blackpool, South underestimated the strength of the case that the expression

"at or near the premises"

detracts from the Bill. The argument goes that it is entirely wrong to hold the owner or operator of a club responsible for activities conducted on premises or in locations for which he is not responsible.

I know of a parallel in my constituency: excessive noise made by people leaving clubs late at night or in the early hours. The club owners do all that they can responsibly to encourage orderly departure from their premises, but ultimately they cannot be held responsible for what people do in locations for which they are not responsible. I believe that the expression "at or near" must be considered carefully in Committee.

Mr. Viggers: If a club were being used as the place where contact was made, and the drugs and the money to pay for them changed hands outside the club; if it could be demonstrated that the club was the place where the deal was done, that surely would suffice and enable the proximity to be relevant.

Mr. Hunter: Yes, I would accept that. Perhaps something to that effect could be included in the Bill in Committee.

I believe that there is more to be said, but I know that the House is anxious to accelerate the debate. I therefore close by stressing my support for the Bill in general, and likewise my belief that some of its aspects have been insufficiently considered today and need further discussion in Committee.

1.29 pm

Mr. Legg: We have had an interesting debate this morning and I am grateful for the many useful contributions to it. We began with my hon. Friend the Member for Romford (Sir M. Neubert)—who is no longer here—outlining the drug problem in his constituency. The Bill will certainly help to combat that problem; I know only too well of the serious criminal elements that can sometimes be involved.

Definitions in the Bill have turned out to be among the key issues. The Minister responded to the Opposition spokesman by saying that guidance will be issued once he has held full consultations with the local authorities.

My hon. Friend the Member for Basingstoke (Mr. Hunter) discussed the phrase "near the premises". I am not sure whether he was here for my opening speech this morning, when I made the point that any local authority, before revoking a licence, must be satisfied that such revocation will help to deal with the problem. It cannot simply close down a club for the hell of it or because of drug activity nearby. There must be a reason for closure that will help to solve the problem, so if the problem takes place beyond the confines of the club in premises nearby, the authority will not be able to close it down.

I wish the Minister well when drawing up the guidelines. "Near the premises" is certainly a difficult issue. We cannot define it too narrowly, because we might end up saying that drug dealing 10 yd from a club was covered by the Act but dealing 11 yd away was not. The Minister faces quite a challenge.

There was also some discussion of what constitutes a serious drug problem. Here we must rely heavily on the police exercising their discretion. We heard an excellent speech by my hon. Friend the Member for Gosport (Mr. Viggers) in this connection. He offered examples of how closely clubs are working with the police to ensure that their premises are properly run. The Bill will enhance such co-operation.

Perhaps the Minister will bear in mind some words of the fourth American President, James Madison, when he comes to look at the guidance. Madison said:

"The rules of legal interpretation are the rules of common sense."

I am sure that my hon. Friend will try to be as precise as possible when issuing guidance; I am equally sure that my Bill will bring about a real improvement in the drugs scene. I reject the comments of the hon. Member for Newport, West (Mr. Flynn), who suggested that the Bill would make matters worse. I have every confidence that it will make them better, that it will better protect young people, and that Members of Parliament who support it are supporting legislation that will be both workable and successful.

Question put and agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mr. Legg.]*

Question agreed to.

Mr. Deputy Speaker: Order. I remind the House, as I did on a previous occasion this Session, that the Chair has regularly deprecated proceeding at once from Second Reading to Committee. It means that hon. Members who may have wished to table amendments have no real opportunity to do so.

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed.

Cold Weather Payments (Wind Chill Factor) Bill

Order for Second Reading read.

1.36 pm

Mrs. Audrey Wise (Preston): I beg to move, That the Bill be now read a Second time.

This Bill has caught the public imagination and huge numbers of our constituents have been waiting for us to make some progress on it. It is just unfortunate that that message has not reached many Conservative Members.

Ministers have clearly told me that Second Reading will not be approved. We find ourselves without adequate time to debate the Second Reading because a Bill on which there has been, if anything, excessive co-operation from the Opposition Benches has been allowed to go through all its stages. There was no opposition to that Bill, yet it is now 1.37 pm and I have only just risen to introduce a Bill that affects millions of pensioners. Not only are we denied the opportunity of a proper Second Reading debate but we are denied the opportunity of taking the Bill through its Committee stage. I have been clearly told that that is the position.

The Bill is modest and brief, but I should have thought that it would represent something good coming out of this House—many people would say "for once"—if it were at least given a Second Reading and debated in Committee. That has been thwarted. You, Mr. Deputy Speaker, can see how many hon. Members are here to take part in the debate.

Mr. Peter L. Pike (Burnley): As my hon. Friend said, the Bill is modest, but the weather that we have experienced in the past few weeks, particularly the wind chill factor, which is an important part of this Bill, provides evidence of why we need the proposed change.

Mrs. Wise: My hon. Friend is absolutely right.

I intend to take rather more time than I had expected to take to ensure that everyone fully understands what is involved. Conservative central office and the Conservative party have been issuing misleading statements. The Government claim that my Bill is badly drafted. In that case, why not send it to Committee? That is what the Committee stage is for. The Government regularly introduce Bills whose amendments are ultimately longer than the original text—and they say that my modest, two-clause Bill is badly drafted. In letters to constituents, the Under-Secretary of State for Social Security, the hon. Member for Monmouth (Mr. Evans), has expressed sympathy with the principles of the Bill. I have seen those letters, which have percolated through voluntary organisations or reached me directly.

Mrs. Alice Mahon (Halifax): The Government's sheer hypocrisy has been exposed today. For every minute that the Minister and his hon. Friends filibustered on a Bill that was not opposed—

Mr. Deputy Speaker (Mr. Michael Morris): Order. The hon. Lady might like to withdraw that remark.

Mrs. Mahon: I shall alter the word "filibuster". During the long, unnecessary debate on an unopposed Bill,

elderly people were being admitted to hospital with cold-related illnesses or were dying because they could not afford to pay their heating bills.

Mrs. Wise: There is much justifiable anger and sorrow on Opposition Benches which is shared by a few—unfortunately, not enough—Conservative Members. Several Conservative Members have expressed support for the legislation, but they are not present for the debate. They are not well served by their Government.

Mr. Jim Cunningham (Coventry, South–East): Does my hon. Friend agree that what occurred this morning was utterly appalling? Equally, does she agree that many thousands of pensioners have written to Members of Parliament up and down the country expressing their desire for the Bill to proceed and be implemented?

Mrs. Wise: My hon. Friend is absolutely right. That is why so many hon. Members have come to the House on a Friday. They have travelled from their constituencies in Scotland, Yorkshire, the north-east and other places to participate in the debate on this Bill.

Ms Liz Lynne (Rochdale): Although the drugs issue is very important, does the hon. Lady agree that as 265 elderly people died of hypothermia in England and Wales in 1995, the Bill must have time to pass through all its stages? Is it not an absolute disgrace that Conservative Members debated an unopposed Bill for so long?

Mrs. Wise: The hon. Lady is right. I wish it were not necessary for hon. Members to demonstrate their anger at what has occurred as we must discuss the substance of the Bill.

Mr. David Winnick (Walsall, North): Parliament rose for the Christmas recess and, despite the very cold weather, the cold weather payments were not triggered for some time. Is my hon. Friend aware that my hon. Friends and I went to Downing street to protest about that and found the hall of No. 10 very warm indeed? What a contrast with the conditions of many of our constituents—the elderly, pensioners and the poor—who cannot afford to heat their homes. I congratulate my hon. Friend on introducing the Bill.

Mrs. Wise: My hon. Friend is quite correct. I noted that one hon. Member who spoke this morning—rather unnecessarily, in our opinion—is on record as favouring the abolition of the cold weather payments scheme altogether.

Rev. William McCrea (Mid–Ulster): Can the hon. Lady understand the frustration of elected parliamentary representatives from Northern Ireland who saw more than three hours of parliamentary time devoted to an uncontroversial Bill which enjoyed the agreement of the House and which could have passed through all its stages in 30 minutes? Yet on 7 November 1996, Ministers brought two orders before the House—one contained nine schedules and 57 pages, the other had 13 schedules and 113 pages, and the Minister received 700 responses—but the House and the elected representatives of Northern Ireland were given just an hour and a half to debate not just one but both orders. How can three hours be justified for a non-controversial Bill?

Mrs. Wise: The hon. Gentleman is right. It cannot be justified. There is no justification. The anger in the House is palpable. I do not remember a situation where this has been the mood. It is anger because people die as they are too cold. It is no accident that among the many bodies that expressed support for the Bill are the British Medical Association and the Royal College of Nursing. The Royal College of Nursing said that the Bill could, in fact, make savings because it would result in reduced hospitalisation.

The BMA said that people are having to suffer dangerously low body temperatures because they cannot afford to keep warm, which leads to preventable illness and, in some cases, death. It said:

"We strongly support Mrs. Wise's attempt to keep our coldest and poorest people in better health."

That is why we co-operated on the Public Entertainments Licences (Drug Misuse) Bill—a Bill which we were told would save lives. My Bill is intended to save lives. Where has the co-operation been?

Sir Andrew Bowden (Brighton, Kemptown): As the hon. Lady knows, I am a supporter of her Bill, and I am very pleased to be so. I very much regret that it will not reach the statute book in the life of this Parliament. However, it is now the future that matters. Will she consider the possibility of co-operating with me in writing a joint letter, which we would both sign, to the Prime Minister and to the leader of Her Majesty's Opposition, to try to obtain a pledge from both of them that whichever of them becomes Prime Minister after the next general election will take steps to implement the Bill?

Mrs. Wise: I find that idea rather attractive. It would be beneficial if the hon. Gentleman and I had words around that suggestion after the debate.

Mr. John Gunnell (Morley and Leeds, South): Does my hon. Friend agree that the prime culprit in the previous debate, which was extremely lengthy, was the Minister, whose response took a very long time? Does not that make it absolutely clear that it is Government policy to stop her Bill? Is not it also clear that, as well as the crisis in the health service, the winter crisis in the health service is directly affected because elderly people are suffering from the cold wind and the effect of it on their bills, which causes them not to use the heating that they have? Is not it clear that the Government have put their face against this Bill?

Mrs. Wise: My hon. Friend is absolutely right. In fact, I was informed by a Government Whip yesterday evening that my Bill would not be given a Second Reading. I hope that because I am on my feet, and will be for rather longer than I intended because I have to give hon. Members who have come from the far corners of the country an opportunity—

Mr. Henry McLeish (Fife, Central): On a point of order, Mr. Deputy Speaker. In view of my hon. Friend's comments about a Government Whip who approached her to tell her that the Government had made a decision on

[Mr. Henry McLeish]

whether there would be a Second Reading the day before a private Member's Bill is heard, does that not require a comment from you, Mr. Deputy Speaker, in relation to the abuse of the private Member's system by this outrageous Government?

Mr. Deputy Speaker: The only comment that the Chair makes is that it has absolutely no responsibility for conversations between any hon. Members.

Mr. McLeish: On a further point of order, Mr. Deputy Speaker. Of course, I respect your comments, but would I be in order to suggest that if my hon. Friend the Member for Preston (Mrs. Wise) were to write to Madam Speaker outlining the details of the contribution made by the Government Whip, that might be a different matter which Madam Speaker could consider?

Mr. Deputy Speaker: Any hon. Member can write to Madam Speaker at any time.

Mrs. Wise: We all know, Mr. Deputy Speaker, that there are more ways of killing a cat than strangling it. I have no doubt that no formal Whip has been issued for Conservative Members in this instance. The intention, however, was made quite explicit to me.

Mr. Bernard Jenkin (Colchester, North): Will the hon. Lady give way?

Mr. Andrew Mackinlay (Thurrock): The hon. Gentleman is a millionaire.

Mrs. Ann Clwyd (Cynon Valley): Has my hon. Friend—

Mr. Deputy Speaker: Order. To whom is the hon. Member for Preston (Mrs. Wise) giving way?

Mrs. Wise: To my hon. Friend the Member for Cynon Valley (Mrs. Clwyd), Mr. Deputy Speaker.

Mrs. Clwyd *rose—*

Mr. Deputy Speaker: Order. If the hon. Member for Thurrock (Mr. Mackinlay) has nothing to contribute that is relevant to the Bill, I should be grateful if he would go elsewhere.

Mrs. Clwyd: My hon. Friend the Member for Preston (Mrs. Wise) was talking about the activities of the Government Whip. I wonder whether she noticed his activities this morning. He was constantly weaving around the Government Back Benches, clearly encouraging some of his hon. Friends to make the same repetitive speech time after time. Has my hon. Friend noticed the strong contingent from Wales that is now present in the Chamber? Members who represent constituencies in Wales are in their places because cold weather and deaths from hypothermia bear especially on areas with high percentages of disabled people as well as elderly people. Wales has the largest stock of older houses. The Government have shown again that they are determined to clobber the elderly. They have clobbered them with value added tax on domestic fuel and by refusing to put money into home insulation. We are now seeing just one further example of how the Government do not care a fig about the elderly in our community.

Mrs. Wise: Once again, I agree with my hon. Friend. It is regrettable that we are having to take the Bill in this way. The Minister did me the courtesy, which I appreciate, of having a discussion with me about the Bill. I approached him, as did Age Concern, and we had a courteous meeting, for which I am grateful. In the course of that meeting I said to the Minister that I was anxious that the Bill should be a non-party matter, and I think that I have demonstrated that.

I took steps to ensure that the sponsors were cross-party. Everyone knows that that is quite a difficult thing to do. I offended some of my hon. Friends by preferring to take Conservative Members and members of other parties. I did so because I wanted the Bill to be a cross-party matter. I told the Minister—

Several hon. Members *rose—*

Mrs. Wise: I shall give way in a moment. I ask my hon. Friends to let me intervene in my own speech.

I told the Minister that I do not need to use cold weather payments to batter the Government. I have numerous issues with which I can batter them, as has every Opposition Member. We did not need cold weather payments for that purpose.

I have been accused by some hon. Members of electioneering. Yet Age Concern, which is a non-party organisation, offered the Bill to every Member who secured a place in the ballot, and far more Tories than Labour Members came up in it. I was the one, however, who took the Bill. If the matter becomes party political, it is through no fault of mine.

Mr. D. N. Campbell-Savours (Workington): May I say to my hon. Friend on behalf of my colleagues in the northern region and the north of England that throughout that region, where there has been extremely bad weather this year, there are hundreds of thousands of people who are hoping that the Bill will pass through the House today? It is vital that that should happen if deaths are to be avoided during the winter months. Will my hon. Friend press the Minister to establish whether he is prepared to give the Bill Government time, even at this late stage, so as to ensure that it gets on the statute book within a matter of days, and helps people who are living in great difficulties?

Mrs. Wise: I would like that to happen, and I have no doubt that the Minister is listening. I am anxious to make progress in explaining the merits of the Bill.

Mr. Llew Smith (Blaenau Gwent) *rose—*

Mr. Michael Connarty (Falkirk, East) *rose—*

Mrs. Margaret Ewing (Moray) *rose—*

Mr. John Austin-Walker (Woolwich) *rose—*

Mrs. Wise: I think that my hon. Friend the Member for Blaenau Gwent (Mr. Smith) was first.

Mr. Smith: Is my hon. Friend aware that the Minister—who is obviously determined to kill the Bill—

represents Monmouth, which contains the community of Llanelly Hill? A large proportion of that community is elderly. It is one of the poorest parts of the constituency—if not the poorest. It is certainly one of the coldest parts of Wales. Will my hon. Friend do the senior citizens in that community a service by ensuring that the conclusions of this debate are sent to the local papers in that area? That will help to ensure that the Minister, who represents a marginal constituency, will not be here in a few months' time.

Mr. Deputy Speaker: Order. The hon. Lady said that she was going to make progress on her Bill. Perhaps now would be an appropriate time to start. *[Interruption.]* Order. The last intervention was particularly long, and the one before that was equally long. If interventions are made, they should be short. We have had many interventions. I assume that hon. Members have come to listen to the hon. Lady present her Bill and not to make interventions.

Mrs. Wise: What we are seeing is the consequence of feelings and opinions being held back all morning. Hon. Members have been waiting to take part in this debate. When I tabled this modest, cross-party Bill—I shall describe its modesty and utility shortly—I hoped and expected that there would be an adequate debate. I planned to make a short speech, so I did not particularly want hon. Members to intervene. I wanted to give other hon. Members a chance to speak, but they are being deprived of that chance both on the Floor of the House and in Committee. I am conscious of the sweep of passion about this matter.

Hon. Members may be interested to know that they should all be wary, because a week ago Age Concern had collected no fewer than 2,500 column centimetres of coverage in local newspapers. This matter has attracted a great deal of interest. Journalists have been surprisingly quick to understand the merits of the Bill.

Mr. Connarty: My hon. Friend is making it clear why so many of our hon. Friends are present today. I travelled from Scotland after an engagement hoping to take part in a full debate and vote.

The Minister was also the Minister who was on the Committee considering the statutory instrument on social fund cold weather payments on 18 December 1996. Opposition on that occasion was supplied by four Labour Members: my hon. Friends the Members for Glasgow, Govan (Mr. Davidson), for Ilford, South (Mr. Gapes), for Fife, Central (Mr. McLeish) and myself. My hon. Friend the Member for Fife, Central referred to what the Meteorological Office's report said about taking the wind chill factor into account. It said:

"The Met. Office recommends that once a means of incorporating forecasting into the direct calculation system has been devised, consideration may be given to a trial being carried out."

The Minister replied:

"If we continue to explore the question of wind chill and, possibly, a more complex modelling"

recommendations

"may be put before the House next summer or autumn".—[*Official Report, Sixth Standing Committee on Delegated Legislation*, 18 December 1996; c. 5, 10.]

Mr. Deputy Speaker: Order. I have already made a firm ruling from the Chair that interventions should be short. The hon. Gentleman spoke for more than a minute. That is not acceptable.

Mrs. Wise: My hon. Friend made a valid point. If the Government are so keen on a review, why have they not already instigated one? The Minister made a similar point when he said that the Bill was unnecessary because he could amend the regulations. We know that, but he has not done so. Nor has he made any firm promises to that effect.

Mrs. Ewing: As convenor of the all-party warm homes group, which is well represented in the House today, may I thank the hon. Lady for introducing the Bill and for the coherent and co-operative way in which she has worked to ensure that it received cross-party support? We both realise that the Bill will not solve all the problems faced by people who suffer fuel poverty, but it is particularly urgent given the Government's cut in the home energy efficiency scheme and the fact that Britain suffers excess winter deaths. In Finland, excess winter deaths are only 9 per cent. on average while in Scotland they are 16 per cent. That demonstrates the urgency of addressing the matter and the Bill certainly represents a major step forward.

Mrs. Wise: The hon. Lady is right and I shall expand on some of the points that she raised. I am grateful to the all-party warm homes group, the all-party group on pensioners and the all-party group on disability for their support. If there is a party row about the Bill, it is certainly not my fault nor that of other hon. Members who are concerned about social issues.

Dr. Joe Hendron (Belfast, West): On behalf of all the elderly people in Northern Ireland, I thank the hon. Lady for introducing the Bill. I should like to raise one central point. She referred to hypothermia. Wearing my medical hat, let me say that hypothermia sometimes appears on death certificates, but it also affects many people who die of chronic heart failure or chronic obstructive airways disease. I have no doubt that for thousands of people death is hastened by hypothermia even though it does not appear on their death certificates.

Mrs. Wise: I am well aware of that. It is a medical fact that cold weather thickens the blood. That is why it is beneficial for elderly people who can afford to do so to spend the winter in the Algarve because the warm weather prolongs their lives. That is not within the reach of most people, but we should do everything we can to help elderly people heat their homes so that their blood does not congeal.

The same applies to people with disabilities. New babies also have very unstable thermostats. The Royal College of Nursing pointed out that disabled children are particularly vulnerable because of their lack of mobility. It is all very well for us. Not only are we in warm buildings, but we can move about, exercise and keep warm.

Mr. Nigel Evans (Ribble Valley): Will the hon. Lady give way?

Mrs. Wise: I shall give way in a moment, but I have given way many times and I should like to make some progress. I doubt whether the hon. Gentleman is here to support the Bill.

[Mrs. Wise]

Many elderly people who cannot afford proper heating dread cold weather. The Bill has received support not only from elderly people but from people who are not pensioners, do not qualify for cold weather payments and are not on low incomes. During the cold weather there was a wave of sympathy and empathy for elderly people who were sitting at one-bar fires or turning off the heating. Most of them do not have central heating, so it is a matter not of turning down the thermostat but of turning the heating off. There was a wave of feeling on the part of those who are able to keep warm for those who are not—an interesting social phenomenon that is not often found on benefits issues.

Mr. Mike Gapes (Ilford, South): I congratulate my hon. Friend on presenting her Bill. Like my hon. Friend the Member for Falkirk, East (Mr. Connarty), I was a member of the Committee that discussed the changes to the stations that are used to measure cold weather. That led to some improvements. Does my hon. Friend agree that there is no point in tinkering at the margins, but that we should deal with the fundamental problems of cold weather payments? Few people get them and the way in which they get them leaves a great deal to be desired. I and many other hon. Members have had many letters from constituents who are unhappy about the current situation. This is the opportunity to put matters right.

Mrs. Wise: My hon. Friend is right. The cold weather payments scheme is better than nothing, but it is deficient in many ways. Eligibility is limited to those on income support and that leaves out of account people who are just above that level but who find it equally difficult to heat their homes. Hon. Members and Age Concern have had much correspondence from people in that position. Hon. Members will know, but other people may not, that it is not possible to solve that problem by way of a private Member's Bill, nor is it possible to reduce the number of days from seven to a more reasonable figure. The Bill is modest, partly because I have no alternative and partly because its very modesty gives it some extra power.

Mr. Austin-Walker: The Bill goes as far as my hon. Friend is able to take it. I welcome the way in which she has tried to get all-party consensus on the issue and the offer by the hon. Member for Brighton, Kemptown (Sir A. Bowden) and her acceptance of it. In view of his comments about the home energy efficiency scheme, will my hon. Friend ask the hon. Member for Kemptown and other Conservative Members whether in their letter to the Prime Minister and the Leader of the Opposition, they will request a commitment to reinstate the cuts in the home energy efficiency scheme and institute a cut in VAT on fuel? That would go a long way towards reducing hypothermia, especially among the people my hon. Friend has mentioned, who are just above the limit for eligibility for cold weather payments.

Mrs. Wise: I agree with my hon. Friend. I am whole-heartedly in favour of insulation. The cold weather payments scheme is an emergency one.

Mrs. Diana Maddock (Christchurch): Will the hon. Lady give way?

Mrs. Wise: I should like to make a little more progress. As I have said, the cold weather payments scheme is an emergency one and not the whole solution. The Government say that the solution is insulation and have issued statements to that effect, but they have cut the insulation scheme by £30 million and that shows that they have a brass neck. There were strong protests and the Government were told not to cut the HEES, but they did. It is not the responsibility of the Minister who will reply to the debate but that of a different Department and they should talk to each other.

Mr. Nigel Evans: Will the hon. Lady give way?

Mrs. Wise: The hon. Gentleman should have told his hon. Friends to allow a debate on this matter.

Mr. Evans: On a point of order, Mr. Deputy Speaker. How can my hon. Friends, who sympathise with the thrust of the Bill, make our point if we are not allowed to make a normal intervention?

Mr. Deputy Speaker: That is not a matter for the Chair.

Mrs. Wise: Some 158 hon. Members signed the early-day motion supporting the Bill. I do not think that the hon. Member for Ribble Valley (Mr. Evans) did. He had the opportunity and I feel more responsibility to those 158 Members than to him.

Insulation is important and the Government should not have cut their scheme. They have forced a waiting list for it, and many people will die before their turn comes. It will be many years before insulation grants can make much progress in solving the problem. We will co-operate with and support moves for insulation grant systems but they should not be used to beat this Bill, which deals with emergency payments.

Dr. Norman A. Godman (Greenock and Port Glasgow): Does my hon. Friend agree that one of the most serious problems with the current system is the inappropriate siting of weather stations? The weather station at Glasgow airport, which is responsible for my constituency, is at sea level while many of my elderly constituents live several hundred feet above sea level.

Mrs. Wise: My hon. Friend is right. To be fair to the Government—I do not know why I should, but I will—they have helped by increasing the number of weather stations from 55 to 70. I am sure all Opposition Members welcome that. Nevertheless, so long as only the air temperature is considered, and not the wind chill factor, some places will find that the coldness that they experience is underestimated. That especially affects coastal and upland areas.

Mr. Bill Michie (Sheffield, Heeley): To continue that theme, thousands of pensioners in Sheffield do not get the cold weather payment because the monitoring stations are well outside the city. Sheffield is built on five hills and it is like a wind tunnel. I welcome the Bill, which would help thousands of our pensioners who live on the tops of hills.

Mrs. Wise: My hon. Friend is right.

The measurement of air temperature gives a rough and ready approximation of the problems of pensioners and other poor people who live, as most of them do, in badly insulated houses. We could not get a precise measure unless we stuck a thermometer in every person's home, but no one is suggesting that; we believe that instead of one measure, there should be two.

It is interesting that of the 15 weather stations where payments have not yet been triggered, 14 are in coastal areas. On Wednesday, one Minister seemed to think that that was an argument for the Government. I think that it is an argument for us. I am a Geordie and I remember vividly from my childhood the bitterly cold east winds in Newcastle, which is one of the places where a payment has not been triggered. Where is the sense in that? That fact alone condemns the present measurement.

Preston is rather warmer than the east coast, but a payment has been triggered. Two would have been triggered if wind chill had been taken into account, because one would have been triggered over the Christmas week.

Most interesting of all is the fact that the first payment to be triggered in England was at Liscombe in Somerset. That is fine, but Yeovilton weather station—which is right next to Liscombe—did not trigger a payment. It showed a temperature of 1.5 deg C. Taking wind chill into account at Yeovilton—in Somerset, which is not represented by Labour Members—the effective temperature was minus 6.5 deg C, which would have triggered a payment. Surely no hon. Member would say that that would have been an unnecessary payment.

I am told that the scheme needs piloting—yet the Government managed to transform the entire health service without a single pilot scheme.

Mr. McLeish: Does my hon. Friend accept that I share her anger about the Government conspiring to kill off the Bill and insulting 10 million people in Britain in families who have only income support to keep them warm over the winter? Does she also acknowledge that it is scandalous that in August 1996 the Meteorological Office offered the Government a trial period using six weather stations in Scotland at a cost of £600, but that to date the Government have not said whether they intend to take it up? Does my hon. Friend accept that the Government are not only trying to kill the Bill but heaping insult upon injury for every pensioner and poor family the length and breadth of Britain?

Mrs. Wise: My hon. Friend is right. We are told that wind chill makes people colder, but that it is buildings that are affected by the cold weather payments. All surfaces, whether skin or brick, lose heat to the outside air, whether we like it or not. That is why we cover ourselves up. We lose heat through the walls of our houses. The more poorly insulated the house, the more heat is lost. Just as the wind whips the heat more quickly from one's cheeks and nose end, so it does from the outside walls of houses.

The measurement of the wind chill factor that we recommend should be used is called the Siple-Passel measure. It was originally designed to measure the wind chill effect on inanimate objects. It is the most useful and sensible, cheapest and easiest formula to use. For goodness sake, let us do it.

Mrs. Maddock: As one of the vice-chairmen of the all-party warm homes group, I congratulate the hon. Lady on introducing the Bill. I hope that she agrees that one of the reasons why it is so urgent that we do something is that the Government and we as a nation have been so laggardly about properly insulating buildings. If homes were insulated, pensioners would be able to turn up the heat and their bills would not increase.

Mrs. Wise: There is a Bill in circulation to introduce a 15-year programme of insulation. Many Members of Parliament have given their support to it, as have I, but it would cost more than my Bill. My Bill is not a costly measure. I have been asked how much it would cost. We have asked the Minister how much the present scheme will cost next year. He cannot tell us. It all depends on the weather. That is the point of it.

Last winter, the cold weather payments system cost £62 million. The winter before that, it cost £77,000. So the Government cannot forecast the cost, but of the last six winters, only one could be counted as expensive.

Age Concern obtained some extra figures about last winter—the expensive one—from the Meteorological Office and extrapolated from them an estimate of the difference that the Bill would have made if it had been in operation last winter. The extra cost would have been £20 million. I think that that would have been money well spent, but next winter might be mild. We are not asking for a fortune from the Treasury. There could not be a more targeted measure. It is too targeted for my taste. I have made enormous concessions here. I believe in more universal benefits and I do not apologise for that.

However, I am a realist and I want progress. I would rather have the whole loaf. I would rather have the whole bakery, but I will take some crumbs and say thank you. However, we are not even getting that.

Mr. Gerald Bermingham (St. Helens, South): Has my hon. Friend calculated how much spending that £20 million would save the national health service on beds and medical payments and how much would be saved on costs such as funeral services and everything else?

Mrs. Wise: Yes. That is exactly the point made by the Royal College of Nursing, which I quoted earlier.

I have to admit that there would be one extra cost. Age Concern estimates that about 50,000 more people over 60 died last winter than in the summer and that many of those deaths were preventable. The largest extra cost would be the cost of paying pensions to the people who lived longer. Do we not want to pay that? Do we not want people to live longer? They would be healthier as well.

The Minister has complained to me that the Bill is too vague. We left it vague to give the Government scope for action. If I had said that the Siple-Passel formula should be used, the Government would have said, "Oh no, we intend to use the Steadman formula. If you had put that, we would have agreed to the Bill." We left it vague in order to leave the initiative in the hands of Ministers, but we are then criticised for doing so.

We have been told that it would have been better to amend the cold weather payments in a different way. I went to see the Minister on Wednesday; if he had said that the Government intended to introduce their own Bill or their own regulations, I would have said okay and given way to someone else in the queue—but it was not said.

[Mrs. Wise]

We have also been told that one fault or problem in my little Bill—I am sure that every hon. Member has a copy—arises under clause 1(2), which relates to forecasts. We agree that it is much harder to forecast the wind chill effect than it is to forecast air temperatures, but that does not matter. So what if the Met Office did not forecast such a chill, so there would be no forecast to trigger the payments? There is no reason why an actual effect, which is recorded, should not trigger such payments. The Minister seems to have a lot of quibbles about supposedly technical points.

I was grateful for the help of Dr. Brian Giles, editor of the *International Journal of Climatology*, who confirmed that my layman's approach to the topic was correct. He assured me that my commonsense approach was perfectly good scientifically and that any other difficulty related to bureaucratic problems and not to scientific or climatic ones.

I have been placed in some difficulty today. I wanted to be brief, and I know that some hon. Members are worried that I may be accused of filibustering on my own Bill. However, I have already been made well aware that my Bill will not secure a Second Reading, so it would be a bit rich for the Government to try to accuse me of talking it out. I only hope that my brief contribution being interwoven with so many interventions has not led me to omit some crucial point from the speech on which I had previously slaved and which has been torn to shreds.

I thought that it was important to allow the mood of all of my hon. Friends on the Opposition Benches, and of a few hon. Members on the Conservative Benches, to be brought to the fore and noted. The debate is being watched by the public and judgments are being made by them not only about the Government but about the House.

If the Bill is badly drafted, vaguely worded or whatever the Government are saying, it should go into Committee for further public examination in a democratic manner.

I have made an unusually long contribution because I feel that I have had to substitute for the whole debate. I am very grateful to all those hon. Members who have taken part in this rather odd debate. They came prepared, and we would have had 100 Members to vote if you, Mr. Deputy Speaker, had accepted the closure motion. Those of my hon. Friends who are present are not just the London contingent, although I am grateful for their presence, but a representative gathering.

I now await with interest what the Minister has to say. If he finds that he is a little bit short of time, we will re-issue the Conservative party statement together with our answers to it in order to help him out.

2.23 pm

Mr. Richard Alexander (Newark): This debate has been allocated 55 minutes, of which the hon. Member for Preston (Mrs. Wise) has spoken for 47—

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker. Will you confirm that more speakers have spoken in the debate on my hon. Friend's Bill than on the preceding Bill, which went through the House of Commons almost on the nod? Will you also confirm that representatives of five different political parties have stood during the debate to confirm their support for the Bill? Will you further confirm that if every hon. Member takes his or her seat now, we can have a Division and give the Bill a Second Reading or carry it through on the nod? I am asking you for confirmation of the procedural points that I have made.

Mr. Deputy Speaker: First, there were certainly more speeches in the debate on the previous Bill, which has completed all its stages. Secondly, I keep no track of the number of interventions, but I know that a number of them were excessively long. Thirdly, as for the hon. Gentleman's point about procedural matters, I shall have to wait and see how the House progresses.

Mr. McLeish: On a point of order, Mr. Deputy Speaker. I should be grateful for your comments on the fact that a large number of my hon. Friends have taken time to come to the House today, often giving up constituency matters and travelling long distances. They have sought to help my hon. Friend the Member for Preston (Mrs. Wise) by not standing to be called to speak, anticipating that the Under-Secretary of State for Social Security, the hon. Member for Monmouth (Mr. Evans), would want to address the House, to try to explain why the Government have conspired to kill the Bill and why they have dragged their feet over it, regardless of its merits. Now, insult is being heaped on injury by the hon. Member for Newark (Mr. Alexander), who is talking out the Bill when so many hon. Members want to support it and see it get on to the statute book. Will you, Mr. Deputy Speaker, make a judgment on that?

Mr. Deputy Speaker: The Chair cannot make a judgment on anything of that nature.

Mr. Alexander *rose—*

Mr. Connarty *rose in his place and claimed to move, That the Question be now put, but* MR. DEPUTY SPEAKER *withheld his assent, and declined then to put that Question.*

Mr. Alexander: The allegation, which I totally refute—

Mr. McLeish: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that it is a new point of order.

Mr. McLeish: It is, Mr. Deputy Speaker. Will we receive an indication of whether the Minister is to speak?

Mr. Deputy Speaker: I have only just called the hon. Member for Newark (Mr. Alexander) and we await his speech.

Mr. Alexander: If the hon. Member for Fife, Central (Mr. McLeish) had waited, he would have heard that I support the Bill and have come to make a speech in support of it. If the hon. Member for Preston had not spent so much time complaining that the previous Bill had been filibustered, she would have heard speeches from many other hon. Members. I totally refute the argument that I

have come to filibuster to ensure that the Bill does not make progress, and I shall now sit down, to allow my hon. Friend the Under-Secretary to make his response.

2.27 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): I congratulate the hon. Member for Preston (Mrs. Wise) on raising this important issue, but the Bill, as drawn up, is substantially wrong: the difficulties are technical and practical.

I stress—as the hon. Lady fairly said—that the measure is unnecessary because we have all the statutory powers we need, under section 138 of the Social Security Contributions and Benefits Act 1992, to make regulations taking into account wind chill if we are persuaded that that is practical and appropriate. The second reason why the provision is unnecessary—the hon. Member for Fife, Central (Mr. McLeish) got it completely wrong—is that this summer, when we reviewed, as we do every year, the cold weather payments system, we asked the Meteorological Office to advise us on wind chill. We placed in the Library the Meteorological Office's report, which identified the difficulties of taking it into account straight away and made recommendations for further work.

As I explained to the Sixth Standing Committee on Delegated Legislation, we are examining in a number of ways whether it is practical and appropriate to take wind chill into account in those regulations. I stress—this is where today's debate has gone wrong—that there is no accepted practical way of doing so, given the present state of knowledge.

Let us be quite clear: were the Bill to become law tomorrow, the only result would be chaos, because it is unworkable. It would be chaos because—as the hon. Lady properly explained—on the forecasting element, the Bill directs the adjudicating officers, who are independent, to take account of a forecast, which cannot properly be done. How that can be said—

Mr. Winnick *rose in his place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent, and declined then to put that Question.*

Mr. Evans: How that can be said to be an appropriate way to legislate is beyond comprehension. The problem with the Bill is that it is both vague and impracticable.

It being half-past Two o'clock, the debate stood adjourned.

Remaining Private Members' Bills

UNITED NATIONS PERSONNEL BILL

Read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—[*Mr. John Marshall.*]

Question agreed to.

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. Will you confirm that in the course of today's proceedings, two Bills proposed by Tory Members of Parliament have received full co-operation from Labour Members and members of minority parties to facilitate their going through all their stages, yet on a Bill that would have assisted 10 million pensioners and put money into their pockets, the Cold Weather Payments (Wind Chill Factor) Bill, the Tories have combined in a sinister conspiracy to stop that Labour Bill getting through?

Mr. Deputy Speaker (Mr. Michael Morris): The Chair confirms that two Bills have completed all stages this day.

BREEDING AND SALE OF DOGS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 7 February.

POLICE (PROPERTY) BILL

Mr. Deputy Speaker: Not moved.

PHARMACISTS (FITNESS TO PRACTISE) BILL

Read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—[*Sir Michael Shersby.*]

Question agreed to.

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 7 February.

LAND REGISTRATION BILL [*LORDS*]

Mr. Deputy Speaker: Not moved.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 21st January, Standing Orders Nos. 14B (Proceedings under an Act or on European Community documents) and 15 (Delegated legislation (negative procedure)) shall not apply to the Motions in the name of Mr. Tony Blair relating to Agriculture and to Animals; the Speaker shall put the Questions necessary to dispose of both Motions not later than one and a half hours after the start of proceedings on the first of them; and those Motions may be proceeded with, though opposed, after Ten o'clock.—[*Mr. Carrington*].

Criminal Justice, Salford

Motion made, and Question proposed, That this House do now adjourn.—[*Mr. Carrington.*]

2.36 pm

Mr. Terry Lewis (Worsley): I welcome the Under-Secretary of State for the Home Department, the hon. Member for Bolton, West (Mr. Sackville). He has had a busy morning again.

I wish to draw the Minister's attention to failures in the criminal justice system that have led to cases painstakingly investigated by the police and brought before the courts being frustrated by one means or another. The fact that such cases have occurred in Salford is a coincidence. I have made the title of the debate "Criminal Justice, Salford", but it is of little significance, for the failures could have happened anywhere. In fact, some of the courts involved are not in Salford; among those involved are Bolton Crown court, Manchester Crown court and Salford magistrates court. I am certain that we shall find parallel cases throughout the north-west and, indeed, throughout the country.

The Minister represents a Bolton constituency. I live in Bolton. He must be aware, as I am, that the matters before the House apply equally to Bolton, Salford or anywhere else. I also urge the Minister to consider, when I have concluded my remarks, whether there is a need to inquire into the way in which the lawyers have conducted themselves in the three cases that I shall pray in aid for the purpose of this short debate.

The first case that I wish to bring to the Minister's attention is one about which I have engaged in conversation with the Home Secretary and Ministers in the Department. To some extent it has been investigated, but I continue to challenge some of the conclusions that Ministers have drawn about it.

Two masked men entered licensed premises. Ammonia was thrown in the manager's face and the manager's wife was attacked for the jewellery that she was wearing. In the fracas, the mask was displaced, revealing clearly the features, and therefore the identity, of the robber, who was well known to the police and, as they say, had form.

The people involved were subsequently arrested. The Greater Manchester police witness protection team came into play, as did the Salford city council witness liaison officer. The witness was placed in safe housing, with the usual paraphernalia of safe keeping: a pendant alarm and other protective measures were installed.

Before the court hearing, the victim telephoned the police to report, with some dismay, seeing the accused outside the safe premises where she was then living. The police were able to reassure her that she was mistaken, and that in fact the accused was still in custody, remanded in Strangeways prison. No significance was attached to the call by the police at the time. When the case reached court, however, defence counsel raised the question of the telephone call out of the blue, exploited it to the full and cast doubt on the victim's observation skills. The case fell.

The Minister of State, Home Office responded to me in terms which my subsequent inquiries still challenge. I maintain that the defence lawyers posed the question to the victim; the Minister of State claimed that it was the prosecution lawyers. As I have said in correspondence,

the case has sinister overtones, suggesting a sophisticated method of intimidating witnesses. I do not retract my remark that lawyers may have been implicated in the scheme.

The second case raises questions about the competence of the Court Service and—again—about the lawyers. To be fair to him, the Attorney-General has to some extent acknowledged that in letters to me, especially the one dated 6 August 1996. He is still consulting the leader of the northern circuit, so in this case at least I am prepared to be less critical of ministerial activity.

The case was a catalogue of errors that would not have occurred had the trial been conducted expeditiously. Three young women, two of them my constituents, were assaulted by three youths when returning home from an evening out. Three middle-aged men went to their assistance and, in the ensuing fracas, were badly beaten up and eventually hospitalised. Some police passing the incident intervened and arrested the three youths. Subsequently, one pleaded guilty and two pleaded not guilty.

After four Crown court adjournments, some misleading by a trial judge who was new to the case, and a catalogue of legal incompetence, the judge decided to stay the proceedings. That is wholly unsatisfactory and yet another example of the system failing the public.

The two cases I have outlined took place in early and mid-1996. The third occurred later in the year. Here again I do not know whether to blame deficiencies and incompetence in the system or more sinister forces contriving to interfere with and undermine the criminal justice system in my area. It concerns a serious robbery. Two men responding to an advertisement in a newspaper for computer equipment entered a house in Salford, where they were threatened with a machete and disabled by ammonia, and more than £3,000 was stolen from them.

Later, a man was arrested. He was picked out at an identification parade and committed for trial in September of last year. The day before it was due to be held, the trial was cancelled owing to a lack of court time. The witnesses were stood down, and a new date was arranged for November. When that date was reached, the witnesses again attended and were sent away with no future date given.

A December date was arranged, and witnesses were alerted for a third time. This is where it becomes tricky. The day before the new trial date, the case was omitted from the list given to the police. On checking with the court, the police were advised of a further cancellation, again due to lack of court time. The police stood down the witnesses yet again.

The next day—the original trial date—the Crown Prosecution Service contacted the police seeking the witnesses. It was told by the police that the case had been cancelled, but the CPS advised that it had been relisted. The excuse was that court administrators had mistakenly omitted the case in the first place. In seeking to reinstate the original date, a correction was faxed—so it is alleged—to police headquarters on the previous night when the police office was unmanned. It was too late and, despite the best efforts on the trial day, the willing witnesses could not be mustered. The incredible consequence was that the case was thrown out again due to non-attendance of witnesses.

Was there a genuine mistake, or are forces at work in which the criminal fraternity is involved? I do not know; it may be my suspicious mind, but the matter is serious and the fact that at least two hardened criminals who are well known to the police and the community are now at large because of the malfeasance that I described—and three others who are not habitual criminals as far as I know were not brought to trial for serious offences—is ample reason why Ministers should investigate these matters thoroughly. Indeed, some kind of inquiry should be set up to give the public some confidence.

The police are totally frustrated in their efforts to bring people to justice—and, I accept, to make life not too difficult for themselves—and to make life better for the people whom we represent and whom they are paid to protect. The Minister and his colleagues must do more to restore public confidence. In the extremely short time left to them, I hope that they will make some move that can be picked up after the general election by my right hon. and hon. Friends.

2.47 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): I cannot be expected to agree with the thrust of the last remarks of the hon. Member for Worsley (Mr. Lewis) but I concur with his alarm at the outcome of the cases that he described. He was kind enough to give me notice that he had corresponded with the Attorney-General and others. So, with his permission, I shall answer with a considered commentary on one of those cases—the Crown *v.* Hodgkiss, Dixon and Boyd. He can then judge whether what I shall say demonstrates not only concern but a willingness to ensure that such chains of events do not occur again.

As the hon. Gentleman said, in that case three men were charged with serious offences. They were committed for trial and a pre-trial hearing took place on 5 May 1995. Thereafter, the case was listed for hearing on three occasions: 31 July 1995, 12 December 1995 and 12 February 1996. On all those dates, the case was listed as what is called a "floater" and, in the event, it did not come before the judge until the last date. As the hon. Gentleman knows, a "floater" is a trial not allocated to a specific court or judge but which may be taken in any court within a court centre whenever a gap appears in any of the lists during the day. It is not tied to a single courtroom and can be taken in the first one that becomes free. It is necessary to run such a system because it is impossible to predict the precise length of trials and, if there were no such system, a court in which the fixed list finished early would simply be left with nothing to do, which would represent a waste of public money and increased delays. However, it is clearly unsatisfactory that a serious case such as this should be listed as a floater on three separate occasions. The Court Service is well aware of that fact and is taking steps to prevent a recurrence.

On 12 February 1996, when the case finally came to court, the defence applied for an adjournment as an expert witness was not available. Furthermore, prosecuting counsel was unable to reach the court due to adverse weather conditions. Although the court was told that the prosecution could proceed on the following day, the judge decided to grant the defence request for an adjournment.

The case was then listed for a fourth time, but this time as a fixture, on 30 April 1996. On that day, prosecuting counsel instructed by the CPS—who was new to the

[Mr. Tom Sackville]

case—decided to seek an adjournment so that clothing from two of the defendants could be examined forensically. That was counsel's decision and contrary to the view of the police and the CPS, which did not consider such an examination necessary. The defence had not sought an examination either, despite being informed of its availability early in the proceedings.

The judge retired overnight to consider his position. The following day, he was informed by prosecuting counsel—following consultation with the CPS—that the trial should proceed. However, he was not informed that the defence had earlier been offered an opportunity to examine the clothing and declined. He was also told that the reason for the adjournment on 12 February was the unavailability of prosecuting counsel—the unavailability of the defence expert witness was not pointed out to him. On the basis of that incomplete information, the judge directed that the case should not proceed as the defendants would be put at a considerable disadvantage. He therefore stayed the proceedings.

Mr. Lewis: The Minister will acknowledge that I referred obliquely to that point in my speech. Were disciplinary proceedings taken against anyone found guilty of misleading a High Court judge in that way?

Mr. Sackville: No. I gather from the information that I have received from the Attorney-General that the situation did not lend itself to disciplinary proceedings—it may have been a case of incompetence rather than malevolence. However, the hon. Gentleman makes a fair point.

Mr. Lewis: Have we stopped dealing with incompetence in a disciplinary manner?

Mr. Sackville: I shall deal in correspondence with the general point as to what extent disciplinary procedures would be available in an extreme case.

My right hon. and learned Friend the Attorney-General has raised the case with the head of the Court Service. He in turn, together with the service's senior managers, has looked to see what steps can be taken to prevent the overuse of floating trials. The practice of floating cases involving a large number of witnesses and occurring on several occasions is contrary to guidelines. Three points in the guidelines are: floaters should be short and uncomplicated cases; they should involve few witnesses and no expert witnesses; and, if they are not reached on the first day they are listed, they should receive priority in subsequent listing arrangements. In light of this case, the head of the Court Service has re-emphasised the need for the guidance to be followed.

My right hon. and learned Friend has also contacted the leader of the northern circuit Bar to express his concern at the contribution that the change of prosecuting counsel had made to the unsatisfactory outcome of the case. The heads of chambers have been reminded of the need to ensure that the number of returned briefs is kept to an absolute minimum. More generally, the CPS, in liaison with the Bar, has issued service standards on returned briefs that are designed to ensure continuity of counsel throughout a case—something that was sadly lacking in the current case. The fundamental principle of the service standards is that the advocate who is instructed initially should conduct the case.

Finally, the Court Service and the CPS are arranging a conference for staff at senior levels to agree general principles, processes and mechanisms to ensure that cases are handled properly. That will take place on 3 February and, I hope that it will help to prevent a recurrence of this unfortunate episode.

Mr. Lewis: Can the Minister let me see a copy of the guidance to which he referred in the correspondence that he is to send me?

Mr. Sackville: I am sure that that will be no problem at all. I shall arrange that.

I can only sympathise and apologise through the hon. Gentleman to his constituents for the way in which they have been let down by the criminal justice system. I hope that the events that my right hon. and learned Friend the Attorney-General, the Court Service, the Crown Prosecution Service and the Bar have set in train will avoid similar results in future cases.

The hon. Gentleman suggested that sinister forces might be at work. I hope that that is not the case. Even assuming that the case involved a certain amount of bad luck, but principally incompetence, it is very serious. I believe that lessons will be learnt from this particular case—and another case, about which I shall be happy to give the hon. Gentleman a more detailed commentary in correspondence—and that, in future, we can tell all our constituents that when there is a case to be heard following a serious offence, it will be heard promptly.

Question put and agreed to.

Adjourned accordingly at five minutes to Three o'clock.

House of Commons

Monday 20 January 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

DEATH OF A MEMBER

Madam Speaker: I regret to have to report to the House the death of Martin Redmond Esq., Member for Don Valley. I am sure that hon. Members on both sides of the House will join me in mourning the loss of a colleague and in extending our sympathy to the hon. Member's family and his friends.

Oral Answers to Questions

WALES

Public Expenditure

1. **Mr. Bernard Jenkin:** To ask the Secretary of State for Wales what is public expenditure in Wales per head of population as a percentage of the figure for England [9907]

The Secretary of State for Wales (Mr. William Hague): In 1994-95, the latest year for which information is available, identifiable general Government expenditure in Wales per head was 116 per cent. of that in England.

Mr. Jenkin: Although a representative of an English constituency and a Parliamentary Private Secretary to a Scottish Office Minister, may I nevertheless offer my right hon. Friend congratulations to Wales on the result of the rugby international on Saturday?

If the Government were promising to increase spending on health and pensions—and promising sabbaticals for teachers—while promising to hold the level of taxation at the level set by the Chancellor of the Exchequer, would that not be deeply dishonest and misleading to the British people?

Mr. Hague: My hon. Friend's comments about Saturday's match will be welcomed by all Welsh Members in the House. It was a magnificent advertisement for the game of rugby—the beginning of what we hope will be a magnificent run-up to the rugby world cup at Cardiff in 1999. Opposition Members should reflect that it just goes to show that teams that are written off at the beginning of the season can soon come back and win.

My hon. Friend is right: it would be an example of extraordinary double standards and double-speak to vote against every measure to control public spending, against the reduction in benefits for asylum seekers and against the Jobseekers Bill, while maintaining that one agreed with the total plans for public spending. That extraordinary double-speak raises the question: if the public spending plans are agreed by all, how would Opposition Members finance the time-wasting and self-defeating load of hot air that they call an assembly?

Mr. Ainger: Does the Secretary of State recall his announcement, just a few months ago, on public expenditure in Wales, when he said that the national health service in Wales would receive a year-on-year real terms increase in expenditure? Can he therefore explain why Dyfed-Powys health authority announced on 20 December that, because of its financial crisis, it planned possibly to close eight community hospitals, to change the role of another six out of the total of 19, and to make cuts at all four district general hospitals? The hospital in my constituency has revealed that that would mean the closure of one acute ward. How does the right hon. Gentleman square those two statements, which were made just a few weeks apart? Does he agree that the Dyfed-Powys health authority is significantly underfunded by the Welsh Office?

Mr. Hague: No. I have made it clear that the NHS was the principal beneficiary of the public spending decisions that I announced in November. In every year of the coming Parliament, a Conservative Government will ensure that spending on the NHS in Wales is increased over and above inflation—a commitment that the hon. Member for Caerphilly (Mr. Davies) has refused to match. It will not have escaped the notice of the hon. Member for Pembroke (Mr. Ainger) that there are many demands on the health service, and that health service managers must choose between priorities. The proposals by Dyfed-Powys health authority to which the hon. Gentleman referred are for consultation; they are not being implemented at this moment. It must choose between priorities, but it and all other parts of the NHS in Wales will continue to benefit from the increased resources that we have delivered, which we have promised for the future, but which Opposition Members fail to guarantee.

Mr. John Marshall: I congratulate my right hon. Friend on a level of public expenditure that is so high that the shadow Chancellor says that there is no need to increase it. How does the shadow Chancellor square that with the request of individual Labour Members to increase every item of public expenditure? Does my right hon. Friend think that that is because the shadow Chancellor is wise enough not to read his colleagues' speeches, or sufficiently innumerate not to be able to add up the sums?

Mr. Hague: Not only does the shadow Chancellor evidently not agree with many Opposition Members, who persistently call for higher spending: he does not agree with himself and the way he has voted over the past few years in this Parliament. The people of Wales need to worry about whether changes to our constitutional arrangements would result in significantly and permanently lower public spending per head in Wales. If there were to be a Welsh Assembly, there could be no guarantee that the public spending formula would be

preserved. Those who would rip up our constitutional arrangements show a reckless disregard for the true interests of Wales.

Mr. Wigley: I was glad to hear that the Secretary of State was shouting for Wales on Saturday; I wonder whether he will be doing that when Wales plays England on 15 March.

Does the Secretary of State agree that what he has described as identifiable public expenditure does not include large tracts of public spending, such as defence? Wales gets only 1.5 per cent. of defence procurement, while 55 per cent. goes to south-east England. Compared with Ireland, Wales does poorly out of the European Union: Ireland receives £478 a head whereas Wales receives £45 a head. If Wales had a Parliament of its own, with a voice in Europe, we would be doing much better than we do under the right hon. Gentleman's regime.

Mr. Hague: I can assure the hon. Gentleman that I shall be cheering for Wales in any rugby match against anybody, including England—although I might stay out of a cricket match between Glamorgan and Yorkshire. I shall, however, be cheering for Wales against England.

Defence is not included in identifiable Government expenditure, which was the basis of my answer to the question. If the hon. Gentleman honestly believes that we should swap our economic circumstances with those of Ireland, where unemployment is dramatically higher than in Wales and when Wales is benefiting from record inward investment, he must be out of his mind.

Sir Irvine Patnick: My right hon. Friend has mentioned a Welsh Assembly twice. Will he explain the difference between a Scottish Parliament and a Welsh Assembly? Will he also—

Madam Speaker: Order. That point does not relate to the question.

Mr. Morgan: Does the Secretary of State agree that the Jenkins that the Opposition would welcome in the House today is not the hon. Member for Colchester, North (Mr. Jenkin), but Neil, who scored 19 of our points on Saturday in Edinburgh? Does he agree that the Opposition and the bulk of the Welsh nation also look forward to the day in June 1999 when there will not only be a Welsh Assembly, but Wales will be playing New Zealand, or possibly South Africa, in the final of the rugby world cup in Cardiff?

Madam Speaker: Order. We have had enough of this knockabout: let us get on with the questions.

Mr. Morgan: In the meantime, should we not concentrate on eliminating the waste and inefficiency in the Welsh Office, and the excess bureaucracy in the national health service, nursery vouchers and such nonsensical paper-chase schemes?

Mr. Hague: I agree with the hon. Gentleman's opening sentiments about the rugby world cup final. I also agree about reducing waste in government. That is why I am reducing, in cash terms, the running costs of non-departmental public bodies in Wales and of the Welsh Office. I can assure the hon. Gentleman that all waste is being rooted out of the administration in Wales, but that still leaves the question how he and his colleagues would hope to finance their assembly.

Ministerial Visits

2. **Mr. Barry Jones:** To ask the Secretary of State for Wales how many local education authority (a) high schools and (b) primary schools he has visited to discuss education provision; and if he will make a statement. [9908]

The Parliamentary Under-Secretary of State for Wales (Mr. Jonathan Evans): In the LEA-maintained sector, my right hon. Friend has visited eight high schools and six primary schools since July 1995. Since my appointment in June, I have visited four high schools and six primary schools. We have both discussed a range of education issues on those occasions. The Under-Secretary of State for Wales, my hon. Friend the Member for Cardiff, North (Mr. Jones), has also visited a number of schools. In fact, all three Welsh Office Ministers visited schools last week.

Mr. Jones: Has not teacher morale nose-dived since the publication of the new pension arrangements? Is it not true that there has been a flood of applications for early retirement from teachers in Wales? Does he agree that schools now find it hard to employ mature teachers and that LEAs are strapped for cash?

Mr. Evans: I am grateful to the hon. Gentleman for giving me an opportunity to correct much of the misinformation relating to the Government's proposals that has been spread, not least by some Labour Members. Some 80 per cent. of teachers retire before the age of 60, and widespread concerns have been expressed about that, not least by the Government Actuary and the Public Accounts Committee, which have led to the consultation recently launched by the Department for Education and Employment. It is not the Government's aim in any way to do away with early retirement for teachers, as has been claimed. In fact, in the current settlement for the next financial year, we have funded on the basis of 75 per cent. of current retirement levels. I am bound to make the point, however, that four out of five teachers retiring before 60 means too much expertise being lost from our schools.

Mr. Win Griffiths: When the hon. Gentleman and other Welsh Office Ministers have visited schools, have they noticed the size of classes, especially in primary schools? Is he satisfied with the share of the Welsh Office budget that goes to local authorities for education purposes which, this year, has increased by less than the rate of inflation? Can he explain why there are more than 5,000 more children in primary school classes of more than 30 children than there were at the beginning of the 1990s?

Mr. Evans: When Welsh Office Ministers visit schools, we believe in being frank with teachers and I shall be frank with the hon. Gentleman. Since 1979, class sizes have not increased considerably—they are certainly slightly larger, but there is no greatly measurable difference. The point that I must make is that the Labour

party controls many of the local education authorities in Wales, and figures that I released last week show that the areas of Wales in which there are the largest class sizes are those that are controlled by the Labour party. I suggest that the hon. Gentleman would be better employed directing his strictures to his friends in local government.

Welsh Language

3. **Sir Wyn Roberts:** To ask the Secretary of State for Wales if he will make a statement on progress with the implementation of the Welsh Language Act 1993. [9909]

Mr. Hague: Excellent progress has been made in the three years since the Act became law. The Welsh Language Board has approved the Welsh language schemes of 21 public sector bodies and been active and successful in encouraging greater use of the language in the private and voluntary sectors. Late last year, the board published its "Strategy for the Welsh Language" which sets out clear priorities to build on recent advances and ensure that the language continues to prosper.

Sir Wyn Roberts: May I congratulate my right hon. Friend on emulating that eximious performance on Saturday, which we can no longer mention? His has been the first Government Department to produce an acceptable—indeed, splendid—scheme under the Welsh Language Act, and it has encouraged other Government Departments and public bodies in Wales to produce similar schemes, which will be of great benefit to the language. However, will my right hon. Friend reassure me that all that has been achieved at no unreasonable or inordinate cost?

Mr. Hague: I thank my right hon. Friend for making that point. The Welsh Office scheme was approved by the Welsh Language Board last November. It took effect last week, and it has certainly been implemented without inordinate or significant cost. It is a sign of the tremendous commitment to the Welsh language of the present Government, who have done more for the Welsh language than any previous Government, largely thanks to the efforts of my right hon. Friend. We shall continue with our policies to secure the place of the Welsh language, not only in this country's heritage and culture, but in its future as well.

Inward Investment

4. **Mr. Richards:** To ask the Secretary of State for Wales what measures he is taking to attract inward investment to north Wales. [9910]

5. **Mr. Spring:** To ask the Secretary of State for Wales what was the level of inward investment to Wales in 1996. [9911]

Mr. Hague: More than 150 inward investment projects were recorded in 1996, promising about 15,000 new jobs and investment of more than £2.5 billion. Those exceptional results show that our policies are working well. North Wales is sharing in the success story, as projects by companies such as JCB and Toyo Seal clearly show. There is further good news today for north Wales. I am pleased to announce that British Aerospace will be investing a further £45 million at Broughton in a project that will create 100 new jobs and safeguard a further 60.

Mr. Richards: I am grateful to my right hon. Friend for his reply, in particular the welcome news of further inward investment to north Wales. I am sure that everyone will greet it with enthusiasm. It will reassure the people of north Wales that, under a Conservative Government, fair play is guaranteed.

Does my right hon. Friend agree that Labour's proposed assembly in Cardiff, which would be dominated by the south Wales mafia, would discriminate against north Wales and deprive it of further much-needed inward investment? In short—new Labour, no new jobs.

Mr. Hague: I thank my hon. Friend for his reference to today's announcement by British Aerospace, which is a triumph for the Broughton work force. That plant plays a key part in an extremely successful European collaboration. It further enhances the reputation of Wales as a country that delivers world-class products. We should all be delighted by the news.

My hon. Friend was also right to draw attention to the danger to future job programmes and the creation of more jobs of establishing an assembly. That is not the only danger represented by the Labour party—minimum wages, social chapters and all the other job-destroying nonsense in which it believes represent a danger to the growth of jobs in the country.

Mr. Spring: Is not the Lucky Goldstar investment in south Wales the largest investment ever undertaken in Europe? Does my right hon. Friend share my view that Wales has been an important beneficiary of the massive investment flows into the United Kingdom that have been so successfully secured by this Conservative Government?

Mr. Hague: My hon. Friend is right—LG was not only the most spectacular success for Wales last year: it was the most spectacular success in securing investment anywhere in Europe in modern times. The benefits of that investment will flow to Wales for many years. None of the inward investment flowing into Wales on such a scale over the past 10 to 15 years would have happened if we had not secured low inflation through economic discipline and good industrial relations through changes in trade union law, or if we were still spending millions of pounds on grants to nationalised industries rather than on bringing investing firms into Britain.

Mr. Denzil Davies: Does the right hon. Gentleman agree that there is now a growing danger that inward investment is getting out of kilter in terms both of geography and of the nature of the investment? He will know that, in the area from Bridgend to Llanelli, there is a concentration of car component firms and manufacturing engineering skills. Is not it now time for the Welsh Office actively to pursue investment in a car assembly plant in that area, which could take advantage of those skills?

Mr. Hague: Of course we would welcome a car assembly plant in Wales. It is something that we want to work on over the coming months and years. However, I must point out to the right hon. Gentleman that the flow

of inward investment to Wales has helped to bring about the diversification of the Welsh economy, rather than its concentration. Now, it is an economy strong in automotive components but also in aerospace, electronics and medical devices. We want that diversification to continue. If ever it were to include a car assembly plant, I would be delighted.

Mr. Llwyd: Welcome as today's announcement is, it is noteworthy that, once again, it is investment in the east of Wales. Just before Christmas, the Minister gave me an encouraging reply about dealing with the imbalance between investment in the east and in the west of Wales. Precisely what steps are being taken to redress that imbalance?

Mr. Hague: I hope that the hon. Gentleman and his party will not be churlish about investment going to the eastern parts—in this case, the north-eastern parts—of Wales, because it brings benefits to the whole of Wales and puts the whole of Wales on the map for international companies around the world. He is of course right to highlight the need to ensure that investment goes to the west of Wales as well. That is why I have asked the Development Board for Rural Wales to move 50 per cent. of its activity to the west. It is also why I set the Welsh Development Agency targets for investment outside the eastern M4 and A55 corridors. It is also why I have included in the WDA's budget for the forthcoming year money for the development of strategic sites, which must include sites in the west and north-west of Wales. We shall make every effort to ensure that all parts of Wales benefit from future investment.

Mr. Sweeney: Can my right hon. Friend tell the House how the Vale of Glamorgan has benefited hugely from inward investment and the provision of new, well-paid, high-tech jobs? In particular, can he tell the House about how more alternators are made by Bosch in Wales than at the parent plant in Stuttgart; and about how that plant supplies a great deal of the European motor industry? Can he further tell the House about Ford's successes at Bridgend, where the new V8 engine is being produced for the Jaguar sports car, which is selling brilliantly all over the world? Can he tell the House about the success of the development by Associated British Ports of the docks area; and about the help given by the Welsh Development Agency? Will he tell the House about the success of the British Airways maintenance base at Cardiff international airport, and about the several chemical plants—

Madam Speaker: Order. Perhaps the hon. Gentleman should apply to me for an Adjournment debate.

Mr. Hague: I would have told the House about those successes, but my hon. Friend has done it for me. I have seen many of them for myself—including the British Airways maintenance centre at Cardiff airport, the Dow Corning plant and other places in my hon. Friend's constituency. I wish that some of the publicity given in the past week to Ford's difficulties had been balanced by references in the national media to the tremendous investment and expansion undertaken by Ford at Bridgend.

Mr. Ron Davies: May I first ask you, Madam Speaker, to reflect on the wisdom of the Secretary of State's choosing to link these two questions? They seem quite distinct and better dealt with independently.

I extend a welcome to the news the Secretary of State has announced this afternoon about British Aerospace at Broughton. I had the pleasure of visiting that site late last year with my hon. Friend the Member for Alyn and Deeside (Mr. Jones) and the Leader of the Opposition. We were all impressed with the work of the trade unions, the management and other local interests in putting together that package, and its success is welcome news.

Undoubtedly 1996 was a good year for inward investment. I assure the Secretary of State that the Welsh Development Agency will remain a very high priority under the revised spending programmes of any future Labour Government. Will the right hon. Gentleman confirm, however, that there is resentment among his colleagues in Cabinet at the devolution to the Welsh Office of the power to bid for outside projects? Will he therefore assure us that he will veto the suggestion being canvassed in the Conservative party that that power be stripped from the Welsh Office and centralised in Whitehall if his party is returned to power after the election?

Mr. Hague: There is no question whatever of any such change in the powers of the Welsh Office.

Dr. Spink: Does my right hon. Friend agree that policies such as the minimum wage, the social chapter and more integration with Europe would damage inward investment, threaten our economic success and harm our sovereignty?

Mr. Hague: Yes, my hon. Friend is right. Employment in Wales has grown by 95,000 over the past 10 years, in large measure due to inward investment. It is greatly to the credit of the people of Wales that such investment has been made in Wales—and greatly to the credit of the Government. It will not continue at the same pace and in the same way under any other Government.

Ministerial Visits

6. **Mr. Mackinlay:** To ask the Secretary of State for Wales what plans he has to visit Catalonia to examine the system of government. [9912]

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): None.

Mr. Mackinlay: While I recognise the big difference between the Government and the Opposition about the future governance of the United Kingdom, would it not be prudent for a Minister to investigate and explore the full domestic devolved government in Catalonia as a model for both Wales and the rest of the United Kingdom? Does the Minister agree that the devolved government of Catalonia has not only strengthened Spanish democracy but is a model of subsidiarity that has enhanced the Catalan culture and language? No Catalan of great repute has any difficulty in identifying with Catalonia as well as Spain.

Mr. Jones: My right hon. Friend has led a trade mission to Catalonia, and met President Pujol. I too met President Pujol when he visited the Welsh Office and I formally received him. We are very familiar with the situation in Catalonia. I note that the Catalan national

party fared badly in the last elections because of its association with the Spanish equivalent of the Labour party. In an important poll recently undertaken in Wales among 3,000 electors, the Labour party's version of a Welsh Assembly was supported by only 12.2 per cent.; those who supported some form of assembly for Wales amounted to only 28.7 per cent.; and the largest number, who wanted no truck with it at all that, amounted to some 44.5 per cent. The hon. Gentleman is, as usual, dismissive, but those 3,000 electors are important to me as they come from the Cardiff, North constituency.

Assisted Places Scheme

7. **Mr. Flynn:** To ask the Secretary of State for Wales what assessment he has made of the effect of the assisted places scheme on Welsh comprehensive schools. [9913]

Mr. Jonathan Evans: I have made no assessment. The assisted places scheme enhances parental choice and has proved popular with parents who could not otherwise have had their child educated in the independent sector.

Mr. Flynn: Do not standards in all teams—in education and elsewhere—fall when high flyers are removed, and are not those standards restored when the stars return? Do not our schools need brilliant pupils in the same way as they need brilliant teachers? Are not our schools impoverished by the loss of high flyers and stars—those who set the pace, such as the Quinnells and the Gibbs? Would not school standards be restored if such pupils were allowed to continue to act as school leaders and pupils whom all other pupils seek to emulate? Why do the Government persist with a scheme that robs all our schools of their most brilliant pupils?

Mr. Evans: Most assessments that I have heard of last Saturday's match say that Scott Gibbs, Scott Quinnell and Allan Bateman gained from the experience of rugby league and that that was what gave the extra edge to their play. The Government's policy increases choice and opportunity. At least the hon. Gentleman has the merit of consistency: he has always opposed choice in education. At the weekend, his local newspaper quoted him as saying that schemes such as the assisted place scheme rob council schools of pupils.

The same could be said about the grant-maintained system, the independent system and the rest. His policy is to ensure that there is no choice or opportunity. Moreover, he is out of step with his own supporters. He may have noticed the MORI poll in *The Times* today, which shows that 64 per cent. of those who profess support for the Liberal Democrats and 55 per cent. of those who profess support for the Labour party approve of the assisted places scheme—so we shall no doubt see the Labour party's policy change tomorrow.

Mr. Clifton-Brown: Will my hon. Friend confirm that the proposals, which he may have seen, to abolish the assisted places scheme are not properly costed, as they do not allow for those who would have to return to the state system if it were abolished? Will he also confirm that Labour's scheme is real, old, unreconstructed socialism, levelling everybody down to the lowest common denominator, instead of allowing those from poor families to rise to the limit of their abilities?

Mr. Evans: My hon. Friend is right; the Opposition's proposals are a fraud on the electorate. He is also right to say that pupils will need to be educated, and cost is attached to that. The assisted places scheme budget is 0.27 per cent. of the total LEA schools budget in Wales, and we shall not revisit the subject for three years because the contractual obligation between the Government and the schools that are part of the scheme provides that the scheme should remain in operation for three years in any event. The Opposition claim that there would be additional money for education, but where would it come from?

Mr. Dafis: Does the Minister accept that the Education Bill, including provision for the assisted places scheme, is irrelevant to the needs of Wales and that if it were implemented it could be damaging? Does he accept that we need legislation in Wales to create a rational and effective education system targeted to our needs, and that that legislation should be devised and enacted in Wales? Is not a Parliament for Wales with legislative power urgently needed?

Mr. Evans: I accept that the majority of children in Wales will continue to be educated in local education authority schools. The hon. Gentleman and the Opposition parties are hostile to the choice and opportunity presented by parents and governors choosing to go down the grant-maintained route, by the existence of the independent sector and by the promotion of opportunities for a limited number of children to participate in the assisted places scheme. I do not understand how a well-meaning person like the hon. Gentleman can demonstrate such hostility to the choice and opportunity available to young people in Wales.

Welsh Assembly

8. **Mr. Hendry:** To ask the Secretary of State for Wales how many representations he has received on a referendum for a Welsh Assembly. [9914]

Mr. Hague: Three.

Mr. Hendry: That is an unbelievable reply. Does not my right hon. Friend find it astonishing that only one person in a million in Wales has bothered to make representations on that centrepiece of Labour party policy? Does not that show that the people of Wales are not prepared to put inward investment and their new jobs at risk by going down that line? Does it not show also that they know that they would end up paying more in taxes to pay for a Welsh Assembly, and that a Labour Government in Wales would end in tears there, as it would in the rest of the country?

Mr. Hague: My hon. Friend's suspicions may be right. In any referendum, the people of Wales would not vote for such a time-wasting and self-defeating charade. The encouraging news for the people of Wales is that an increasing number of Opposition Members would not vote for such a time-wasting and self-defeating charade. Two more Opposition Members announced last week that they would oppose the policy of the Labour party in any referendum—the hon. Members for Rhondda (Mr. Rogers) and for Ogmore (Sir R. Powell). That news was greeted, ludicrously, by the hon. Member for Caerphilly (Mr. Davies) with the statement, "We shall be

fighting a united campaign." I am pleased that an increasing number of Opposition Members will join us in arguing at the general election against a referendum on an assembly, against an assembly and against the construction of a body that would be against the true interests of Wales.

Mr. Donald Anderson: Does not the fact that only three people bothered to write to the Secretary of State suggest, rather, that people see no relevance in writing to a lame-duck leader of a lame-duck Government?

Mr. Hague: There is a lot of quacking to come from us yet. The number of representations shows that the people of Wales regard the subject of devolution as an utter irrelevance to their future. They know that the real way to ensure the continuation of the jobs that have been flowing into Wales in recent years is to continue with the policies and constitutional arrangements that have been in place for many years.

Mr. Robathan: When my right hon. Friend considers those three representations, will he bear in mind the fact that Wales is a nation, and that that is important in considering a separate assembly or parliament? Will he consider carefully who should be able to vote? Will people who live in England but who were born in Wales be allowed to vote? Surely they are members of that nation. Will those who live in Wales, such as the hon. Member for Neath (Mr. Hain), who comes from South Africa, be allowed to vote? Should not—

Madam Speaker: Order. Will the hon. Gentleman get the question off his chest, and do so rapidly? We have many questions to get through, and I have a lot of Welsh Members to call.

Mr. Robathan: Madam Speaker, I shall be applying for an Adjournment debate, of course.

Will my right hon. Friend consider whether all citizens of the United Kingdom should be allowed to determine whether Wales has a separate assembly?

Mr. Hague: My hon. Friend raises some interesting questions about whether everyone in the United Kingdom should vote on something that affects the whole United Kingdom—and certainly whether all Welsh people should have a vote rather than only those who are resident in Wales at the time. If we were to witness the tragedy of a Labour Government, Labour Members would have to resolve that question, as well as the question whether their colleagues would be allowed to say what they think in a referendum rather than swallowing the party line that they do not believe is in the true interests of Wales.

Mr. Ron Davies: Madam Speaker, I must protest: the Secretary of State is attempting to answer questions about Labour party policy, and I put it to you that that is quite improper. I do not know why the right hon. Gentleman gets so hot under the collar about the prospects of our having a say in our own affairs.

According to the latest independent polls in Wales, 78 per cent. of Welsh people from all walks of life support Labour's plan for a referendum about our proposals for constitutional change. Does the Secretary of State know that last week a group of prominent business men and women in Wales declared their determination to campaign for a yes vote in any future referendum? They understand—presumably the Secretary of State will consider the matter—that a stronger voice in Europe, a distinctive marketing identity and strong public-private partnerships in an open and democratic framework offer a unique opportunity to improve the performance of the Welsh economy. Why does he want to deny us the right to have a say about our destiny? Is it because he enjoys his powers of patronage on behalf of the Conservative party or because he thinks we get better government under the quango state?

Mr. Hague: The hon. Gentleman criticises me for answering questions about Labour party policy, but someone has to answer such questions. The last time we asked the hon. Gentleman about Labour party policy regarding an electoral system, he took months to answer and, when he did, two Labour Members joined the opposite camp immediately. That is the kind of answer that we get from the hon. Gentleman.

As for the opinions of business people regarding an assembly, a recent Confederation of British Industry survey found that two out of three businesses believe that an assembly would have a negative economic impact on Wales—and they are right. According to the Institute of Directors, three quarters of businesses surveyed did not want an assembly—and they are right also.

Labour Statistics

9. **Mr. Simon Coombs:** To ask the Secretary of State for Wales what is the current level of unemployment in Wales, relative to that in (a) the United Kingdom as a whole and (b) the European Union; and if he will make a statement. [9915]

Mr. Gwilym Jones: For like-for-like comparison purposes, the labour force survey in autumn 1996 found that the unemployment rate in Wales was 8.2 per cent. compared with 7.9 per cent. in the United Kingdom. The European Union average rate in October 1996 was 10.9 per cent.

Mr. Coombs: Is not unemployment now far higher in Germany than in Wales? Is that not a consequence of the fact that more and more German firms are relocating their investment to Wales because they recognise the advantages of doing so? Is it not also a fact that, for every German who will lose his job as a consequence, there is another who is beginning to wish that Germany had never signed up to the social chapter and the other high social costs with which the German economy is now burdened?

Mr. Jones: My hon. Friend is absolutely right. As my hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney) will explain in the Adjournment debate that you have offered him, Madam Speaker, Bosch is achieving far greater productivity in the manufacture of alternators in Vale of Glamorgan than in its plants in Germany. The labour force survey is but a snapshot: the official figures, which were announced last week,

show that Wales is doing better still. Unemployment is falling fast in Wales and elsewhere in the United Kingdom and is down to 7.4 per cent. and 6.7 per cent. respectively. That compares with the expanding European figure, which increased by another 0.3 per cent. in the last quarter.

Mr. Hain: Nobody believes the Government's unemployment figures, because they are fiddled. Britain's unemployment situation looks as good as it does in comparison with that of European countries because the figures have been fiddled downwards. Why does the Minister not recognise other figures that reflect the economic inactivity rate? They show that economic inactivity among men of working age is higher in Wales than anywhere else in mainland Britain. What will he do about the hidden joblessness rate in Wales?

Mr. Jones: It is plain that the hon. Gentleman and his party are bereft of arguments when all that they can trot out is the lame claim that the unemployment figures are fiddled. On any comparison, two facts are self-evident: unemployment in Wales and the United Kingdom generally is falling fast, although it remains too high. That is why I cannot understand Labour's slavish devotion to the minimum wage, the social chapter and—to the particular disadvantage of Wales—the imposition of a Welsh Assembly, with all that that would do to deter the inward investment that we have won until now.

School Financial Procedures

10. **Mr. Touhig:** To ask the Secretary of State for Wales what procedures exist to allow him to assist a school that finds itself in financial difficulties; and how often he has aided a school by use of such procedures in each of the past three years. [9916]

Mr. Jonathan Evans: Responsibility for the funding of local education authority maintained schools rests with unitary authorities. It is open to LEAs to include in their local management of schools schemes arrangements to defer recovery of any overspends until subsequent financial years.

Mr. Touhig: Cwmcarn school in my constituency had a cumulative deficit of £116,000 in the three-year period 1992-95. Accounts published by the school appear to show that the deficit has not been carried forward, but has been written off. Have those debts been written off? If so, did the Secretary of State agree to that, and will he be as generous with other schools in my constituency that are facing similar problems?

Mr. Evans: My earlier reply related to the LEA-maintained sector. As for grant-maintained schools, it is open to my right hon. Friend the Secretary of State to make a loan to any school that finds itself in financial difficulties. To date, it has not been necessary to use that power.

ATTORNEY–GENERAL

Crown Prosecution Service

30. **Mr. William O'Brien:** To ask the Attorney–General what proposals he has to improve the efficiency of the Crown Prosecution Service; and if he will make a statement. [9938]

The Attorney–General (Sir Nicholas Lyell): The key to effective and efficient prosecutions is close co-operation between the police and the Crown Prosecution Service. Both services are tackling this together through joint performance management to provide early advice to police officers, to improve the timeliness and quality of police files and to reduce paperwork and speed up communications by the increased use of information technology.

Mr. O'Brien: The Crown Prosecution Service is doing a good job, but there are concerns about the fact that many cases referred to it by the police are not pursued. That causes concern and bitterness in the minds and hearts of the victims of crime, because they fear that they are not getting support from the CPS. The same is true of lenient sentences—the CPS seems to have a weakness of not appealing against them. Will the Attorney-General assure me that those issues will be followed up and that there will be greater efficiency in the CPS on the points that I have raised?

The Attorney–General: I am grateful for the hon. Gentleman's recognition that, generally, the CPS does a good job. It gets many brickbats and it deserves a bit of praise. He says that some cases brought by the police are not pursued by the CPS. I invite him to write to me with any details that he has on that. He will have heard me say before in the House that I have looked into such claims time and again. Very seldom are those worries—sincere though they are—borne out by the facts. The CPS keeps in close touch with the police. In 75 per cent. of cases, it discusses the issue with the police before dropping a case. In only 4 per cent. of cases that are discussed do they disagree—a tiny proportion.

The hon. Gentleman also mentioned unduly lenient sentences. He should completely acquit the CPS of any suggestion that it has failed to deal with unduly lenient sentences. The majority of sentences that I, as Attorney-General, refer are brought to my attention by the CPS, which keeps a close watch on the issue, as well as on cases brought by members of the public and by Members. I am glad to have an opportunity to make that clear.

Sir Ivan Lawrence: Will my right hon. and learned Friend resist all calls, made in the name of efficiency, to give the Crown Prosecution Service the right of audience in the higher courts? That would seriously undermine the strength of the junior Bar and lead inevitably to the abolition of the separation between solicitors and barristers, which is one of the strengths of our criminal justice system.

The Attorney–General: My hon. and learned Friend raises an important point. He will know that an application by the Law Society on behalf of employed

solicitors, both generally and in the CPS, is currently before the four senior judges of England and Wales. As for my personal position, I see a case for the CPS to have some power to go into the Crown courts, but on a limited basis. I assure my hon. and learned Friend that I stand four square with him on the importance of the independent Bar, and the importance of doing nothing to weaken its long-term position, which is vital to the proper administration of justice.

Mr. John Morris: Is the Attorney-General satisfied with the role of the Crown Prosecution Service and the investigators in the war crimes case of Regina *v.* Serafinowicz? What did the case cost, and what action does the Attorney-General now propose for other cases that are in the pipeline?

More generally—not with reference to those cases—what is the Attorney-General's view of the expressed considerable dissatisfaction with the organisation of the CPS, the setting up of which I continue to support? In particular, what is his opinion of the MORI poll commissioned by the First Division Association of civil servants, which reported that 90 per cent. of its member respondents believed that the CPS had become worse since they joined it, and that those who spoke up when they disagreed with senior managers could damage their career prospects? Is it not time that an inquiry was conducted?

The Attorney–General: The right hon. and learned Gentleman has asked me a fistful of questions, which I shall try to answer succinctly. First, let me answer his question about the war crimes case against Semion Serafinowicz, which stopped on Friday when a jury found him unfit to plead and I issued a nolle prosequi. I can tell the right hon. and learned Gentleman definitely that the case was skilfully, carefully and scrupulously investigated and prosecuted by the police and the CPS. The matter came before the chief metropolitan magistrate last year, and he was perfectly satisfied that there was abundant evidence to commit to trial. All legal arguments were carried out at the end of last year before the trial judge, who was also satisfied that there was a proper case to go to trial; but, of course, when the defendant was unfit to plead it was absolutely proper to bring it to a close, as I did. That is what a nolle prosequi does.

The total costs of the war crimes investigations to the end of last year—to date, effectively—are approximately £6 million for the Metropolitan police and £2 million for the CPS, but that covers not only the Serafinowicz case but 369 other cases that were investigated, some very briefly because people were soon found to be dead and there was nothing further to pursue, and others in greater detail. There remain five cases in regard to which investigations continue.

Let me turn to the wider question of the MORI poll on the organisation of the CPS, which we have discussed before. I believe that the CPS, in which people work extremely hard, is very well organised. Only a small sample replied to the poll, which was conducted only within members of the FDA. About 12 per cent. of the entire CPS responded, which did not give a balanced picture. A much more balanced picture was given by the CPS's own poll, which was carried out on a much wider basis and which I commend to the right hon. and learned Gentleman.

Mr. Sweeney: Has a pilot study of the CPS in Wales been conducted and, if so, with what result?

The Attorney–General: Yes. A pilot study of the CPS monitoring system has been conducted in Wales—the system whereby its own inspectorate has carried out its first pilot project in Wales. I have not yet seen a report, but I believe that the House will greatly welcome the establishment of the inspectorate, which will ensure high and consistent standards throughout the country.

Deregulation

31. **Mr. Flynn:** To ask the Attorney–General what plans he has for further deregulation proposals within his office. [9939]

The Solicitor–General (Sir Derek Spencer): The Departments for which the Attorney-General is responsible have no regulatory functions to which the Deregulation and Contracting Out Act 1994 applies. However, the Crown Prosecution Service continues to work with the police to reduce paperwork and administrative burdens in the prosecution of crime.

Mr. Flynn: Rational deregulation is to be welcomed, but has not the ideologically inspired deregulation of the Crown Prosecution Service left it in a sad position? Morale is at rock bottom and public confidence is at a low ebb. The CPS is thought to pursue trivial offenders when it has a strong case, whereas serious offenders are allowed to run free if the case is weaker. Is not the result of the CPS's conviction-at-all-costs policy that trivial offenders are convicted, whereas many serious offenders get away with it?

The Solicitor–General: The hon. Gentleman's criticisms are entirely misplaced. He talks about morale, but if he and certain of his hon. Friends visited the CPS more often and looked at what it does, they would launch into ill-judged criticism less frequently. The best way in which to help the CPS with morale is to stop criticising it unfairly.

Mr. John Marshall: May I ask my right hon. and learned Friend not to remove the obligation from the Crown Prosecution Service and the prosecuting authorities to prosecute cases under the War Crimes Act 1991 if there is adequate evidence?

The Solicitor–General: I appeared in front of Mr. Justice Potts in Sheffield for three days between 17 and 19 December. He heard arguments that the case amounted to an abuse of process, in part based on the lapse of time since the events took place. After he had heard all the arguments, he concluded that there was no abuse of process and that the case was fit to proceed. The case came to an end last week only because a jury found that the defendant's mental state, which had declined rapidly in the past six months, did not allow him to be tried. The principle, however, is plain: if there is

evidence—and there was in that case—and if the defendant is fit to be tried, we will prosecute firmly and resolutely.

Public Interest Immunity Certificates

32. **Mr. Cohen:** To ask the Attorney–General when he expects to announce the results of his review of public interest immunity certificates. [9940]

The Attorney–General: I made a statement to the House on the Government's new approach to public interest immunity on 18 December 1996. A paper setting out the Government's conclusions was placed in the Library.

Mr. Cohen: Does not the announced reform of the public interest immunity certificate system amount to a success for Lord Justice Scott? Would not the Government still have used it, even under the new system, to thwart justice in the Matrix Churchill case? Is the Attorney-General able to confirm that the blanket ban will go, and that real harm and damage to the public interest will have to be proved to a judge in every case? Will not that new system still facilitate cover-ups, especially in cases involving breaches of arms embargoes, the Prison Service and the police?

The Attorney–General: On the hon. Gentleman's last point, I emphasise very strongly that there were no cover-ups through public interest immunity certificates in the Matrix Churchill case. It is about time that he realised that.

We consulted widely and paid great attention to the advice of Sir Richard Scott and the many others who responded. As I told the House on 18 December, the new test—that a certificate will be issued only if the documents or information in question, if disclosed, would be likely to cause real harm or real damage—was recommended by the Lord Chief Justice and adopted by the Government.

As I also told the House, many of the problems were put aside when the House of Lords, in the case of ex parte Wiley in 1994—two years after the Matrix Churchill case—changed the system and gave Ministers much more discretion. The hon. Gentleman will want to have those three important points well in mind.

Mr. Clifton–Brown: Does my right hon. and learned Friend agree that the problem with the Matrix Churchill and other arms-to-Iraq cases involving public interest immunity certificates was that Ministers did not have discretion about whether to use them? Will he confirm that the new system will allow such discretion and will permit Ministers to attach notes describing the exact problem in each case?

The Attorney–General: Yes, my hon. Friend is right that one of the reasons for such wide misconceptions about the use of certificates in the Matrix Churchill case was that Ministers had little discretion and it was necessary to have more certificates than would now be the case. My hon. Friend will also realise that the matter was distorted out of proportion. Those who have followed it carefully will realise that.

Crown Prosecution Service

33. **Mr. Thurnham:** To ask the Attorney–General if he will make a statement on the current success rate of the Crown Prosecution Service in the north-west. [9941]

The Solicitor–General: The north-west area of the Crown Prosecution Service makes a strong contribution to the overall success of the service. The number and proportion of cases discontinued has been reduced to below the national average and conviction rates in the magistrates and Crown courts are 98.5 per cent. and 91.6 per cent. respectively.

Mr. Thurnham: What are the Law Officers doing to increase the number of convictions of child sex offenders, in view of the low conviction rates, which are currently estimated at below 5 per cent., and mounting public concern about scandals in child care homes in the north-west?

The Solicitor–General: The law has been changed a number of times in recent years. Normally, a child complainant in such a case will make the original complaint to a social worker, and it will be recorded on video tape. At the hearing, that video tape will stand as the child's evidence-in-chief and cross-examination will be by means of a live video link, with the child in a separate room. The methods that we now adopt in the courts to try to get at the truth in paedophile cases are a great advance on the methods that were in use 10 or 15 years ago.

Orders of the Day

Crime and Punishment (Scotland) Bill

As amended (in the Standing Committee), considered.

New clause 2

INFORMATION CONCERNING JURORS

'.—(1) Section 85 of the 1995 Act (citation and attendance of jurors) shall be amended as follows.

(2) In subsection (1), the words from "but" to the end shall cease to have effect.

(3) For subsection (2), there shall be substituted the following subsections—

"(2) A list of jurors shall—

(a) contain not less than 30 names;

(b) be prepared under the directions of the clerk of the court before which the trial is to take place;

(c) be kept at the office of the sheriff clerk of the district in which the court of the trial diet is situated; and

(d) be headed "List of Assize for the sitting of the High Court of Justiciary (or the sheriff court of . . . at . . .) on the . . . of . . . ".

(2A) The clerk of the court before which the trial is take place shall, on an application made to him by or on behalf of an accused, supply the accused, free of charge, on the day on which the trial diet is called, and before the oath has been administered to the jurors for the trial of the accused, with a copy of a list of jurors prepared under subsection (2) above.

(2B) Where an accused has been supplied under subsection (2A) above with a list of jurors—

(a) neither he nor any person acting on his behalf shall make a copy of that list, or any part thereof; and

(b) he or his representative shall return the list to the clerk of the court after the oath has been administered to the jurors for his trial.

(2C) A person who fails to comply with subsection (2B) above shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.".'.—*[Lord James Douglas–Hamilton.]*

Brought up, and read the First time.

3.31 pm

The Minister of State, Scottish Office (Lord James Douglas–Hamilton): I beg to move, That the clause be read a Second time.

The new clause would introduce a minor but welcome change to the procedure for handling the list of assize, which gives details concerning the jurors who are to be empanelled in a trial. We think that in a small way the new clause would contribute towards making it more difficult to threaten or intimidate jurors and it is therefore welcome.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 3

PRECOGNITIONS

'.—(1) After section 67 of the 1995 Act, there shall be inserted the following section—

"Failure of witness to attend for, or give evidence on, precognition

67A.—(1) This section applies where a prosecutor has obtained a warrant to cite a witness for precognition and has served a citation for precognition on the witness.

(2) Where this section applies, a witness who—

(a) fails without reasonable excuse, after receiving at least 48 hours notice, to attend for precognition by a prosecutor at the time and place mentioned in the citation served on him; or

(b) refuses when so cited to give information within his knowledge regarding any matter relative to the commission of the offence in relation to which such precognition is taken,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to a term of imprisonment not exceeding 21 days.".

(2) In section 140 of the 1995 Act (citation)—

(a) in subsection (1), after the words "for" there shall be inserted the words "—

(a) the citation of witnesses for precognition by the prosecutor, whether or not any person has been charged with the offence in relation to which the precognition is taken; and

(b)"; and

(b) subsection (3) shall cease to have effect.'.—*[Lord James Douglas–Hamilton.]*

Brought up, and read the First time.

Lord James Douglas–Hamilton: I beg to move, That the clause be read a Second time.

The new clause would introduce some useful procedures to assist the operation of the courts in relation to precognitions.

Mr. John McAllion (Dundee, East): May I be the first to congratulate the Minister on belonging to a family with such sound political judgment. I understand that his big brother the duke attacked the Tory party this morning and I am sure that that was welcome news throughout Scotland. Even better news was that his younger brother is a member of Scotland United and a strong supporter of a Scottish Parliament.

The Minister has stated that he sent a letter to hon. Members explaining that, because of the changes brought about by the legislation, there were likely to be more precognitions under summary proceedings and that, as a result, some witnesses would fail to attend. He wrote that it was therefore important that the prosecutor should be able to impose fines on those who failed to attend. Why has the defence not been given the same facility as the prosecutor?

Lord James Douglas–Hamilton: If a serious crime is being heard and key Crown witnesses fail to attend, the prosecutor has a right to ask the police to collect them and those people have to explain their non-attendance to the court. That practice has operated for years. The new clause deals with the fact that there is no direct statutory punishment for failing to attend a citation for precognition under solemn procedure. Under summary procedure—

where there are few precognitions—a provision for punishment exists. That is an anomaly, and we feel that there should be consistency between summary and solemn procedure in such cases. The new clause would make it an offence to fail to attend for precognition in solemn procedure.

Mr. Menzies Campbell (Fife, North–East): The point made by the hon. Member for Dundee, East (Mr. McAllion) was that this right is not available to the defence. Very often during the preparation of a proper defence, solicitors charged with that responsibility have great difficulty in persuading witnesses to make themselves available for precognition. The very sensible point put by the hon. Member for Dundee, East is that if one can go to court to get a warrant on behalf of the prosecution in relation to a witness who will not present himself for precognition, why should not a similar right be available to the defence?

Lord James Douglas–Hamilton: If the hon. and learned Gentleman had served on the Committee and tabled an amendment, I would have been only too happy to consider it. It is necessary to consult the judges on such issues and to come to a considered view, and there may be time for the matter to be considered during further debates on the Bill. In a serious case—such as a murder case—the prosecutor has the right to make such a request to the court if any key witnesses do not turn up.

Mr. McAllion: Nobody is questioning the right of the prosecution to seek such a warrant. We are asking about the right of the defence. I take it from the Minister's last answer that it will be possible to table an amendment during the Lords' consideration of the Bill to give the same right to the defence, and that the Government will accept it.

Lord James Douglas–Hamilton: Section 291 of the Criminal Procedure (Scotland) Act 1995 already contains the procedure for defence witnesses. I recommend that the hon. Member for Dundee, East and the hon. and learned Member for Fife, North–East study that section. If they are dissatisfied with its terms, we can consider the matter further.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 4

SUSPENSION OF CERTAIN SENTENCES PENDING DETERMINATION OF APPEAL

'.—(1) After section 121 of the 1995 Act, there shall be inserted the following section—

"Suspension of certain sentences pending determination of appeal

121A.—(1) Where an intimation of intention to appeal or, in the case of an appeal under section 106(1)(b) to (e), 108 or 108A of this Act, a note of appeal is lodged, the court may on the application of the appellant direct that the whole, or any remaining part, of a relevant sentence shall be suspended until the appeal, if it is proceeded with, is determined.

(2) Where the court has directed the suspension of the whole or any remaining part of a person's relevant sentence, the person shall, unless the High Court otherwise directs, appear personally in court on the day or days fixed for the hearing of the appeal.

(3) Where a person fails to appear personally in court as mentioned in subsection (2) above, the court may—

(a) if he is the appellant—

(i) decline to consider the appeal; and

(ii) dismiss it summarily; or

(b) whether or not he is the appellant—

(i) consider and determine the appeal; or

(ii) make such other order as the court thinks fit.

(4) In this section "relevant sentence" means any one or more of the following—

(a) a probation order;

(b) a supervised attendance order made under section 236(6) of this Act;

(c) a community service order;

(d) a restriction of liberty order.".

(2) After section 193 of the 1995 Act, there shall be inserted the following section—

"Suspension of certain sentences pending determination of appeal

193A.—(1) Where a convicted person or the prosecutor appeals to the High Court under section 175 of this Act, the court may on the application of the appellant direct that the whole, or any remaining part, of a relevant sentence shall be suspended until the appeal, if it is proceeded with, is determined.

(2) Where the court has directed the suspension of the whole or any remaining part of a person's relevant sentence, the person shall, unless the High Court otherwise directs, appear personally in court on the day or days fixed for the hearing of the appeal.

(3) Where a person fails to appear personally in court as mentioned in subsection (2) above, the court may—

(a) if he is the appellant—

(i) decline to consider the appeal; and

(ii) dismiss it summarily; or

(b) whether or not he is the appellant—

(i) consider and determine the appeal; or

(ii) make such other order as the court thinks fit.

(4) In this section "relevant sentence" means any one or more of the following—

(a) a probation order;

(b) a supervised attendance order made under section 236(6) of this Act;

(c) a community service order;

(d) a restriction of liberty order.".'.—*[Lord James Douglas–Hamilton.]*

Brought up, and read the First time.

Lord James Douglas–Hamilton: I beg to move, That the clause be read a Second time.

New clause 4 would deal with a problem that has been encountered in the application of the Crown's right of appeal against certain disposals of the court by providing a useful procedure in relation to appeals against non-custodial disposals.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 5

POWERS OF THE COURT ON REMAND OR COMMITTAL OF CHILDREN AND YOUNG PERSONS

'.—(1) Section 51 of the 1995 Act (remand or committal of children and young persons) shall be amended in accordance with this section.

(2) In subsection (1)—

(a) in paragraph (a), for the words "in whose area the court is situated" there shall be substituted the words "which it considers appropriate";

(b) after paragraph (a) there shall be inserted the following paragraph—

"(aa) if the person is over 16 years of age and subject to a supervision requirement, the court may, instead of committing him to prison, commit him to the local authority which it considers appropriate to be detained as mentioned in sub–paragraphs (i) or (ii) of paragraph (a) above;" and

(c) in paragraph (b), after the "age", where it first occurs, there shall be inserted the words "to whom paragraph (aa) above does not apply".

(3) In subsection (4), for the words "in whose area the court is situated" there shall be substituted the words "which he considers appropriate".

(4) After subsection (4) there shall be inserted the following subsection—

"(4A) The local authority which may be appropriate in relation to a power to commit a person under paragraphs (a) or (aa) of subsection (1) or subsection (4) above may, without prejudice to the generality of those powers, be—

(a) the local authority for the area in which the court is situated;

(b) if the person is usually resident in Scotland, the local authority for the area in which he is usually resident;

(c) if the person is subject to a supervision requirement, the relevant local authority within the meaning of Part II of the Children (Scotland) Act 1995 in relation to that requirement.".'.—*[Lord James Douglas–Hamilton.]*

Brought up, and read the First time.

Lord James Douglas–Hamilton: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss Government amendment No. 99.

Lord James Douglas–Hamilton: New clause 5 is similar to an Opposition amendment tabled in Committee concerning the committal of a child to local authority care. At that time, I expressed sympathy with the purpose of the amendment, but suggested that it unnecessarily fettered the discretion of the court in making a disposal to the most appropriate local authority. On that basis, I undertook to table a Government amendment on Report. Amendment No. 99 is a technical one.

Madam Speaker: I call Dr. Norman Godman.

Mr. Norman Hogg (Cumbernauld and Kilsyth): He will be brief, Madam Speaker.

Dr. Norman A. Godman (Greenock and Port Glasgow): I am always brief, Madam Speaker. [HON. MEMBERS: "Oh!"] Well, I try to be brief. I shall be very brief today. How does the Minister define an "appropriate local authority"?

Lord James Douglas–Hamilton: That depends on a number of factors. It may be the local authority in which the child is living, or in which the child is being looked after, but it is not necessarily the authority where the child's permanent residence has been. The new clause would allow the court—in dealing with cases where a young person under 16 years of age is charged with or is convicted of an offence and remanded for trial or for sentence—to commit that young person to a local authority that it considers appropriate. Such a local authority could be the authority in which the court is situated, the authority in which the young person is usually resident or the authority that is already responsible for the young person where he is subject to a supervision requirement.

The amendment replaces the current obligation on the court to commit to the local authority in which it is situated. It gives the court greater flexibility and discretion, which is I am sure what the hon. Gentleman would like and was the tenor of the representations made in Committee.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 6

INCREASED RIGHTS OF APPEAL OF PROSECUTOR

'.—(1) For section 108 of the 1995 Act there shall be substituted the following section—

"Lord Advocate's right of appeal against disposal

108.—(1) Where a person has been convicted on indictment, the Lord Advocate may, in accordance with subsection (2) below, appeal against any of the following disposals, namely—

(a) a sentence passed on conviction;

(b) a decision under section 209(1)(b) of this Act not to make a supervised release order;

(c) a decision under section 234A(2) of this Act not to make a non–harassment order;

(d) a probation order;

(e) a community service order;

(f) a decision to remit to the Principal Reporter made under section 49(1)(a) of this Act;

(g) an order deferring sentence;

(h) an admonition; or

(i) an absolute discharge.

(2) An appeal under subsection (1) above may be made—

(a) on a point of law;

(b) where it appears to the Lord Advocate, in relation to an appeal under—

(i) paragraph (a), (h) or (i) of that subsection, that the disposal was unduly lenient;

(ii) paragraph (b) or (c) of that subsection, that the decision not to make the order in question was inappropriate;

(iii) paragraph (d) or (e) of that subsection, that the making of the order concerned was unduly lenient or was on unduly lenient terms;

(iv) under paragraph (f) of that subsection, that the decision to remit was inappropriate;

(v) under paragraph (g) of that subsection, that the deferment of sentence was inappropriate or was on unduly lenient conditions.".

(2) For subsection (4) of section 175 of the 1995 Act there shall be substituted the following subsections—

"(4) The prosecutor in summary proceedings, in any class of case specified by order made by the Secretary of State, may, in accordance with subsection (4A) below, appeal to the High Court against any of the following disposals, namely—

(a) a sentence passed on conviction;

(b) a decision under section 209(1)(b) of this Act not to make a supervised release order;

(c) a decision under section 234A(2) of this Act not to make a non–harassment order;

(d) a probation order;

(e) a community service order;

(f) a decision to remit to the Principal Reporter made under section 49(1)(a) or (7)(b) of this Act;

(g) an order deferring sentence;

(h) an admonition; or

(i) an absolute discharge.

(4A) An appeal under subsection (4) above may be made—

(a) on a point of law;

(b) where it appears to the Lord Advocate, in relation to an appeal under—

(i) paragraph (a), (h) or (i) of that subsection, that the disposal was unduly lenient;

(ii) paragraph (b) or (c) of that subsection, that the decision not to make the order in question was inappropriate;

(iii) paragraph (d) or (e) of that subsection, that the making of the order concerned was unduly lenient or was on unduly lenient terms;

(iv) under paragraph (f) of that subsection, that the decision to remit was inappropriate;

(v) under paragraph (g) of that subsection, that the deferment of sentence was inappropriate or was on unduly lenient conditions.".'—*[Lord James Douglas–Hamilton.]*

Brought up, and read the First time.

Lord James Douglas–Hamilton: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss Government amendments Nos. 33 to 36, 86 and 90.

Lord James Douglas–Hamilton: New clause 6 is intended to clarify the provisions concerning the Crown's right of appeal against sentences and other disposals. Since the power was first introduced in the Prisoners and Criminal Proceedings (Scotland) Act 1993, there have been various additions to the Lord Advocate's powers. The Bill will make further changes. The original structure of the provisions could helpfully be updated to accommodate the various proposals. New clause 6 and the consequential amendments achieve that by clarifying the legislative structure.

Some minor amendments are also made to the provisions dealing with appeals against a court's decision not to make a non-harassment or a supervised release order. We consider it preferable for the Crown to have to argue that the fact that the court did not make such an order in the specific circumstances of a case was inappropriate.

Mr. James Wallace (Orkney and Shetland): It would be helpful for the House to know on how many occasions the Lord Advocate has used the powers that are available to him to appeal against sentences. Had the new clause appeared in the original Bill, the Government might have been obliged to give some indication of the financial implications, so can the Minister tell us what assessment has been made of the effect of these wider powers on the work load of the criminal appeal court?

Lord James Douglas–Hamilton: The appeals unit considers that the new clause will provide a better basis for arguing an appeal before the court. We do not think that it will have a considerable effect on expenses.

There has been a relatively small number of appeals by the Lord Advocate and law officers. A few have been successful, but not all. The power has been used, however, and on the last occasion that I was asked, the number was less than 25, which is relatively few, but it may since have increased.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 11

EVIDENCE OF VULNERABLE PERSONS: SPECIAL PROVISIONS

'. For section 271 of the 1995 Act there shall be substituted the following section—

"Evidence of vulnerable persons: special provisions

271.—(1) Subject to subsections (7) and (8) below, where a vulnerable person has been or could be cited to give evidence in a trial the court may appoint a commissioner to take the evidence of that person if—

(a) in solemn proceedings, at any time before the oath is administered to the jury;

(b) in summary proceedings, at any time before the first witness is sworn;

(c) in exceptional circumstances in either solemn or summary proceedings, during the course of the trial,

application is made in that regard; but to be so appointed a person must be, and for a period of five years have been, a member of the Faculty of Advocates or a solicitor.

(2) Proceedings before a commissioner appointed under subsection (1) above shall be recorded by video recorder.

(3) An accused shall not, except by leave of the commissioner, be present in the room where such proceedings are taking place but shall be entitled by such means as seem suitable to the commissioner to watch and hear the proceedings.

(4) Subsections (2) to (6), (8) and (9) of section 272 of this Act shall apply to an application under subsection (1) above and evidence taken by a commissioner appointed under that subsection as those subsections apply to an application under subsection (1) of that section and evidence taken by a commissioner appointed on such an application.

(5) Subject to subsections (7) and (8) below, where a vulnerable person has been or is likely to be cited to give evidence in a trial, the court may, on an application being made to it, authorise the giving of evidence by that person by means of a live television link.

(6) Subject to subsections (7) and (8) below, where a vulnerable person has been or is likely to be cited to give evidence in a trial, the court may, on application being made to it, authorise the use of a screen to conceal the accused from the sight of that person while that person is present to give evidence; but arrangements shall be made to ensure that the accused is able to watch and hear as the evidence is given by the vulnerable person.

(7) The court may grant an application under subsection (1), (5) or (6) above only on cause shown having regard in particular to—

(a) the possible effect on the vulnerable person if required to give evidence, no such application having been granted;

(b) whether it is likely that the vulnerable person would be better able to give evidence if such an application were granted; and

(c) the views of the vulnerable person.

(8) In considering whether to grant an application under subsection (1), (5) or (6) above the court may take into account, where appropriate, any of the following—

(a) the nature of the alleged offence;

(b) the nature of the evidence which the vulnerable person is likely to be called upon to give;

(c) the relationship, if any, between the person and the accused; and

(d) where the person is a child, his age and maturity.

(9) Where a sheriff to whom an application has been made under subsection (1), (5) or (6) above would have granted the application but for the lack of accommodation or equipment necessary to achieve the purpose of the application, he may by order transfer the case to any sheriff court which has such accommodation and equipment available, being a sheriff court in the same sheriffdom.

(10) The sheriff court to which a case has been transferred under subsection (9) above shall be deemed to have granted an application under, as the case may be, subsection (1), (5) or (6) above in relation to the case.

(11) Where a court has or is deemed to have granted an application under subsection (1), (5) or (6) above in relation to a vulnerable person, and the vulnerable person gives evidence that he recalls having identified, prior to the trial, a person alleged to have committed an offence, the evidence of a third party as to the identification of that person by the vulnerable person prior to the trial shall be admissible as evidence as to such identification.

(12) In this section—

'child' means a person under the age of 16 years;

'court' means the High Court or the sheriff court;

'trial' means a trial under solemn or under summary procedure; and

'vulnerable person' means—

(a) any child; and

(b) any person of or over the age of 16 years who appears to the court to suffer from significant impairment of intelligence and social functioning".'.—*[Lord James Douglas-Hamilton.]*

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss also the following: New clause 7—*Protection of mentally disordered witnesses*—

'—After section 271 of the 1995 Act (evidence of children) there shall be inserted the following section:—

"Evidence of Vulnerable Witnesses

271A—(1) subject to subsections (7) and (8) below, where a vulnerable witness could be or has been cited to give evidence in a trial the court may appoint a commissioner to take the evidence of the vulnerable witness if—

(a) in solemn proceedings at any time before the oath is administered to the jury;

(b) in summary proceedings, at any time before the first witness is sworn;

(c) in exceptional circumstances in either solemn or summary proceedings, during the course of the trial,

application is made to the court in that regard; but to be so appointed a person must be, and for a period of at least five years have been, a member of the Faculty of Advocates or a solicitor.

(2) Proceedings before a commissioner appointed under subsection (1) above shall be recorded by video recorder.

(3) An accused shall not except by leave of the commissioner, be present in the room where such proceedings are taking place but shall be entitled by such means as seem suitable to the commissioner to watch and hear the proceedings.

(4) Subsections (2) to (6), (8) and (9) of section 272 of this Act shall apply to an application under subsection (1) above and evidence taken by a commissioner appointed on such an application.

(5) Subject to subsections (7) and (8) below where a vulnerable witness has been or is likely to be cited to give evidence in a trial, the court may, on an application being made to it, authorise the giving of evidence by the vulnerable witness by means of a live television link.

(6) Subject to subsections (7) and (8) below where a vulnerable witness has been or is likely to be cited to give evidence in a trial the court may on application being made to it, authorise the use of a screen to conceal the accused from the sight of the vulnerable witness while the vulnerable witness is present to give evidence; but arrangements shall be made to ensure that the accused is able to watch and hear as the evidence is given by the vulnerable witness.

(7) The court may grant an application under subsections (1), (5) or (6) above only on cause shown having regard in particular to—

(a) the possible effect on the vulnerable witness if required to give evidence, no such application having been granted;

(b) whether it is likely that the vulnerable witness would be better able to give evidence if such application were granted; and

(c) the views of the vulnerable witness.

(8) In considering whether to grant an application under subsections (1), (5) or (6) above, the court may take into account, where appropriate, any of the following—

(a) the age and maturity and degree of disorder of the witness;

(b) the nature of the alleged offence;

(c) the nature of the evidence which the vulnerable witness is likely to be called on to give; and

(d) the relationship, if any, between the vulnerable witness and the accused.

(9) Where a Sheriff to whom an application has been made under subsections (1), (5) or (6) above would have granted the application but for the lack of accommodation or equipment necessary to achieve the purpose of the application, he may by order transfer the case to any Sheriff Court which has such accommodation and equipment available, being a Sheriff Court in the same Sheriffdom.

(10) The Sheriff Court to which a case is transferred under subsection (9) above shall be deemed to have granted an application under, as the case may be, subsections (1), (5) or (6) above in relation to the case.

(11) Where a court has or is deemed to have granted an application under subsections (1), (5) or (6) above in relation to a vulnerable witness and the vulnerable witness gives evidence that he recalls having identified prior to the trial, a person alleged to have committed an offence, the evidence of a third party as to the identification of that person by the vulnerable witness prior to the trial shall be admissible as evidence as to such identification.

(12) In this section—

'vulnerable witness' means a witness aged 16 years or over whom the court determines to be suffering from mental disorder as defined in section 1 of the Mental Health (Scotland) Act 1984;

'court' means the High Court or the sheriff court; and

'trial' means a trial under solemn or under summary procedure".'.

New clause 10—*Evidence of vulnerable witness: special provisions—*

'After section 271 of the 1995 Act (evidence of children) there shall be inserted the following section:—

"Evidence of vulnerable witness: special provision—

271A–(1) Subject to subsections (7) and (8) below, where a vulnerable witness could be or has been cited to give evidence in a trial the court may appoint a commissioner to take the evidence of the vulnerable witness if—

(a) in solemn proceedings, at any time before the oath is administered to the jury;

(b) in summary proceedings, at any time before the first witness is sworn;

(c) in exceptional circumstances in either solemn or summary proceedings, during the course of the trial,

application is made to the court in that regard; but to be so appointed a person must be, and for a period of at least five years have been, a member of the Faculty of Advocates or a solicitor.

(2) Proceedings before a commissioner appointed under subsection (1) above shall be recorded by video recorder.

(3) An accused shall not, except by leave of the commissioner, be present in the room where such proceedings are taking place but shall be entitled by such means as seem suitable to the commissioner to watch and hear the proceedings.

(4) Subsections (2) to (6), (8) and (9) of section 272 of this Act shall apply to an application under subsection (1) above and evidence taken by a commissioner appointed under that subsection as those subsections apply to an application under subsection (1) of that section and evidence taken by a commissioner appointed on such an application.

(5) Subject to subsections (7) and (8) below, where a vulnerable witness has been or is likely to be cited to give evidence in a trial, the court may, on an application being made to it, authorise the giving of evidence by the vulnerable witness by means of a live television link.

(6) Subject to subsections (7) and (8) below, where a vulnerable witness has been or is likely to be cited to give evidence in a trial, the court may, on application being made to it, authorise the use of a screen to conceal the accused from the sight of the vulnerable witness while the vulnerable witness is present to give evidence; but arrangements shall be made to ensure that the accused is able to watch and hear as the evidence is given by the witness.

(7) The court may grant an application under subsections (1), (5) or (6) above only on cause shown having regard in particular to—

(a) the possible effect on the witness if required to give evidence, no such application having been granted;

(b) whether it is likely that the witness would be better able to give evidence if such application were granted; and

(c) the views of the witness.

(8) In considering whether to grant an application under subsections (1), (5) or (6) above, the court may take into account, where appropriate, any of the following—

(a) the age and maturity and degree of disorder of the witness;

(b) the nature of the alleged offence;

(c) the nature of the evidence which the witness is likely to be called on to give; and

(d) the relationship, if any, between the witness and the accused.

(9) Where a sheriff to whom an application has been made under subsections (1), (5) or (6) above would have granted the application but for the lack of accommodation or equipment necessary to achieve the purpose of the application, he may by order transfer the case to any sheriff court which has such accommodation and equipment available, being a sheriff court in the same sheriffdom.

(10) The sheriff court to which a case is transferred under subsection (9) above shall be deemed to have granted an application under, as the case may be, subsections (1), (5) or (6) above in relation to the case.

(11) Where a court has or is deemed to have granted an application under subsections (1), (5) or (6) above in relation to a witness and the witness gives evidence that he recalls having identified, prior to the trial, a person alleged to have committed an offence, the evidence of a third party as to the identification of that person by the witness prior to the trial shall be admissible as evidence as to such information.

(12) In this section—

'vulnerable witness' means a witness aged 16 years or over whom the court determines to be suffering from mental disorder as defined in section 1 of the Mental Health (Scotland) Act 1984.

'court' means the High Court or the sheriff court; and

'trial' means a trial under solemn or under summary procedure.".'.

Government amendment No. 227.

Lord James Douglas-Hamilton: For the convenience of hon. Members I also propose to speak to new clauses 7 and 10, which are in similar terms to each other, as all the clauses are aimed at extending to a wider category of vulnerable witness the provisions available to children who give evidence in criminal proceedings. Where the two versions of the clause differ is that mine is restricted in its application to witnesses suffering from significant impairment of intelligence and social functioning, while those tabled by Opposition Members apply to a witness suffering from a mental illness or mental handicap, however caused or manifested. Otherwise, the clauses are identical in effect in that they apply to a wider category of vulnerable witness the existing provisions that enable vulnerable children to give evidence in criminal proceedings by a range of non-conventional means.

Dr. Godman: In how many courts in the land is it feasible to apply the conditions in section 271 of the Criminal Procedure (Scotland) Act 1995?

Lord James Douglas-Hamilton: The amended version of that section will enable adult witnesses who suffer from significant impairment of intelligence and social functioning, as opposed to mental illness, to benefit from the alternative means of giving evidence in cases in which they might experience greater difficulty in giving evidence by conventional means. There is a difficulty in giving precise numbers, because of definitional problems in relation to mental illness. Perhaps we can return to that in a moment.

Dr. Godman: Will the Minister give way?

3.45 pm

Lord James Douglas-Hamilton: I want first to deal with the points raised in Committee by the hon. Member for Dumbarton (Mr. McFall).

At that time, I gave him a commitment, in response to an amendment, that my noble Friend the Lord Advocate would bring back a revised clause for consideration in

[Lord James Douglas-Hamilton]

another place, as the need for consultation at that time meant that it was unlikely that we would be in a position to table a suitable amendment for consideration by hon. Members.

I am, however, delighted that the consultation process was completed in time to enable me to table the new clause for consideration today. Hon. Members will, I am sure, understand that the need to give due consideration to the responses received during the consultation process meant that we were not in a position to table the new clause as far in advance of today's debate as we would have wished. I should like to mention, however, that we have benefited from the responses to the consultation and from discussions that officials have had with, among others, representatives of Enable, in formulating the new clause.

Revised section 271 of the 1995 Act will apply to two categories of witnesses falling within the definition of vulnerable persons: a child, or a person over the age of 16 years who appears to the court to be suffering from a significant impairment of intelligence and social functioning. That formulation will enable adults suffering from a learning disability, however caused, to benefit, in appropriate cases, from the provisions of the clause.

Mr. Dennis Canavan (Falkirk, West): According to the Scottish Association for Mental Health, most if not all mental health legislation gives equal protection to people who suffer from mental disorder, mental illness or learning disability. Why are the Government departing from that and setting a precedent in this case?

Lord James Douglas-Hamilton: We are discussing a rather different subject. We could be dealing with a serious murder case, and there are degrees of mental illness. Having considered the matter thoroughly, my noble Friend the Lord Advocate does not feel able to go as far as the Opposition would recommend. I shall explain the position, after which the hon. Gentleman may want to reply.

My noble Friend the Lord Advocate considered carefully representations made to him during the consultation process by bodies representing the mentally impaired that the provisions should also be extended, explicitly, to certain witnesses suffering from mental illness as opposed to mental handicap. That is the main area of difference between the reformulation of section 271 of the 1995 Act which I tabled as new clause 11, and the new sections 271A of that Act tabled by Opposition Members as new clauses 7 and 10.

My noble Friend has concluded that it is appropriate to maintain the distinction between the two categories of witness. Witnesses who are mentally impaired through mental handicap from birth, or from some other and subsequent cause, such as injury, are inherently at risk and therefore in need of protection. The same cannot necessarily be said of those in the wide category of witnesses who may be suffering from a mental illness. Even a clinically well recognised mental illness will not necessarily render a witness inherently vulnerable for the purpose of giving evidence by conventional means. I am, however, prepared to discuss with the Lord Advocate tabling a further amendment that would go some way to meeting the concerns reflected in the Opposition's new clauses.

A range of provisions that will assist witnesses with particular difficulties is already in place. For example, if a witness, because of his mental condition, is unfit or unable to give evidence in a competent manner, the hearsay evidence provisions of section 259 of the Criminal Procedure (Scotland) Act 1995 enable the court to consider evidence of an earlier statement made by him. Section 260 of that Act enables a witness who gives evidence in court to adopt as part of his evidence an earlier statement made by him. Such statements may be in writing or in the form of a video or audio recording.

Those provisions are still relatively new. While those who practise regularly in the criminal courts will be familiar with them, they may not be well known to others who have less frequent contact with the criminal process. Their potential to assist a witness who may be suffering from a mental illness to give evidence may not, therefore, be widely recognised. I hope that hon. Members will accept that the provisions of the 1995 Act will help a significant number of vulnerable witnesses, including those suffering from mental illness, to give evidence and so increase the number of cases in which proceedings may be brought.

In conclusion, I stress the importance that we attach to maintaining the well-established principle that the court in criminal proceedings should have access to the best available evidence. Where a competent witness is available to give oral evidence to the court in person, the personal attendance of that witness must be preferred to any other means by which evidence might be given. Only in exceptional circumstances should derogations from that general principle be permitted. We recognise that the inherent vulnerability of children, and of adults who suffer from a significant impairment of intelligence and social functioning, is sufficiently exceptional to justify such a derogation.

As I said, I am prepared to discuss with the Lord Advocate extending revised section 271 to offer protection to some witnesses who are mentally ill, but only to those who are suffering to such an extent that they are subject to orders under the Mental Health (Scotland) Act 1984.

Dr. Godman: Will the Minister give way?

Lord James Douglas-Hamilton: In a moment.

Such an extension would recognise the fact that the person's predicament might warrant the protection afforded by the revised section 271 and would meet some of the difficulties in definition that would arise from simply extending the provision to the mentally ill while providing a definition that would assist the court. I hope that hon. Members will accept that there are good reasons for what some will regard as the restricted scope of my amendment and withdraw their new clauses. I hope that new clause 11 and Government amendment No. 227 will accordingly be welcomed by the House.

Dr. Godman: Has the Minister finished or is he giving way?

Madam Speaker: Order. The Minister is not giving way; he seems to have finished. However, we are having a debate and if the hon. Gentleman holds his fire, he will be able to speak later.

Mr. John McFall (Dumbarton): I thank the Minister for his consideration of new clause 11 and for bringing it

to the Floor after speaking to Enable, the Scottish Association for Mental Health and other groups. However, I find it strange that he intends to reconsider the matter, because we pressed him strongly in Committee, where I asked him for a firm undertaking that he would meet those organisations before the Bill returned to the Floor. Now we find that he is thinking about further consultation, which shows the shakiness of the ground that he occupies. However, he has gone some way and I congratulate him on that.

The Minister knows that the amendments arose in large part from the "Front Line Scotland" programmes that showed that abuse of people with learning difficulties was going unpunished because the victims felt that they were unable to give evidence in a court of hearing. In Committee, I tabled an amendment with the assistance of Enable, the Law Society of Scotland and the Scottish Association for Mental Health, which would have provided protection for vulnerable witnesses who had to appear in the criminal courts.

The amendment would offer people with a mental disorder the possibility of protection similar to that currently given to child witnesses. I am well aware of the good work that my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) has done over the years in Parliament on that issue, in which he has a deep interest. Such protection includes taking evidence in advance by means of video recordings; the giving of evidence by a live television link; and the use of screens to ensure that the witness does not have to see the accused person.

The Government have now accepted that witness protection should be given to witnesses with a learning disability, but we are concerned that they have not seen fit to extend it to people with mental health problems. We feel that that protection should be given to all witnesses who could be vulnerable because of mental disorder, including those with mental health problems.

Why should mentally ill people have vulnerable witness protection? First, it should be provided in the interests of justice. If a physically disabled person could not gain access to the criminal courts, attempts would be made to help him. If a person is inhibited by a mental disability from appearing in the courts, or can do so only at great risk to his health, the courts should make equal efforts to accommodate him.

Strong concern has been expressed that the stress of court proceedings could make a person with a mental illness an unreliable witness. A witness suffering from manic depression, for example, could appear well in court but become ill within a few hours, despite being on medication. Stress can lead a person to lose touch with reality or become so depressed that he cannot function or think properly. An environment away from the court, where that person would not feel stressed, would help him to give his evidence more accurately and calmly. Whereas it is thought that an appearance at court makes it more likely that most witnesses will tell the truth, the reverse could be true for some people living with mental illness.

Secondly, witness protection should be extended to those suffering from a mental disorder in the interests of law and order. If mentally ill people are the victims of crime and need help to give evidence, such help should be offered. If not, crimes will go unpunished and mentally ill people will be denied the protection of the criminal justice system.

Thirdly, such witness protection is in the interests of public health when giving evidence could cause a person to suffer a relapse. We are concerned that the Government do not appear to have given due consideration to that possibility. The Minister will realise that mental illness is a fluctuating condition and most people with a chronic mental health problem know that stress is a major cause of a relapse. That is true of the main and most distressing illnesses such as schizophrenia and manic depression. For that reason, associations such as the Scottish branches of the National Schizophrenia Fellowship and the Manic Depression Fellowship support our new clause, which would provide protection for vulnerable witnesses.

The Minister will appreciate that it cannot be in anyone's interest when people who manage to live with a serious mental illness precipitately suffer a relapse, perhaps involving a costly hospital admission and great distress to that person and his family.

Lastly, witness protection should be provided not least because of the terms of the Disability Discrimination Act 1995. It seems ironic that the Government, who only recently enacted legislation to outlaw discrimination on the grounds of disability, should now be seen to discriminate against people with mental illness. In theory, they, too, are protected by the Act. If the Government accept that some people with learning disabilities might need vulnerable witness protection, why can they not accept that some mentally ill people may also need it?

Not all those suffering from mental ill health will need to take advantage of the proposed protection. Many will be able to appear in court, while others will be too ill to do so. Such individuals may include those living in the community, perhaps in their own flat, after being discharged from a long-stay hospital. They may be subject to petty crime or harassment. The Scottish Association for Mental Health and other groups have provided numerous such examples, and have told us that the police often insist on no prosecution because of doubts about whether the victim could take part in court proceedings.

Another example could be a resident of a long-stay hospital or nursing home who alleges abuse by the staff. There have been recent reports of abuse in hospitals for the elderly, notably in Glasgow. A hospital patient may be legally able to give evidence if he or she is able to understand the nature of the oath and may need to speak the truth. But the prosecution may be unwilling to take the case further through fear of how the patient may appear in court. Taking evidence through a commissioner in familiar surroundings may be the answer, or a video link with the court could be appropriate.

The last sort of person is the victim of serous crime. The Scottish Association for Mental Health told us that one woman had come to it alleging that she had been raped. The alleged incident took place south of the border, where the Crown Prosecution Service took no further action owing to doubts as to whether the woman could cope with the ordeal of court proceedings. Some of the protection suggested might have enabled it to prosecute and could perhaps have prevented further assaults on vulnerable women.

4 pm

On the subject of safeguards against abuse, the Government seem concerned that, if "mental illness" were allowed as a ground for applying for vulnerable witness

[Mr. John McFall]

protection, that would open the floodgates and allow anyone who might find court proceedings stressful to get a doctor's certificate exempting him from proceedings. However, new clause 7 has safeguards built into it. The court has the final decision as to whether the person has a mental disorder that justifies the use of vulnerable witness protection. The court can ask for further evidence before making a decision. It could call for psychiatric reports rather than simply relying on a report from a general practitioner. The court would be free to dismiss frivolous claims such as that of a person who is normally well claiming that his anxiety about a court appearance was a mental illness. The court would not be obliged to accept that excuse.

The Minister knows that Enable has petitioned him on another issue related to new clause 11—the questioning of people with mental disorders. In Committee, the Minister said that the proposal contained in an amendment that I tabled was desirable and he promised to ensure that an appropriate adult would be present during police interviews. But in meetings that Enable and the Law Society subsequently had with the Minister—for which they were grateful—the Government still expressed reservations about the statutory provision on the basis that it would set a precedent in Scots law and that it would be constitutionally inappropriate for the Government to be seen to be directing the police as they carried out their functions.

However, we understand—I would like the Minister to elaborate on this—that the Government want to introduce non-statutory guidance to the police on the appropriate adult scheme. As I mentioned to the Minister in Committee, there is one problem with that suggestion: non-statutory guidance for questioning such witnesses has been in place since 1990, with little effect. Even were it to be improved, there is no guarantee that it will be operated or that the police or caring agencies will find the appropriate resources to set up and manage such a scheme.

Will the Minister reconsider the issue? He knows the reservations that we expressed in Committee over the Quigley case, where the recommendations were in operation, but the police provisions failed. The Minister must take account of that issue, about which we are seriously concerned. We are grateful for some movement from the Government, but it is not enough for us to have confidence in the Government's new clause, so I press our case.

Dr. Godman: I compliment the Minister on the measure, but I do not think that it is extensive enough. It is fair to say that it represents an improvement in the continuing development in the treatment of vulnerable witnesses in our judicial proceedings.

I asked my earlier question because I am concerned about the extent of the provision of closed circuit television in our courts. The Minister knows that there is such a system in Greenock sheriff court; it is a modern installation that has been used on a number of occasions. The first occasion was characterised by the child witness telling the prosecuting counsel where to go and how to get there and walking out of the interview room, but there is no doubt that the system has been a success. There may be cases where people have to travel long distances in order to give evidence through a CCTV system.

Will the Minister tell me whether the promise he has just made would allow a person suffering from schizophrenia or manic depression to be given the sort of protection outlined in the Criminal Procedure (Scotland) Act 1995? Again, I tried to intervene make this point earlier. The Minister referred to an order which dealt with persons suffering from certain conditions. The Lord Advocate or the Minister—and possibly their officials, too—might be concerned about the ability of some individuals to fake the symptoms of schizophrenia or manic depression.

In a recent case, a man was sent to the state hospital, Carstairs, ostensibly suffering from schizophrenia. Later, when this malingerer was caught out, it was alleged that he had fooled several psychiatrists. I believe—the Minister will be able to confirm this—that the procurator fiscal involved had the man charged for that form of medical malingering. Are the Government concerned that people might try to fake such illnesses?

To be fair-minded, I admit that there are cases, such as the man at Carstairs, of persons involved in criminal proceedings faking schizophrenia. I was told by a psychiatrist of three cases in which individuals were able to fake, fairly cleverly, some of the symptoms of schizophrenia. All three had had psychedelic experiences induced by the use of LSD, so they had some experience of the sort of mental state suffered by a person suffering from schizophrenia. However, I assure the Minister that such cases are rare and that the literature does not demonstrate that such people are successful—inevitably, they are caught out by psychiatric examinations.

If the Minister has any worries in that respect, I should have thought that the individual's medical history would be a powerful form of assessment, as would examination by psychiatrists who are skilled in the relevant field. I therefore hope that his reluctance to extend his new clause is not prompted by the fear of people faking such illnesses. We are, of course, talking about witnesses and not those charged with offences. It would be perfectly in order to extend the new clause to allow individuals suffering from some form of schizophrenia or those bedevilled by manic depression to be given the same sort of protection that is now afforded to young children in our courts.

What the Scottish Association for Mental Health has to say in its brief is well worth the Minister's attention when he is considering whether to extend the new clause. At page 2, paragraph 5, the brief states:

"It can surely be in nobody's interests that people who are managing to live with a major mental illness should be precipitated back into relapse, perhaps involving a costly hospital admission, and causing great distress to them, their families and friends. The Sheriffs Association, which represents all serving sheriffs in Scotland, supports this view, as does the Law Society of Scotland."

As has been mentioned, the Disability Discrimination Act 1995 provides a measure of protection to persons suffering from mental illness.

The same brief states in the following paragraph:

"Under the Disability Discrimination Act. It seems ironic that a Government which only last year published an Act outlawing discrimination on the grounds of disability, should now discriminate against people with mental illness, who are in theory protected by the Act."

Is there a discrepancy—I look forward to the Minister's answer—between the new clause and the relevant section of the Disability Discrimination Act? If there is, any anomaly should be eliminated in the interests of such people.

The brief continues:

"If the Government accepts that some learning disabled people might need vulnerable witness protection why can it not accept that some mentally ill people may as well?"

Has the Minister decided against extending the new clause on the ground that a case involving, for example, evidence given by someone suffering from schizophrenia or manic depression which leads to a conviction of the accused person might be appealed by the defendant's lawyers? I would not have thought that that would be the case. I cannot think of a case in Scotland or, indeed, south of the border in England and Wales where a conviction that involved the giving of evidence by a vulnerable witness using CCTV or evidence taken on commission has been appealed on the ground that the accused was unable to face one of the witnesses for the prosecution. While the measure being offered by the Minister today is to be welcomed, it is regrettable that it has not gone further in seeking to protect people who suffer from a mental illness.

I have already mentioned the fact that, in a few cases over the past 20 years, both here and in America, people have, for a while, been able to simulate the symptoms exhibited by genuine schizophrenics or manic depressives. However, such cases are extremely rare and should not deter the Government from extending this welcome measure.

Mr. Menzies Campbell: This issue should not be a partisan one that divides the House along party lines. It raises an important feature of the nature of criminal procedure in our courts and the extent to which we are willing to create circumstances in which any individual, whatever handicap he or she may be subject to, is able to contribute to the judicial process.

Like other hon. Members, I have received the brief from the Scottish Association for Mental Health, but I do not intend to refer to its terms in detail. The hon. Member for Dumbarton (Mr. McFall) read eloquently from the brief and the issues are clear and positive in the minds of those participating in this debate. The strength of the case made by the hon. Gentleman was if not overwhelming, at least of such a nature that the Minister should think carefully about whether he should take the matter away and give it further consideration.

The basis of the Government's opposition to the extension being proposed appears to rest in that rather hoary old statutory chestnut, the floodgates argument. In this particular case, though, as subsection (7) of the new clause makes clear,

"The court may grant an application under subsection (1), (5) or (6) above only on cause shown".

That is to say, the court has to be satisfied in any particular case that it is legitimate to go ahead in the light of the procedures set out in the new clause; and the court must have regard to the criteria set out there.

4.15 pm

Furthermore, in subsection (8), the court "may take into account" a number of additional criteria.

It seems to me that the floodgates argument lies behind the Government's attitude—but there are plenty of dams in the way of the flood to prevent abuse of the proposals. The Government seem anxious, however, that the provision, if enacted, would be the subject of abuse. So hedged about are the circumstances in which these procedures can be used, however, that there is no risk of any serious abuse whatever. That being so, why should those whose vulnerability may arise from a mental disorder be excluded from the personal advantages that the new clause seeks to create? The Minister would be well advised to give that serious consideration.

Section 271 of the 1995 Act stipulates that a person appointed as a commissioner

"must be, and for a period of five years have been, a member of the Faculty of Advocates or a solicitor."

So qualification to be a commissioner under current law, restated in this legislation, is merely membership of either the Faculty of Advocates or the Law Society of Scotland. If vulnerability conditions are to be extended so that more commissions may need to be held, the Government will be wise to think again about whether mere membership of one of those bodies is qualification enough.

I was once appointed a commissioner on behalf of the High Court to take evidence from a witness who was not expected to survive until the date of the trial. Indeed, that proved to be so. I remember that a difficult question arose about an objection taken to certain of the evidence being sought to be led. If, therefore, we are to extend the circumstances in which a commissioner may require to operate, it will be not just membership of these bodies but practical experience that will be important. So I suggest that the Minister consider qualifications by way of experience before extending the number of occasions when commissioners may be asked to sit in judgment.

I reiterate: this should not be a partisan matter. The speeches made thus far today have clearly shown the mood of the House. The Minister would do himself a lot of good—and would ultimately do the administration of justice a great deal of good—if he thought again about this point.

Mr. Canavan: I speak in support of new clause 7, which was so ably introduced by my hon. Friend the Member for Dumbarton (Mr. McFall). I did not serve on the Standing Committee dealing with the Bill, but I can well understand the desire to afford special protection in court proceedings to vulnerable persons, including taking evidence in advance on video recordings, giving evidence on live television, and the use of screens.

New clause 11 restricts the definition of "vulnerable person" to a child or

"any person of or over the age of 16 years who appears to the court to suffer from significant impairment of intelligence and social functioning",

whereas new clause 7 extends the definition to include vulnerable witnesses, which means

"a witness aged 16 years or over whom the court determines to be suffering from mental disorder as defined in section 1 of the Mental Health (Scotland) Act 1984".

That seems to be a tight definition. As the hon. and learned Member for Fife, North–East (Mr. Campbell) just said, it would not exactly open the floodgates, so I cannot see the Minister's reasoning in resisting the new clause.

There is wide support for the principle of new clause 7 throughout the country, particularly among professionals and voluntary organisations that specialise in caring for

[Mr. Canavan]

people who suffer from mental illness. For example, a letter from Anne Wallace on behalf of Falkirk District Association for Mental Health says:

"It is the view of FDAMH that at present some individuals with mental illness find it impossible to appear in court as witnesses because of the possible stress of the court appearance and of fear of ridicule or intimidation."

Those feelings are echoed by the Scottish Association for Mental Health, which says in a letter:

"We have experience of the distress caused to people who are mentally ill when faced with court proceedings. One case which came to us was of a person being harassed in her home by a group of local teenagers. The police wanted to prosecute, but the woman was unable to cope with the prospect of confronting the teenagers in court and so the abuse continued."

If such circumstances are allowed to prevail, justice will be denied to many people with mental illness, with the result that crimes will go unpunished and many people will be denied the protection of the criminal justice system. Alternatively, they may be persuaded to go, or even be pressurised into going, to court to give evidence and the whole experience may be such an ordeal that they risk having a further mental breakdown.

The Minister is a reasonable man and I am sure that he does not want those circumstances to develop or be allowed to continue. I hope that he will be persuaded to think again and ensure that the courts give adequate protection to all witnesses, including witnesses who may be vulnerable because of a mental disorder.

I think that I heard the Minister say earlier that he was willing to consider the matter further and possibly introduce an appropriate amendment in the House of Lords. Why on earth has he not introduced an appropriate amendment in this House? What is wrong with new clause 7, which seems to be technically good, with no drafting faults? Why cannot the Minister just accept new clause 7 and help to ensure that people who suffer from mental illness and are called as witnesses in court have a much fairer deal?

Mrs. Maria Fyfe (Glasgow, Maryhill): May I add my own brief comments on new clause 7, which I too believe should not divide the House? Will the Minister answer some questions about vulnerable child witnesses who do not necessarily have any mental disorder? He will recall that the matter was raised in Committee, and I remember the Secretary of State nodding in agreement with me earlier when we discussed the matter in the Scottish Grand Committee.

I pointed out that there have been occasions when someone has been accused of committing dreadful crimes against a very young child, and the child's evidence has not been called, on the ground that he or she is too young. It is obvious that some people might choose such young victims for the very reason that the children are too young for their evidence to be listened to seriously in court. The Minister may remember that we discussed that in Committee.

There should be ways of ensuring that a child who is capable of giving a truthful account of events and who is capable of accurate recall should not have his or her evidence disregarded on the ground that he or she cannot grasp abstract concepts such as telling the truth and understanding an oath.

I see nothing in new clause 11 in that regard. If the Minister plans to take the issue forward in the House of Lords, I should be glad to hear from him about that tonight. I hope that he has not simply forgotten about the matter, which caused concern in Committee. The Bill should not complete its passage without addressing the possibility that the evidence of very young children might be disregarded because the children are so young.

Ms Roseanna Cunningham (Perth and Kinross): I shall speak to new clause 10, which is similar to new clause 7. Much of what I intended to say would echo what has already been said by other Opposition Members, so I shall not go over the same ground.

We support the principle of extending protection to adults with learning disabilities, for which the Government new clause provides. As has been pointed out, however, that still excludes people with mental illness. Opposition Members seek a provision to include such people.

I am unclear why the Government seem unable to accept that the mentally ill should be provided with that protection. I have listened to the Minister. The hon. and learned Member for Fife, North–East (Mr. Campbell) echoed my impression that the floodgates argument might underlie the Government's attitude. Will the Minister tell us his specific concerns about extending the provision to include those who are mentally ill? I hope that he will accept that Opposition Members are genuinely puzzled about his refusal thus far to countenance that extension.

The concerns of various organisations have been rehearsed, and they are shared by Opposition Members. I ask the Minister to bear in mind the point made by the hon. Member for Greenock and Port Glasgow (Dr. Godman), that victims are witnesses too. When we speak of extending protection for vulnerable witnesses, we generally mean victims, although in some cases we mean witnesses in the strict sense of the word.

Where necessary, we should extend all the protection we can, within the law, to people who are vulnerable. I do not understand the argument that those who are mentally ill do not come within the group classified as vulnerable. I beg the Minister to tell us clearly what the problem has been thus far.

Dr. Godman: I remind the hon. Lady that more and more mentally ill people are living in the community as a result of so-called community care policy. If they are more vulnerable as a consequence—as many obviously are—they are surely entitled to the protection that we traditionally afford to children.

4.30 pm

Ms Cunningham: The hon. Gentleman makes an extremely good point, and I thank him for his timely intervention. An increasing number of such persons on the street means an increase in the likelihood of their appearing in court as vulnerable witnesses. As a consequence of the nature of the lives that many must lead, they increasingly appear in court as victims of crime or as witnesses to incidents.

We are discussing those with serious mental illnesses such as manic depression and schizophrenia, and I do not think that hon. Members would deny the serious effects of those illnesses on individuals and their ability to cope

with ordinary, day-to-day life. If their ability to cope with daily life is severely affected—as it clearly is—they will not be able to cope with the extra stress of appearing in court.

The fact is that many people who do not have mental disorders find formal court proceedings very stressful. I refer not only to High Court proceedings for murder but to all sorts of proceedings. Elderly people may feel stressed if compelled to give evidence in court. My mother had to give evidence in a summary case and she was quite worried about the prospect. She is in her 80s and does not suffer from any illness or disorder. If ordinary folk suffer such stress, the pressure on someone who suffers from mental illness must be even greater. As other hon. Members have said, I fear that cases simply will not go to court because people are not capable of dealing with the stress or because valuable witnesses to serious incidents cannot be considered reliable witnesses during court proceedings. That means that their evidence may be lost in serious cases.

These issues are important to the way in which our law operates. We are very proud of our system of justice in Scotland. It has its faults—as does every justice system in the world—but we are justly proud of the way that the system in Scotland has developed, the traditions that have grown up over the years and the way in which it has been able to change and adapt to circumstances.

I urge the Government to take this commendable new clause on board, as it is important to stress protection for vulnerable witnesses. I shall not repeat the list of those who support the measure because other hon. Members have referred to them already. I support the earlier comments about new clauses 7 and 10 and the in-built protections to prevent the floodgates from opening—if that is the reason for the Minister's concern.

The Mental Health (Scotland) Act 1984 and the Disability Discrimination Act 1995 already allow certain concessions, but the new clause has in-built protection that would allow the court to make the final decision. I think that the court can make such a decision—it already has that experience to a certain extent—and it should be allowed to do so.

Dr. Godman: If new clause 10 or new clause 7 is successful, does the hon. Lady anticipate that a commissioner taking evidence on commission from someone suffering from schizophrenia or manic depression would be advised by a medical practitioner? I am thinking of someone suffering from schizophrenia, who had been released into the community and had not taken his or her medication when called for interview by the commission.

Ms Cunningham: That is an important issue. In cases under the Mental Health (Scotland) Act 1984 or the Disability Discrimination Act 1995, if there is any doubt about an individual's mental state, the court has the opportunity to acquire medical evidence from a psychiatrist. It may be easier or harder to get evidence at particular times of the day or week or in particular situations.

As I have said already, I am puzzled why the Minister has thus far set his face against an extension to include those who are mentally ill. The majority of people would assume that those who are mentally ill would be considered vulnerable under anybody's classification and for any reason. I ask the Minister to consider the issue seriously.

Mr. McAllion: I also support new clause 7, spoken to so ably by my hon. Friend the Member for Dumbarton (Mr. McFall), and oppose the new clause moved by the Minister.

My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) raised a small but important point with the Minister, who promised to return to it, but he did not. It relates to the facilities necessary to implement the new clauses, and their availability in courts around Scotland. The Minister said that new clause 11 extended the existing provisions for evidence being given by children to a new category of vulnerable persons. By definition, that must mean that there will be increased demand for those facilities.

New clauses 11 and 7 would require a range of technical equipment to be available in Scottish courts. For example, subsection (2) of new clause 11 says:

"Proceedings before a commissioner appointed under subsection (1) above shall be recorded by video recorder."

The new clause goes on to say that the accused shall not be present during the proceedings,

"but shall be entitled by such means as seem suitable to the commissioner to watch and hear the proceedings."

He will therefore have to be in another room, perhaps in the same building, and have access to what is going on, perhaps by some remote audio-visual means.

The new clause goes on to say that those covered by the provisions can give evidence

"by means of a live television link."

It also says that screens will have to be provided so that the witness does not have to be in court at the same time as the accused, but that the accused must have some means of seeing and hearing the evidence.

A range of technical facilities must be made available. I discovered only this afternoon that Glasgow High Court does not have such facilities. Any trial there involving anyone who came under the new clause would have to go to Glasgow sheriff court, where the facilities are available. That would result in delays, because Glasgow sheriff court has a long backlog of outstanding cases. I do not know about Dundee High Court—I suppose that it meets in Dundee sheriff court, and that those facilities are available. When asked by my hon. Friend the Member for Greenock and Port Glasgow how many courts in Scotland had such facilities, the Minister could not give a coherent or sensible reply—not unusual for him.

Dr. Godman: I can confirm that sheriff court No. 5 in Glasgow has CCTV. I have seen it in operation. My hon. Friend mentioned screens, which are a crude means of separating the witness from the accused in the dock. I would like the practice to be done away with in favour of CCTV in all courts, or evidence taken on commission.

Mr. McAllion: My hon. Friend makes a fair point, and I agree with him. I am not defending the arrangements set down in the new clauses: I am simply saying that the facilities that would allow them to be put into practice are not universally available in the courts of Scotland.

[Mr. McAllion]

I hesitate to make any public expenditure commitments, but the new clauses may involve such commitments. Perhaps the House could turn its attention to that.

Mrs. Fyfe: When I was a witness in Glasgow sheriff court recently, I noticed that witnesses for the prosecution and for the defence were still likely to encounter each other under the system. That causes great concern. Even with the provision of screens and remote television, considerable difficulty could be caused if there was any possibility of the witnesses seeing each other in court buildings.

Mr. McAllion: My hon. Friend has made a relevant point, to which I hope the Minister will reply when he winds up. Many years ago, I was a witness at Dundee sheriff court when my video recorder was stolen. At that time, witnesses for the prosecution and the defence, and the accused, were all kept in the same room to wait for the trial. The whole purpose of new clause 11 would be defeated if, before a trial had even started, vulnerable witnesses were expected to share accommodation with those accused of committing—in some cases—serious offences against them. I hope that the Minister will ensure that witnesses covered by the new clause will not come into any contact with those accused of offending against them.

The nub of the argument between Opposition and Government centres on the definition of the vulnerable witnesses who will be included in the new category. Both sides agree that a child should be defined as someone under 16; it is the Minister's new legal definition in new clause 11 that is at the heart of the debate. According to the new clause, a "vulnerable person" means

"any person of or over the age of 16 years who appears to the court to suffer from significant impairment of intelligence and social functioning".

As far as I know, that is a new definition. I have not seen it before.

I understand that the Minister consulted on what the definition should be—or, rather, that the Lord Advocate, on behalf of the Minister, carried out a quick consultation process between Committee and Report. On 20 December, in the run-up to Christmas, the Minister wrote to Committee members, kindly making available to us the consultation paper that the Lord Advocate had sent out. At that time, the Minister was referring to the "learning disabled". The Lord Advocate's consultation document argued against the definition suggested by my hon. Friends, referring to

"a suitable definition of 'learning disabled'",

and stating:

"Section 1 of the Mental Health (Scotland) Act 1984 . . . is not considered to form a suitable basis for such a definition because it describes an extreme and narrow range of mental disorders and, arguably, does not include people exhibiting the range of learning difficulties which would render witnesses vulnerable when giving evidence."

At the consultation stage, the Lord Advocate and the Government said that they did not want to adopt the definition in section 1 of the 1984 Act because it was too narrow, and would not cover enough witnesses who might be vulnerable in court proceedings. They wanted a wider definition, bringing in more people who might be vulnerable in such circumstances. The consultation paper itself suggested a definition that might be used: a witness suffering from learning disability would be

"suffering from a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning".

Between consultation and Report, however, the Minister has changed the suggested definition. Out goes the phrase

"suffering from a state of arrested or incomplete development of mind".

The only phrase that is included in the new clause is

"significant impairment of intelligence and social functioning".

The Minister must explain tonight why, between the consultation stage and his return to the House, he has dropped the phrase

"suffering from a state of arrested or incomplete development of mind".

Dr. Godman: Subsection (12)(b) refers to "social functioning". Could it not be argued that a person suffering from, say, paranoid schizophrenia was suffering from a "significant impairment" of social functioning?

Mr. McAllion: I would have thought so. Presumably, during the consultation period the Minister had a great deal of time in which to circulate the document to interested groups. Can he tell us how many people responded, whether any consultant psychiatrists or organisations representing them contacted the Government, and whether, if so, they have a view about the Minister's definition? I would have thought that that definition might or might not include someone suffering from schizophrenia, but that is a matter for a consultant psychiatrist rather than a court to decide. The Minister must tell us exactly what the position is.

4.45 pm

A number of hon. Members have asked whether the Government fear that the floodgates may open, and that too many people will seek protection under the new clauses. Is that why they will not accept section 1 of the Mental Health (Scotland) Act 1984 as a definition? The Minister cannot say that that is the case, however, for his own consultation document makes it clear that he wants a broader definition. He must justify the phrase that he is introducing to Scottish law for the first time, and explain who will decide what constitutes

"significant impairment of intelligence and social functioning".

Will it be the court, or a consultant psychiatrist?

Mrs. Irene Adams (Paisley, North): Does my hon. Friend agree that witnesses who have been intimidated or threatened by the accused, or people connected with the accused, could describe themselves as not functioning very well socially? Nothing in the new clauses relates to people who have been threatened or intimidated during trials, or whom others have attempted to bribe.

Mr. McAllion: Not only do I agree; when my hon. Friend asked whether a witness who had been threatened could be described as suffering from impairment of social

functioning, the Minister nodded. It now appears that threatened witnesses could qualify under the new clause, which widens the definition.

Lord James Douglas-Hamilton: No.

Mr. McAllion: Now the Minister says, "No," from a sedentary position. Just a few minutes ago, he was saying, "Yes."

Dr. Godman: My hon. Friend mentioned the organisations that were consulted. In fact, the Lord Advocate consulted the Mental Welfare Commission for Scotland, but failed to consult Scottish members of the Royal College of Psychiatrists.

Mr. McAllion: My hon. Friend highlights our problem in trying to decide between the two new clauses that have been tabled by the Government and by Opposition Members. The Minister is pushing ahead at breakneck speed. There has not been proper consultation: those who know best how witnesses should be categorised and defined in law have not been allowed their say in the law-making process.

The suspicion must arise that what the Government are about tonight is political posturing—that they are trying to talk tough on law and order before a general election, and are not even interested in trying to improve the law or introduce proper legal changes that would protect people in real-life circumstances outside the House. That reflects very badly on the Minister and the Government. The Minister's brother is right to say that he has had more than enough of the Tory Government over the past 17 years, and his younger brother is even more right to campaign for a Scottish Parliament, because if we had one, we would not be wasting our time here tonight.

We already have a legal definition of witnesses who may be covered by the new clause: the definition given in section 1 of the Mental Health (Scotland) Act 1984. A consultant psychiatrist who works as a forensic psychiatrist, dealing with offenders, has told me that that is a generic term that is used in law. It defines two separate categories of people—those who suffer from mental illness, and those who suffer from a mental handicap.

Mental handicap means severe mental impairment. The Minister said that those people would be covered by new clause 11, but that those who suffer from a mental illness would not necessarily come within the new definition. As many hon. Members have said, that excludes from the protection of the clause a range of people who suffer from schizophrenia, manic depressive illnesses and many other illnesses.

All hon. Members who have spoken have made the point that the Minister must explain why people who suffer from mental illness are not being afforded the protection of the new clause. In the consultation paper that he distributed around Scotland, he said that the definition of section 1 of the 1984 Act, which included people with mental illness, was not wide enough, and that not enough people would be caught within it. Now he says that it is too wide. He must explain to us what has happened to change his mind.

The Minister tried to get himself off the hook by referring to section 259 of the Criminal Procedure (Scotland) Act 1995. He suggested that that part of the Act could be used to cover people who suffer from mental illness. Section 259 deals with hearsay evidence, and lists a range of people who need not give evidence for a variety of reasons. The first category is people who are dead—which I suppose is a reasonable ground for not giving evidence in court; no one would argue with that. People who are no longer in the United Kingdom are allowed to give hearsay evidence. People who have been identified as potential witnesses but who cannot be found are another good category. People who believe that, if they give evidence, they may incriminate themselves are also allowed to give hearsay evidence.

If the Minister is prepared to include people suffering from a mental illness within the definition of hearsay evidence, why is he not prepared to include them within the definition in the Bill? The Government's position is inconsistent.

Dr. Godman: In my comments, I was not criticising the responses of people who had been consulted. They were asked three questions, all of which referred to witnesses who may be categorised as learning disabled. I am sure that my hon. Friend will agree that they were not given an opportunity to discuss other vulnerable witnesses.

Mr. McAllion: Absolutely. My hon. Friend is spot on. No Opposition Member would criticise properly qualified people for commenting on those issues. Our criticism is directly solely at Ministers, who are not listening to the voice of reason expressed inside and outside the House. Instead, they are pushing ahead with proposals that cannot be justified.

I received a letter from my constituent, Dr. Joe Morrow, who has spent some time working with people suffering from mental illness. He is concerned that the new clause does not include witnesses who are vulnerable as a result of mental illness. He tells me that he has direct experience of the extreme distress that is caused to people who are or have been mentally ill when they are faced with court proceedings.

Dr. Morrow is concerned about the people in residential care or in hospital, who may be abused and need protection to ensure that they are not intimidated in court by their carers or by those with power over them. The Minister should remember that people who suffer from mental illness need protection: they are often in an extremely weak position, whereas those who may have abused them are extremely powerful and strong.

Dr. Morrow says that, in most mental health legislation, the definition of mental disorder in section 1 of the 1984 Act is adequate. He asked me to make his plea—a plea that has come from hon. Members across the Committee—that the Minister's suggestion is not good enough. If, like his brother, he is honest and decent, he should listen to the Opposition.

Lord James Douglas-Hamilton: I am glad to respond to the debate. This is one of the most important discussions that we will have today, so it is vital that we get it right.

The hon. Members for Dundee, East (Mr. McAllion) and for Glasgow, Maryhill (Mrs. Fyfe) raised the issue of separating witnesses from the accused. Where accommodation permits, every effort is made to keep

[Lord James Douglas–Hamilton]

witnesses for the prosecution and for the defence separate. Improvements are constantly being introduced, and every effort is made to keep vulnerable witnesses separate from other witnesses.

The hon. Member for Dundee, East asked about the availability of equipment for giving evidence. The need for additional facilities will be assessed in the light of demand. Commissions may be taken. In any suitable accommodation, screens are available for use in every court. Closed circuit television is available in every sheriffdom, and the need for further provision is kept constantly under review.

The hon. Member for Maryhill asked about children who may be too young to give evidence. That is a complex issue. There is no minimum age below which a child cannot give evidence: the issue is whether the child can competently give evidence. Any change would require wide consultation. I shall discuss that matter further with my right hon. and learned Friend the Lord Advocate.

The hon. and learned Member for Fife, North–East (Mr. Campbell) said that the criteria in section 271 of the Criminal Procedure (Scotland) Act 1995 provide sufficient safeguards against a floodgate of applications. There would be an intolerable burden on the courts if we were to leave it to them to apply those criteria to every case in which a witness was alleged to be vulnerable. Some means of preliminary assessment is essential.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) referred to the Disability Discrimination Act 1995, which focuses on discrimination in employment. It is not concerned with the rules of evidence, to which quite different considerations apply.

Mr. Menzies Campbell: The Minister dealt with my point by saying that there would be an intolerable burden on the court. If we have regard to the terms of the statute as proposed, an application can be granted only on cause shown, which means that each application must come to the court. There is no question of applications being granted on the nod or automatically. Every application will have to be heard by the court, even under the Government's proposal. So if that is his counter to the floodgates argument, I suggest that it may not be a very strong one.

Lord James Douglas–Hamilton: As I said, some preliminary assessment will have to be made. May I make it clear to the hon. and learned Gentleman—who has been an advocate depute, and has been engaged in prosecutions—what the prosecution's difficulty is. Successive Lords Advocate have been concerned that extended availability of vulnerable witness provisions could have a significant operational impact on the prosecution services, given the pressures that would be brought to bear on prosecutors by witnesses who sought to establish their vulnerability, so as to avoid having to give evidence to the court.

The hon. Member for Falkirk, West (Mr. Canavan) gave the example of an outrage, and stressed the importance of bringing the culprits to justice. I agree with him. We must balance the importance of seeing that justice is done with the need to ensure that unfairness is not meted out to vulnerable witnesses. We must get the right balance.

If a witness with schizophrenia were unable to give evidence, the hearsay provisions in the 1995 Act might be available. We expect that evidence of incapacity would require to be led; otherwise, there would be concerns that such witnesses would not be competent.

The hon. Member for Dumbarton (Mr. McFall) complained that we have tabled too many amendments. Some of our amendments are in response to legitimate points made by him, and 100 amendments were tabled by the Opposition. I stress that we have done our best to respond to the serious points made.

The hon. Gentleman said that a person with a mental health problem should be assisted by being allowed to give evidence by non-conventional means. I accept that stress can occur through the use of technology, but the hearsay evidence provisions should help many mentally ill persons.

I also accept the case for extending the child witness provisions to all vulnerable witnesses, but such an extension would be a radical departure from the long-standing requirement that witnesses must give oral testimony. We are gradually departing from that requirement, first for children and now for mentally handicapped people. We would need to take great care if we were to go further at this time, because such a step would be inappropriate without the utmost thought.

I am prepared to discuss the case for doing that for the mentally ill who are subject to hospital or other orders that have been made under the Mental Health Act (Scotland) Act 1984, because for that category of people the degree of mental illness is sufficient to have required an order. Of course that is a substantial point.

As the hon. Member for Dumbarton said, mental illness can fluctuate. Persons who suffer from manic depression can be perfectly normal for much of the time until the illness hits them.

Mr. Canavan: Will the Minister confirm that there is nothing technically wrong with new clause 7? Why is it unacceptable?

5 pm

Lord James Douglas–Hamilton: It is a matter of balance and judgment, but mental illness can easily fluctuate. Should a witness to a fatal shooting be excluded because he is not sufficiently mentally ill to be subject to an order? To exclude such a witness could be contrary to the interests of justice.

Mr. Canavan: We are not talking about excluding witnesses, but about giving them the opportunity to present their evidence in a manner that takes their vulnerability into account.

Lord James Douglas–Hamilton: I appreciate that, but we think that the "best evidence" rule should necessarily apply. I made it clear that I am prepared to discuss with the Lord Advocate the extension of revised section 271 to some mentally ill witnesses who are subject to orders under the Mental Health (Scotland) Act.

The hon. Member for Dumbarton raised the issue that arises from the Quickly case and the new clause that was considered in Committee, when I undertook to discuss with Enable how we might secure the best treatment for

mentally disordered persons who were interviewed by the police. I met Enable in December, and wrote to members of the Committee on 10 January. As I explained in my letter, we are not persuaded that the statutory code is the best way forward. There might be some confusion between that code and the common law test that governs the admissibility of evidence.

I also explained that the Lord Advocate has said that he would issue instructions to chief constables setting out the circumstances in which the police will have to interview mentally disordered suspects in the presence of an appropriate adult. We shall also issue non-statutory guidance on this matter to chief constables and social work departments. I hope that that will meet our shared objective, which is that proper treatment should be given to the mentally disordered. I hope that the hon. Member for Dumbarton will not press the matter.

Mr. McFall: We are not persuaded by the Minister. He spoke about balance and judgment, but above all this is about justice. Under the new clause, people with learning disabilities who have to appear as witnesses will be protected, but that does not apply to people with mental illnesses. Such protection should be available to both categories of people.

The measure would apply to people with inborn learning disabilities but not to adults who would have some difficulty in attending court because they suffer from brain damage, head injuries, dementia or a severe illness. Voluntary organisations have persuaded us of the merits of our proposal, and we shall press new clause 7 to a vote.

Mr. Deputy Speaker (Mr. Michael Morris): We are in some difficulty, because there is a debate in progress on new clause 11. It is the lead new clause, and the one that I must put to the House. If it is accepted, new clause 7 will fall.

Mr. McFall: Why?

Mr. Deputy Speaker: Because it is incompatible with new clause 11.

Mr. McFall: In that case, we shall vote against new clause 11.

Question put, That the clause be read a Second time.

The House divided: Ayes 269, Noes 228.

Division No. 42] **[5.4 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Curry, David
Davies, Quentin *(Stamf'd)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Hague, William
Hamilton, Sir Archibald
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholson, David *(Taunton)*

Norris, Steve
Onslow, Sir Cranley
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Richards, Rod
Rifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bex'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Young, Sir George

Tellers for the Ayes:
Mr. Richard Ottaway and Mr. Bowen Wells.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Mrs Margaret
Bell, Stuart
Benn, Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Dr John
Cunningham, Ms R *(Perth Kinross)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Fyfe, Mrs Maria
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd-on-A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stret'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'ld)*
Macdonald, Calum
McFall, John
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, John *(Aberavon)*
Mowlam, Ms Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Randall, Stuart
Reid, Dr John
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheldon, Robert
Shore, Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*

Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Sir Harold
Wallace, James
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Watson, Mike
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Joe Benton and
Mrs. Jane Kennedy.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

Mr. Mike Gapes (Ilford, South): On a point of order, Mr. Deputy Speaker. I should like your advice.

I have just discovered that on Friday, while I was here, along with many other hon. Members, trying to do something about cold weather payments and the wind chill factor, a Minister visited my constituency, but did not have the courtesy to inform me that she was going there. Her visit was televised in my constituency and she attended at least three functions there. Unfortunately, I am not able to raise the matter with the person in this House, because she lost her seat at the last election. I should be grateful, therefore, for clarification from you on how I can make representations to the Baroness—the former right hon. Member for Wallasey—who visited my constituency on Friday without informing me.

Mr. Deputy Speaker: Madam Speaker has made it clear that all Ministers should inform hon. Members when they visit their constituencies and that all hon. Members should also have the courtesy to do the same if they visit another constituency. I am sure that the right hon. Lady will read *Hansard* tomorrow.

New clause 8

RELEASE LICENCES

'4.—(1) This section applies to all prisoners sentenced to a term of imprisonment or terms of imprisonment totalling four years or longer and who are not released on:

(a) life licence; or

(b) supervised release order; or

(c) compassionate grounds.

(2) A prisoner to whom this section applies shall be released on licence which shall (unless revoked) remain in force until the entire period specified in his sentence (reckoned from the commencement of the sentence) has elapsed.

(3) A person released on licence under subsection (2) above shall comply with such conditions as may be specified in that licence by the Secretary of State.

(4) Without prejudice to the generality of subsection (3) above and to the power of the Secretary of State under subsection (5) below to vary or cancel any condition, a licence granted under this section shall include a condition requiring that the person subject to it—

(a) shall be under the supervision of a relevant officer of such local authority, or of a probation officer appointed for or assigned to such petty sessions area, as may be specified in the licence; and

(b) shall comply with such requirements as that officer may specify for the purposes of the supervision.

(5) The Secretary of State may from time to time under subsection (3) above insert, vary or cancel a condition in a licence granted under this section, but no licence condition shall be included on release or subsequently inserted, varied or cancelled except after consulting the Parole Board.

(6) For the purposes of subsection (5) above, the Secretary of State shall be treated as having consulted the Parole Board about a proposal to include, insert, vary or cancel a condition in any case if he has consulted the Board about the implementation of proposals of that description generally or in that class of case.'.—*[Mr. McFall.]*

Brought up, and read the First time.

Mr. McFall: I beg to move, That the clause be read a Second time.

We have tabled the new clause because we want to enhance public safety. The Government's proposals do not do so, but our provisions will strengthen that aspect of the Bill. The Prisoners and Criminal Proceedings (Scotland) Act 1993 provides for non-parole licences, under which any prisoner sentenced to more than four years but not granted parole can be released on licence until the sentence expiry date. The arrangements in that Act enhanced public safety as well as rehabilitation.

The Bill alters those arrangements, as only life parolees and those made subject to a supervised release order by the sentencing court will now be under direct supervision. The sheriff or judge must say at the time of trial that the long-term prisoner will be subject to a supervised release order. All other long-term prisoners will have no supervision, but will be liable to recall following a further offence.

We are surprised that the Government are diminishing the public safety aspect, as well as diminishing the potential to help people to be rehabilitated back into the community. After implementation of the 1993 Act, the new parole licences came into effect in May 1995, so there has been no time to evaluate them. The Minister of State, who is dealing with this Bill tonight, put through those measures in the 1993 legislation, with the support of the Opposition.

In our opinion, public safety will be increased if all long-term prisoners are supervised until their sentence expires. Longer-term prisoners include those who have committed very serious offences and could constitute a further risk. Why will the Government allow those individuals to be released into the community again—or allow the possibility of their release—without that supervision? Surely the Government are putting public order at risk—a risk that they should not take.

The new clause covers those sentenced for the offences of dishonesty and of theft by housebreaking, and especially repeat, serious and violent offenders—one category that has been increasing. The professional criminal and thief would, therefore, be brought into mandatory supervision on release, giving the public that protection. That comfort must be available. It is the Government's duty to provide it and, through the new clause, we are pressing them to take heed of it.

Lord James Douglas-Hamilton: We believe that the public are best protected by targeting supervision on those identified as posing a risk, which is the most effective way of deploying resources.

The public rightly expect to be protected and rightly expect those charged with the protection to focus on offenders who may endanger them. Attempting to

[Lord James Douglas-Hamilton]

supervise everyone regardless of risk or need, as the new clause sets out to do, would deflect attention away from those offenders who pose a threat. That is not the best way to protect the public. Supervision can achieve its objective only if it is focused and targeted. Near misses are not good enough.

The Bill will allow the sentencing court to identify offenders whom it considers may pose a risk to the public on release and impose a supervised release order on them. We have also provided the Crown with a right of appeal in those cases where it thinks a supervised police order should have been made but was not.

Dr. Godman: Is the Minister's position on this important issue supported by members of the parole boards, or do they have serious reservations?

Lord James Douglas-Hamilton: I cannot tell the hon. Gentleman exactly what each member would say, but I believe that targeting supervision would be regarded as a common-sense measure, and having an untargeted, unfocused approach would not meet the requirements.

We are not persuaded that the approach proposed in the new clause would be effective, so I ask the hon. Member for Dumbarton (Mr. McFall) to withdraw the motion.

Mr. McAllion: I am disturbed by the Minister's remarks and the cavalier fashion in which he dismissed the new clause. For example, he said—I do not think that anyone will disagree with this statement, anyway—that we have to target such resources as we have in the probation service and local authority social work departments on those offenders who pose the greatest risk to people in the community. He then dismissed the new clause, saying that it would cover everyone. I direct his attention to the first sentence of the new clause, which states:

"This section applies to all prisoners sentenced to a term of imprisonment or terms of imprisonment totalling four years or longer".

Some years ago—in 1994, I think—in the White Paper that the Minister issued, as the Minister with responsibility for law and order in Scotland, he pointed out that, in courts, a distinction is made between offenders who are dealt with under the summary procedure, which is usually regarded as involving less serious crimes, and offenders dealt with under the solemn procedure, which involves very serious crimes indeed.

Under the solemn procedure, prisoners can get sentences of three, four or five years, so, by the Government's definition, all those offenders who are sentenced to four years or more are guilty of extremely serious offences. The Minister may think that those who commit serious offences are not a threat to society, but I think that most people in Scotland would disagree.

Supervision on release was covered in the White Paper, and there the Minister struck a very different note from the one that he struck a few moments ago. He said:

"Protecting the public did not end with clarity in sentencing",

and I agree with him. It is not enough to play the game played by the Secretary of State, who poses as a tough guy who will deal with the criminals by making sure that they spend more time in gaol. We must go further than that to protect the public in Scotland from the serious criminals who would be covered by the new clause.

5.30 pm

In the White Paper, the Minister said:

"The public need to be reassured that the Government is doing all it can to prevent further offending."

If the Minister wanted to do all he could to prevent further offending and to protect the public, he could begin by reading the new clause, which deals with those matters, but he took a different line a few minutes ago.

In the White Paper, the Minister also said:

"To this end we are making early release from custody contingent not only on good conduct in prison, but also on participation while in custody in appropriate strategies to address and change offending behaviour."

Nobody would be too concerned about that remark. He continued:

"The responses to the Government's consultation exercise strongly supported the principle of release on conditions intended to enhance public protection."

The Minister said that the response to the consultations was a demand for release on condition, to ensure that offenders who came out of the gates were properly monitored and looked after, and that probation officers and social workers were available to deal with them during the period in which they were still in the community serving the part of their sentence that had not been served in gaol; but now he shrugs off the idea with a few casual remarks. The new clause would cover just about everything to which he referred.

Does the Minister not know that the vast majority of those in Scotland's prisons are serving sentences of less than four years and that only the most serious offenders are serving sentences of four years or more? He is telling us that it is all right for serious offenders to be allowed back into the community without supervision. Perhaps he is concerned that it would might cost money to look after them properly and to protect the public, but that is not what he or his colleagues will say when they go back to Scotland to fight the general election; then they will say that law and order is a priority and that the Government spare no expense to maintain it and to ensure that people throughout Scotland are safe in their communities. The Government have the nerve to dismiss a new clause that would do precisely that.

Only when a serious offender reoffends will the Government do anything about it. They have shown themselves to be weak, not strong, on law and order. Unless the Minister changes his tune, everyone back in Scotland—not least his family—will look at him and say, "Failed again, Minister. You've got it wrong once again."

Mr. Ian Davidson (Glasgow, Govan): One of the Government's main roles should be the protection of the public. I am not convinced that the Government are taking the new clause sufficiently seriously from that perspective. I can understand why the Government want to economise on the supervision of prisoners once they have been released, but they should take much more seriously the need to ensure that people released in such circumstances are provided with support, which would result in fewer of them reoffending and enhance public safety.

We would support the system proposed by the Government, with some targeting, but proposed subsection (4)(b) specifically says that the person released

"shall comply with such requirements as that officer may specify for the purposes of the supervision."

That would obviously allow the supervising officer an enormous degree of discretion. It would ensure, for example, that people were seen to be taking steps to address their offending behaviour and perhaps, with the help of the supervising officer, to find employment or obtain further educational qualifications that would make them more employable and therefore less likely to offend.

All the evidence shows that those who are most likely to reoffend are those on the very bottom of the employment ladder. The amount of supervision and assistance that can be provided by a local authority officer, to encourage someone to seek employment, careers advice, education or training, is quite considerable. People who are released from prison and who are not immediately in danger of reoffending might drift back into criminal behaviour simply because they are alone and lack supervision.

The Government should take more seriously the need to safeguard the public, and should not ignore our constructive proposals.

Dr. Godman: I support the new clause. I am pleased that my hon. Friends want the parole board to have an important function in such cases. To my mind, the Minister and his officials have in recent times sought to reduce the important role played by the parole board in dealing with people released into the community. As my hon. Friends have said, it is important for the parole board to play a central part, and it is perhaps even more important for the public to be protected.

Lord James Douglas-Hamilton: As I stated earlier, we believe that supervision is most effective when focused. The courts are required to focus supervised release orders on precisely the category referred to: those who are convicted of rape and other violent offences.

Local authorities cannot supervise all released offenders to the level needed to ensure public safety. The task cannot successfully be spread across all offenders. Since the publication of the White Paper, we have adapted our proposals on supervision. Supervision, through supervised release orders, will be mandatory for serious sex and violent offenders, and at the discretion of the court in other cases.

For those not subject to supervision, the provisions of clauses 33 and 34 provide an incentive to good behaviour on release. The hon. Member for Dumbarton (Mr. McFall) mentioned the potential to help. That is not diminished by the Bill. The national standards for the supervision of released prisoners provide that all persons released from custody can, within 12 months of their release, seek support and assistance from the local authority.

We believe that the provisions in the new clause would be undiscriminating, and therefore wasteful of resources, and that the courts are well able to recognise those offenders who represent the greatest risk to the public.

Mr. McAllion: I am grateful to the Minister for giving way. In the White Paper—

Mr. Deputy Speaker: Order. Is the Minister giving way?

Lord James Douglas-Hamilton: No, I had finished.

Mr. Deputy Speaker: In that case, I call Mr. John McFall.

Mr. McFall: Thank you, Mr. Deputy Speaker.

The Minister says that he cannot spread the provisions because it would be too expensive, but that supervision would be mandatory for serious sex and violent offenders. He should understand that we are saying that those long-term prisoners who have committed serious offences should be subject to supervision. If, as I believe, he is saying otherwise, he is showing disregard for public safety. The Opposition want those individuals to be supervised.

It is no use for the Minister to say that the provision cannot be mandatory and cannot apply across the board. If it was good enough for the Prisoners and Criminal Proceedings (Scotland) Bill, introduced by the Minister and approved by the previous Secretaries of State—the right hon. Member for Galloway and Upper Nithsdale (Mr. Lang) and the right hon. and learned Member for Edinburgh, Pentlands (Mr. Rifkind)—why is it not good enough for the Minister and the Secretary of State today? Will the Minister maintain the provisions of the 1993 Act?

The 1993 Act was implemented after the right hon. and learned Member for Pentlands, when Secretary of State for Scotland, established Lord Kincraig's committee to consider parole and other issues. It took three years, if I remember correctly, to report back to the Government, but its recommendations were accepted by all parties. I was leading for Labour in the Committee that considered the Bill when the Minister asked us to accept them. He said that all long-term prisoners needed supervision. We took him at his word; why is he breaking it now?

Mr. McAllion: I thank my hon. Friend for giving way, unlike the Minister, who rather uncharitably refused to give way to me earlier.

In their latest figures, which cover 1994, even the Government accept that 83 per cent. of prisoners in Scotland serve sentences of less than six months. The number of people who will be affected by new clause 8 is small. It is beyond comprehension why the Government should resist the idea of supervision of serious offenders when they are released back into the community. The Minister mentioned some of the cases that will get automatic supervision; should he not also mention the cases that will not be covered by his provision but would be covered by ours?

Mr. McFall: My hon. Friend makes a good point: 83 per cent. of offenders are in prison for less than six

[Mr. McFall]

months, and there is no supervision for them when they get out. Why should that principle apply to those who serve long sentences and to violent or serious offenders?

The Minister begs the question when he says that it is up to the court. Can he imagine a sheriff—or, more likely, a High Court judge—giving a 10-year sentence and saying, "Well, my boy, lest I forget, you should be subject to a supervisory release order when you come out"? There is every chance that judges will not utter those words, which means that such people will be a danger to the community when they come out. The Secretary of State smirks at that, but the 1993 legislation was introduced by his Government and made those very points. Why is he introducing this Bill against the wishes of his hon. Friends, the Kincraig committee and others? It must be recorded that the Bill is being introduced by the Secretary of State at a whim. He consulted no one.

The Secretary of State for Scotland (Mr. Michael Forsyth): I am surprised, after all this time, that the hon. Gentleman has not got the basic substance of the Bill into his mind: the point is that people should spend longer in prison as a result of their sentences and should not be out in the community under supervision. We believe that they should be in prison. The provisions for supervision after they have served the sentence of the court are an additional protection. I should have thought that the hon. Gentleman would understand that.

Mr. McFall: The right hon. Gentleman is being patronising. We are talking about long-term prisoners who are released under provisions made by the Government. The Opposition believe that, when the Government decide to release such prisoners, they have a duty to the public to ensure supervision. I hope that that gets through to the right hon. Gentleman.

Mr. Davidson: Is it not a bit much for the Secretary of State to argue that he is interested in increasing sentences, and that we are not, when it was Labour who demanded in Committee that the sentence available to judges for the third convictions of drug traffickers aged over 21 should be increased from seven to 10 years? The Government defeated that proposal in Committee. We are interested in increasing sentences for such people. Does my hon. Friend agree that the main reason for the Government's refusal to accept the new clause was let slip by the Secretary of State when he said that local authorities could not supervise to the level required? Does that not show that it is a question of finance and nothing else?

5.45 pm

Mr. McFall: I agree with my hon. Friend.

I remind the House that it was the Opposition who brought up the cases of Gavin McGuire and John Cronin, who were released from prison. We want adequate supervision for such people. They were released under provisions introduced by the Government. We want long-term supervision, not the blemishes on the criminal justice system that the Government have allowed. That is why we have tabled new clause 8. We want increased public safety.

Mr. Davidson: Does my hon. Friend agree that part of the Government's defence of their refusal to accept new clause 8 is based on the fact that violent or sexual criminals have been dealt with elsewhere? However, crimes such as burglary will not be treated seriously enough by the courts; supervision after release will not be mandatory. The Government are releasing burglars into the community without the requirement for supervision. On top of all their other charters, we now have the burglars charter. Burglars are to be released without supervision, which will ensure that the public are put even further at risk.

Mr. McFall: I agree with my hon. Friend. That is an important point and the Minister could comment on the issue of people convicted of burglary.

It appears that the Government are not much concerned about people who are not only social nuisances in their communities but a danger to them. We want to take back to our communities the message that the Government take the issue seriously and will ensure supervision for such people when they are released from prison. The Government's intransigence blows a hole in their law and order credentials. The Secretary of State tells us that the Tories are interested in law and order, yet they have allowed crime to rip over the past 18 years in Scotland. New clause 8 would ensure that, when such people are let out of prison into the community, the message goes out from the House that the Government take the issue seriously. The Government have fallen down in their duty. That is why we press new clause 8 so vigorously.

Lord James Douglas-Hamilton: With the leave of the House, I shall respond briefly.

We have, of course, adapted our proposals since the publication of the White Paper. There will be control through a supervised release order where the courts determine that the offender will be a risk. In cases where the courts have not identified the offender as a risk, clause 34 will be a significant disincentive to reoffending. It provides that, if someone reoffends during a fixed period after his release, he will be liable to a heavier penalty for the new offence.

The hon. Member for Glasgow, Govan (Mr. Davidson) said that the Opposition wanted to increase the minimum sentence for a third conviction for drug trafficking to 10 years for adult traffickers, but they also suggested reducing it to five years for those under 21. We believe that that would have weakened law and order.

Mr. McAllion: The Minister tried to calm our feelings by referring us to clause 34, which provides that people released under licence but without supervision who reoffend will be subject to stiffer sentences. He is making the tragic mistake that legislators have made since the 19th century: he believes that tougher and tougher sentences will reduce crime. Most criminals do not believe that they are going to be caught. The sentence that might result from being caught does not enter their considerations. They have to be looked after in the community. The Secretary of State is wrong if he thinks that locking them up in gaol for long periods is the

answer. At some point, they have to come out again. If they reoffend, crime will inevitably rise. That is why we have tabled the new clause.

Lord James Douglas-Hamilton: That was very much the voice of old Labour. We strongly believe that it is necessary to target those concerned and not act regardless of risk or need.

Mr. Davidson: With the permission of the House—

Hon. Members: No.

Question put, That the clause be read a Second time:—

The House divided: Ayes 233, Noes 281.

Division No. 43] **[5.49 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Mrs Margaret
Bell, Stuart
Benn, Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Dr John
Cunningham, Ms R *(Perth Kinross)*
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davies, Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Galloway, George
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Hattersley, Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd-on-A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stret'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'd)*
Macdonald, Calum
McFall, John
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Shef'd Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, John *(Aberavon)*
Mowlam, Ms Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
Olner, Bill
Orme, Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Gordon *(Pendle)*
Randall, Stuart
Reid, Dr John
Robertson, George *(Hamilton)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Shore, Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Jane Kennedy and Mrs. Bridget Prentice.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian

Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Curry, David
Davies, Quentin *(Stamf'd)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riffkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Young, Sir George

Tellers for the Noes:
Mr. Bowen Wells and
Mr. Richard Ottaway.

Question accordingly negatived.

New clause 9

WOMEN OFFENDERS

'.—(1) After section 24(8) of the Criminal Procedure (Scotland) Act 1995 there shall be inserted the following subsections—

"(9) The court shall grant a bail application by a woman unless it is satisfied it is contrary to public safety or the interests of justice to do so.

(10) The court shall specify its reasons for a refusal of any bail application made under (9) above."

(2) After section 204(2) of the Criminal Procedure (Scotland) Act 1995 there shall be inserted the following subsection—

"(2A) A court shall not pass a sentence of imprisonment on a woman of or over 21 years of age unless the court considers no other method of dealing with

her is appropriate; and for the purpose of determining whether any other method of dealing with her is appropriate the court shall obtain (from an officer of the local authority or otherwise) such information as it can about the offender's circumstances; and it shall also take into account any information before it concerning the offender's character and physical and mental condition.".'.—*[Mr. McFall.]*

Brought up, and read the First time.

Mr. McFall: I beg to move, That the clause be read a Second time.

The Secretary of State for Scotland made a statement last week on 16 January on the subject of the suicides at Cornton Vale prison in Stirling. It was made only after more than a year of campaigning by myself and others on the subject of suicides in that prison. The Minister knows that, tragically, one of my constituents lost her life—she was one of the six young women who committed suicide; the last one to attempt to take her life also resided in my constituency. Therefore, as well as having a party interest in the subject, I also have a personal one.

In his statement last week, the Secretary of State mentioned a number of the measures that are included in the new clause; we welcomed his comments on them, as we have been appealing to him to take action. Our only regret is the length of time and the amount of pressure that it took before the Secretary of State finally decided to act. On the same day as he made the statement, he responded to the chief inspector's report on Edinburgh prison and said that both cases had nothing to do with him. The new clause will ensure that such cases have everything to do with the Secretary of State, because the prevention of suicides—particularly of young women—has everything to do with the Secretary of State and is his responsibility. He has accepted the proposition of a bail hostel in Glasgow and the appointment of individuals to carry out work on addictions and to hold psychiatric sessions in the prison.

Dr. Godman: The new clause is designed to keep women out of Cornton Vale. In the light of what my hon. Friend said about his constituents, is he satisfied that those with suicidal tendencies receive adequate care and attention when they are incarcerated in Cornton Vale? Is he satisfied with the Government's anti-suicide measures?

Mr. McFall: My hon. Friend makes an interesting point. When I was in America last summer on home affairs business, I visited prisons on the east coast. In every prison I visited, I asked about its suicide policy and the number of suicides. Hardly any suicides had been recorded in any of those prisons over the past 10 or 15 years, because they had adopted appropriate suicide prevention policies. There is no doubt that appropriate measures were not in place at Cornton Vale—largely, I believe, because the Scottish Prison Service regarded it as something of a backwater and left it to get on with the job on its own. As a result, the proper procedures and measures were not implemented.

I have visited that prison twice in the past six months, most recently on 29 November. The governor, Kate Donegan, showed me around and I was impressed by the remedial work being undertaken there. However, she mentioned that many of the young women there are vulnerable and that it is hard for the prison authorities to deal with such problems. In his report on the prison, Her Majesty's chief inspector of prisons in Scotland, Mr. Clive Fairweather, said that suicides would not end at what he described as "the death-culture prison" until more appropriate measures were implemented. We have campaigned long and hard to make the Secretary of State understand and do something about the issue of women prisoners, especially those at Cornton Vale.

The new clause would strengthen bail provision in Scotland.

Dr. Godman: The chief inspector of prisons voiced similar concerns in his report on Greenock prison. The problem that we are debating is not confined to Cornton Vale; it affects prisons throughout Scotland. As Mr. Fairweather pointed out, the problem may be part of a rising tendency among young people in Scotland to commit suicide. Nevertheless, does my hon. Friend agree that much more needs to be done to protect vulnerable people?

Mr. McFall: I agree entirely. Only two years ago, a young constituent of mine, Gerry Deary, committed suicide in Greenock prison. The need to do something for young people is urgent. The chief inspector's reports on Cornton Vale, Greenock and Edinburgh prisons contain comments expressing professional discontent with the Government's handling of the situation in prisons. I accuse the Government of dereliction of duty in that respect.

Mr. Fairweather's report on Edinburgh prison, which came out on Friday, reveals an intolerable situation. He points out the current dangers within the prison and describes a flashpoint atmosphere which could erupt in the future. The Secretary of State and the Minister of State take a smug attitude; they sit on their hands and do nothing. The new clause would ensure that they address the problems at Cornton Vale and elsewhere and ensure that we have good order in our prisons.

Imposing good order is not some sort of do-gooding measure. Good order ensures that we do not have riots, that money is not needlessly spent clearing up behind them and that lives—whether those of prison officers or solicitors visiting prisons—are not put in danger. It is in the cause of good order that the new clause has been tabled.

Dr. Godman: This is an important issue and many people would benefit from the new clause if it were passed. Not long ago, in Greenock prison, two prisoners committed suicide within 25 hours of each other. Such tragedies have a distressing effect on prison officers, especially those directly involved—that is, those who discover the bodies. Suicides in prisons are terrible both for staff and for fellow prisoners.

Mr. McFall: Again, I entirely agree with my hon. Friend. It is a pity that the Secretary of State for Scotland, in whose constituency Cornton Vale is located, is not here to listen to the debate because he would learn from it. He sat in on earlier debates; yet he does not attend a debate which directly affects his own constituency. We should ask why that is. For the past year, we have been chasing the Secretary of State, asking him to address these issues and to acknowledge his responsibilities. We are debating

[Mr. McFall]

a clause which relates specifically to his constituency, but he is not here to listen to our proposals. Opposition Members have visited prisons and spoken to members of the Scottish Prison Service because we have an interest in the issue. I want the Secretary of State to show the same degree of interest.

Mr. Wallace: The hon. Gentleman emphasised the difficulties at Cornton Vale and referred to last week's report on Edinburgh prison. Under the Bill, prisoners will have to earn days of remission. Does he agree that that will be much harder in prisons where there is overcrowding and no opportunity for rehabilitative work and that that will add to the tensions and pressure in Scotland's prisons, including Cornton Vale?

Mr. McFall: The hon. Gentleman is entirely correct. We all have long memories and we remember when the former Secretary of State, now Lord Younger of Prestwick, abolished parole. We remember the problems that that caused in Peterhead prison and elsewhere. We are dealing with a fragile situation.

Only this weekend, I received a communication from the Parole Board for Scotland telling me that the Government's intentions in respect of prison officers assessing prisoners for early release were a dangerous proposition. We want the Minister and the Secretary of State to understand that those with an interest, professional or otherwise, in the criminal justice system have the best interests of the prison service at heart, but they are not being heeded. I am putting forward the new clause with that in mind.

6.15 pm

The new clause would strengthen bail provision in Scotland to ensure that women are remanded in custody prior to trial or sentencing only when they pose a danger to public safety or where it is in the interests of justice to remand them. Those who are dangerous should be imprisoned, but those who pose no danger should not. That echoes the sentiments uttered by Mr. Clive Fairweather when he investigated Cornton Vale.

The new clause would also ensure that no woman was sentenced to detention or imprisonment until and unless the court had considered a full social inquiry report on her background and personal and domestic circumstances, including an assessment of any drugs dependency or mental health problem. It would also ensure that the court had considered all community-based disposals before making a decision to send a woman into custody.

I want to share with the Minister the feelings of my constituents, Jim and Anne Bollen, who tragically lost their daughter Angela in Cornton Vale. In the privacy and intimacy of their home, Mr. Bollen said to me, "Mr. McFall, she would not have committed suicide if there had been a proper community disposal available for her. She was no danger to society—she was a danger to herself and a problem to her family. If the courts had recognised that, they would have been assisting us. Instead"—here Mr. Bollen pointed to his three-year-old granddaughter—"my wife and I, at our age, have the responsibility for that child for the rest of our lives."

In their eyes, the irresponsibility of the criminal justice system is answerable. The responsibility for that comes back solely, fairly and squarely on the Government. The Secretary of State cannot get out of that, despite his assertions to the contrary. Anyone who considers the macho approach to law and order displayed in the Secretary of State's article in *The Sun* today knows that the Government are responsible for conditions in prisons. We shall be unrelenting in our efforts to ensure that the Government take their responsibilities seriously. *[Interruption.]* The Secretary of State is now taking his seat—that is a welcome sight.

The new clause has been introduced to open up the debate on how women offenders should be dealt with in Scotland—in the light of 12 suicides or attempted suicides within 18 months at Cornton Vale and incidents at other prisons. We must also remember that the chief inspector of prisons pointed to the tinder box environment in our prisons. The first four suicides at Cornton Vale involved young women remanded prior to trial. Clive Fairweather made it clear in his report that many of the women remanded to Cornton Vale should not have been there, and need not have been there had bail hostels been available.

As I said earlier, I welcome the Secretary of State's announcement last Thursday of funding for Glasgow city council's bail proposals. In partnership with the Church of Scotland and the Scottish Association for the Care and Resettlement of Offenders, Glasgow will quickly bring 15 bail beds on stream. I also welcome the additional money being made available to develop a new 15-bed bail hostel in the west of Scotland. The reason for the pressure is that many of the young people remanded to Cornton Vale come from the west of Scotland. That issue may be worthy of further examination.

I note that the Secretary of State said last week that additional money is being provided to deal with the drug-related problems experienced by a very large proportion of the prison population. I know that an addiction worker is being provided at Cornton Vale, as well as drug workers in the prisons in Glasgow.

There is also the question why so many young women from the west of Scotland find themselves in Cornton Vale. Is there a difference in drugs policy between the west of Scotland and the east of Scotland? The research money available should be used to examine that issue.

Dr. Godman: In the scheme of things that my hon. Friend is outlining, he has emphasised the importance of social background reports. Does he agree that a competent social worker can produce a good report within a few days of being given the task?

Mr. McFall: I agree with my hon. Friend. I am making the point that the court has a responsibility. A number of courts needs to undergo an attitudinal change. Of course, there is also a responsibility on the social workers to produce good reports.

In the annual criminal justice planning statement submitted to the Secretary of State on 1 August 1996, Glasgow city council asked for an extension to the bail information and bail supervision service to cover the stipendiary court in Glasgow. In fact, a similar request had been made by the outgoing Strathclyde regional council in 1995. The Secretary of State's response last week, though

welcome, was therefore most definitely belated. However, it is an acceptance of the request by Glasgow city council and, formerly, Strathclyde regional council.

The agreement to fund additional prison, court and community-based posts to assist and improve assessment of drug-misusing women offenders will provide an infrastructure of services for which I have long asked. However, that is not enough. The law needs to be strengthened. No woman—arguably, no person—should be remanded in custody other than where it is in the interests of justice to do so or where public safety requires it. If that is so, the law should state it.

Current bail law is to be found in part III of the Criminal Procedure (Scotland) Act 1995. Sections 23 to 33 of that Act outline the bail process, procedures and conditions and how bail applications are to be dealt with. However, the provisions covering whether or not to grant bail other than for certain very serious crimes are always at the discretion of the court. Three times in section 23 the law states that the sheriff "at his discretion" may grant or refuse a bail application. That includes cases on summary procedure as well as those on petition.

The new clause would retain full judicial discretion over whether to grant bail to women, but shifts the presumption to one of bail normally being granted unless an exception can be justified. The exceptions are public safety and the interests of justice. Where the exception is to be exercised, the new clause requires the court to specify its reasons. Thus, the new clause gives a clear lead.

What are the numbers involved? The 1995 prison statistics bulletin, issued by the Scottish Office in October 1996, reveals that in 1995 a total of 876 women were remanded in custody—739 prior to trial and 137 awaiting sentencing. Clive Fairweather, the chief inspector of prisons, says that many of those women should not have been so remanded. The new clause will help to reduce the numbers if women remanded in custody to those cases where it is necessary for public safety or in the interests of justice.

Parliament has already decided in the 1995 Act that certain categories of person cannot be sentenced to detention or prison without a court first having to consider a report prepared by local authority social workers. Those categories are, first, all persons under 21 years of age, murder alone excluded and, secondly, all persons of whatever age facing custody for the first time. The new clause would widen those categories to include all women offenders. No probation order and no community service order can be made unless the court has first considered a social inquiry report. That is what the 1995 Act requires. How can a court, when dealing with a woman over the age of 21, consider a community-based disposal instead of prison if it does not even ask for a social inquiry report?

The prison staff and social workers know that many of the women sent to Cornton Vale need not be there, and I am sure that the Secretary of State also realises that. They know that many of them have a drugs problem. The facts have been emphasised time and again. The new clause would ensure that no woman could be sentenced to imprisonment in Scotland without a court having to consider, first, whether there is no other way of dealing with the woman in the community, secondly, the personal, family and domestic circumstances and background of the woman and, thirdly, an assessment of the woman's drug dependency, where necessary. Only by being required to obtain a social inquiry report can a court honestly make such an informed decision.

I have investigated the numbers that might be involved. The 1995 prison statistics bulletin states that in 1995 some 1,293 women were sentenced to custody. Of those, 146 were under the age of 21. Of the adults, 634 were admitted for non-payment of a fine. We hope that the growth of supervised attendance orders as an alternative to prison for fine default will reduce that number. If I remember correctly, both the Home Secretary and the Secretary of State for Scotland have said that they will try to do something to reduce the number of individuals going to prison for fine default.

The Minister may recollect that, when we debated the issue previously, we said that a woman with two children could be sent to prison for not paying a fine of £80 when it would cost the state more than £2,000 to keep her and look after her children. Surely, as we approach the 21st century, we should be more civilised and look for a more appropriate way of dealing with the non-payment of fines.

Lord James Douglas-Hamilton: Does the hon. Gentleman accept that we are doing everything in our power to extend supervised attendance orders throughout Scotland, specifically to deal with the point that he has made?

Mr. McFall: I agree. Confronted with those figures, however, the Minister may realise that not enough has been done and that the problem needs more urgent attention.

I can only hope that the growing use of supervised attendance orders as an alternative to prison for fine defaulters will reduce the numbers that I have given. We are still left with 513 other adult receptions, some of them repeat receptions—that is to say, of the same women. Others will be in custody for the first time and will be the subject of social inquiry reports. In some cases the courts, at their discretion, may have asked for such reports. The point is that the numbers involved are not great. As the Secretary of State conceded in his statement last week, it is therefore not a resource issue. Six hours spent on each social inquiry report represents fewer than 3,000 social work hours per year, so the total cost would be the equivalent of two full-time social workers.

6.30 pm

This is a simple, but practical, measure. I am aware that many of the issues that I have raised may apply equally to male offenders, but their numbers are much greater—8,217 custodial sentences in 1995—so there may be feasibility problems in terms of social work resources and court time for repeat appearances. Today's debate is designed to highlight the position of women offenders in Scotland, so if the Minister asks why we have not dealt with men, too, perhaps implying that the measure is discriminatory, I would reply that we have initiated the debate in the aftermath of the 12 attempted or successful suicides in Cornton Vale prison in an 18-month period.

I remind the Secretary of State that it was his own appointee—Her Majesty's chief inspector of prisons, Clive Fairweather—who highlighted the problems of women in prison in Scotland and whose report to the Secretary of State called for alternatives to prison. Many

[Mr. McFall]

of these women, he said, should and could have been dealt with in the community. His report cannot be ignored. No prison for men has as bad a problem as Cornton Vale, so special measures are needed to deal with a unique problem.

Of course, many of the issues discussed today apply just as much to male offenders, but just because we cannot deal with the entire problem at once does not mean that we should be prevented from solving part of it. I believe that the measures announced to Parliament by the Secretary of State last week will be helpful. Meanwhile, the cost of doing nothing hitherto has been the lives of six young women in the Secretary of State's own constituency, and attempted suicides by a further six. Surely that will move Ministers to implement in full the proposals in the new clause for a supervision order to be considered by the courts before any woman can be sentenced to prison in Scotland. That, surely, is not too much to ask for.

Dr. Godman: Is not suicide more prevalent among remand prisoners than among those serving sentences of imprisonment following conviction in the courts?

Mr. McFall: That is certainly true—hence the new clause. Last week the Secretary of State showed that he realises that bail hostels are not particularly costly. Indeed, a 15-bed hostel with 24-hour staff cover will cost less than £200,000 a year to run. I believe that the Scottish Office has promised Glasgow city council almost 100 per cent. funding. I am pleased about that, but there is a need to do more.

I offer the House the new clause in the hope that the Government will listen constructively. We must move forward in a non-partisan fashion to remove the blight of the past 18 months from the Scottish criminal justice system.

Ms Rachel Squire (Dunfermline, West): I fully support all that my hon. Friend the Member for Dumbarton (Mr. McFall) has said. This weekend, while I was thinking about what to say in this evening's debate, by one of those strange coincidences, I was contacted at my surgery by the family of a young woman who is in Cornton Vale prison and whose case highlights a number of the reasons for new clause 9.

Hon. Members may have heard of the case of Louise Clarke; she and her family are constituents of mine. She is in prison because she was convicted of the culpable murder of her partner and sentenced to five years. I am not speaking in support of culpable murder, but my constituent's case shows just what can happen to people in Cornton Vale who are awaiting a court appearance or—as in Louise Clarke's case—who have been convicted and given a sentence.

Louise Clarke murdered her partner after years of domestic violence. She met him first when she was 14 years old. She had been referred to him because he, a community worker in a position of public trust and responsibility, was supposed to help her cope with the break-up of her parents' marriage. He then blatantly abused that position of trust and responsibility. Aged 38, he took full advantage of a 14-year-old girl. Eventually she moved in with him, whereupon she was subjected to several years of domestic violence—until she finally attacked and killed him.

I do not condone murder; I do emphasise that many of the young women in Cornton Vale prison are, like Louise Clarke, as much the victims of their circumstances as were those against whom they perpetrated their crimes. Like many other young women in that prison, Louise Clarke grew up being subjected to violence and abuse. She needs full support and rehabilitation to help her adjust to living a normal life and, hopefully, a happy and healthy life when she is eventually discharged.

Many of my constituents and others feel that Louise Clarke's sentence was most unfair, given the circumstances. Indeed, her family and friends handed into the Secretary of State for Scotland a petition with more than 2,000 signatures. Although the Secretary of State was not there to receive it himself, it was handed to representatives of his office some weeks ago but the family and friends concerned have yet to receive even an acknowledgement.

Mrs. Adams: Does my hon. Friend agree that sentences passed on women are often much harsher than those passed on men who have committed a similar offence?

Ms Squire: Yes. A man in circumstances similar to those of Louise Clarke would have been dealt with far more leniently.

Mr. Michael Forsyth: I simply want to say that I am sorry if the hon. Lady's constituents did not receive an acknowledgement of their petition. It has been the policy in the Scottish Office, as a financial saving measure, not to acknowledge correspondence and representations when they are received, but to wait until there is a substantive response. However, we have just changed that policy, although it does involve additional cost, for the very reason that the hon. Lady gave—it causes concern to people who think that nothing is happening because they have received no acknowledgement. I shall look into the case that the hon. Lady raises.

Ms Squire: I thank the Secretary of State. I am sure that the family, friends and several hundred people who signed the petition will be glad to hear his statement.

Mrs. Fyfe: A little earlier, my hon. Friend the Member for Paisley, North (Mrs. Adams) said that a woman is likely to receive a harsher sentence than a man for a similar crime, including murder. That may come as a surprise to at least some of our colleagues but it is certainly the case. Women Members of Parliament probably follow those matters a bit more closely because we receive many letters about them. For example, I recall a case in an English court where a man got away with murdering his wife because she nagged him. Here is a case of a woman who suffered domestic violence for years and years before she finally snapped and committed murder. It is obvious that the woman is not a danger to society but that years of abuse drove her to those desperate straits. It was therefore completely unjustified to give her a harsh sentence.

6.45 pm

Ms Squire: I thank my hon. Friend for those sentiments. I am confident that my constituents and the woman's family will take great comfort from her comments, with which I fully agree.

Such cases show the importance of greater monitoring of people placed in a position of trust and responsibility, particularly for young people. I know that that matter has been raised in the House.

That case emphasises the importance of prison and other staff being available for rehabilitative work with the women at Cornton Vale prison. My constituent's mother emphasised that the Cornton Vale staff were very understanding and supportive of her daughter, but she made it clear that the pressures and strains on staff meant that sufficient time and resources were not available.

Indeed, the staff must at times feel that they are as much prisoners of the regime in which they work as the prisoners themselves. They are imprisoned by overcrowding, insufficient staffing levels and too few resources. As was said earlier, they work in a tinderbox environment, which puts tremendous stress and strain on them. It does not allow them the job satisfaction that they would receive if they could offer the support and rehabilitative services necessary to ensure that women prisoners were discharged to lead full, happy and healthy lives.

Dr. Godman: Does my hon. Friend agree that one consequence of the new clause would be to lift some of that burden from the hard-working staff at Cornton Vale?

Ms Squire: I certainly agree with my hon. Friend. The new clause would benefit all the women at Cornton Vale prison, both prisoners and staff.

Earlier in the debate, my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), in response to something that the Minister said, mentioned the role of highly skilled and qualified social work staff in providing rehabilitation and support services, and their involvement in the rehabilitation of young women such as those at Cornton Vale. I am extremely concerned by press reports over the weekend, which show that the Government are determined to add to their privatisation list by privatising social work services and removing the highly trained and qualified group of staff available to work with young women in prisons and elsewhere. Doing so will benefit the private sector rather than provide the high-quality, professional support and rehabilitative services that are needed if we are to reduce our prison population and create a safer and more stable society for everyone.

Mr. Menzies Campbell: Part of the debate so far has concentrated on the sentencing of women offenders. I do not wish to trespass on that aspect, but I urge caution in attempts to compare one case with another. There is no doubt that the circumstances of each criminal case are almost always unique. For example, while the family of the person convicted may consider a sentence to be unduly harsh, the family of the person who died may have a diametrically different view.

It is legitimate to argue that, so far as possible, there should be greater consistency in sentencing. The fact that the former Lord Justice-Clerk, Lord Ross, is now to have responsibility for the continuing professional education of judges seems a substantial and worthwhile step in the right direction. Perhaps out of that and other such initiatives, greater consistency may emerge.

We must also be careful not to form our judgment on the basis of newspaper reports of various cases. Often an important factor, tending towards leniency or suggesting that a more severe sentence should be imposed, is omitted from the report.

I shall begin my substantive remarks by congratulating the hon. Member for Dumbarton (Mr. McFall), who I see has slipped out for a moment, not just on the way that he proposed the new clause, but on the remarkable determination he demonstrated in ensuring that his constituents, to whom he referred in his speech, were afforded legal aid for the purpose of representation at the conjoined fatal accident inquiry that is to be held into the deaths of three unfortunate young women at Cornton Vale.

It was extraordinary behaviour on the part of the Scottish Legal Aid Board—the legal aid authorities in Scotland—that legal aid was not immediately allowed when an application for that purpose was made to it. It is difficult to conceive of any issue in which an individual has a greater interest than in being represented at an inquiry whose purpose is to seek to determine the cause of death of that individual's daughter, in this case.

I was a member of the old Legal Aid Central Committee and for a year before entering the House was a member of the Scottish Legal Aid Board. From time to time, I had to deal with such applications or appeals in relation to such applications. I find it extraordinary that the board should have taken the view that it took. I hope that we will see no repetition of that. The board operates under statute. If its conduct is unreasonable, it will be open to judicial review. We would all regard it as an unnecessary waste of public funds if applicants for legal aid were compelled to go the Court of Session seeking judicial review of what seemed patently unreasonable decisions. In that regard, we should all recognise the determination of the hon. Member for Dumbarton, and congratulate him.

Dr. Godman: I offer the hon. and learned Gentleman my compliments on his remarks about the Scottish Legal Aid Board. I hope that they are brought to the board's attention. In the near future, there is to be yet another fatal accident inquiry into yet another suicide at Greenock prison. I hope that the board will act much more sympathetically than in the case to which the hon. and learned Gentleman referred.

Mr. Campbell: The hon. Gentleman contributes often to these debates and, on this occasion as on many others, he makes a perceptive and constructive contribution.

Cornton Vale prison was designed in the 1960s and built in the early 1970s. Its design and construction were a direct response to the physical inadequacy of Gateside prison in Greenock, in the hon. Gentleman's constituency, where the physical conditions were generally regarded as wholly inappropriate for the proper treatment, care and imprisonment of female offenders.

It is now 30 years since the original conception of Cornton Vale. In the aftermath of the most recent suicide, I put forward the view, not as a panacea or an easy response, that it was now time to consider whether

[Mr. Campbell]

Cornton Vale is a suitable institution, in terms of its physical characteristics, for the care of those who are on remand or those who have been imprisoned.

I am not an expert in penology of this kind, but if the physical characteristics of Cornton Vale are inappropriate, we should not shrink from considering whether to close the facility and build somewhere else something that contains the physical characteristics appropriate to deal with the young women on which much of the debate has centred.

Mr. Michael Connarty (Falkirk, East): Does the hon. and learned Gentleman accept that Cornton Vale will not have been enhanced by the fact that the Secretary of State proposes to give over one of the wings to young offenders? That would reduce the complex, where I used to be a prison visitor, to two thirds of its previous size, and mix the prisoners, placing women prisoners and young offenders side by side.

Mr. Campbell: The hon. Gentleman has an advantage over me if he has been a prison visitor at Cornton Vale; I have visited it only in a professional capacity, and therefore may not have seen all parts of it, as the hon. Gentleman has.

When a series of suicides has occurred, as has been the case, one must be willing to think the unthinkable. My argument is that we need a root-and-branch approach to the question of how we deal with women who are caught up in the criminal law system, whether on remand or after conviction. If, as a result of such a review, it became clear that the physical characteristics of Cornton Vale were inappropriate, as Gateside was in the 1960s, we should be prepared to take the step of closing the facility and building a more appropriate one.

Mr. Tam Dalyell (Linlithgow): I do not doubt the hon. and learned Gentleman's good faith, but has he considered how the staff of Cornton Vale would react to the statement, from a man of his standing, that the prison should be closed? Those who are constituents of mine were extremely upset about it. I do not know whether they speak for the Prison Officers Association, but the hon. and learned Gentleman's statement was a terrible blow to morale. On reflection, does he not think that he should have spoken privately to Ministers, rather than publicly?

Mr. Campbell: I stand by the judgment that I made. I do not say that we should close the prison. I say that, if the prison's physical characteristics are inappropriate to the proper treatment of women in the criminal law system, we should consider creating a prison in which there are such physical characteristics as enable us to deal with them.

There is little doubt that a prison where there have been the tragic circumstances and the number of suicides that have occurred at Cornton Vale is not fulfilling its responsibility, however sincere and competent the staff are. We should be willing to consider root-and-branch alternatives.

Dr. Godman: Will the hon. and learned Gentleman give way?

Mr. Campbell: I hope that the hon. Gentleman will allow me to make progress, as I know that others wish to speak.

We need a new regime for the treatment of women on remand and after conviction. We must acknowledge that the responses and requirements of women who find themselves in conflict with the criminal law, and the way in which they should be dealt with, are entirely different from those of men who find themselves in conflict with the criminal law. I make that judgment from my own professional experience, but it is supported by much of the recent evidence of the kind of people who have been driven to the terrible solution, if that is the right word to use in this context, of taking their own lives.

The matter is one of considerable importance. The fact that the new clause would discourage the placing of women in prison, either on remand or after conviction, in my judgment represents a proper approach which should commend itself to the House.

The hon. Member for Dumbarton pointed out that many women receive custodial sentences for fine default. We have seen anecdotal, front-page stories about women who were sent to prison because they did not have a television licence and could not afford to pay the fine levied upon them. Such people should not be in prison. If Ministers will not accept that argument, I am pretty sure that the right hon. Member for Witney (Mr. Hurd), who recently became president of the Prison Reform Trust, will sympathise with it.

The Minister is about to leap to his feet and say that the Government share my view. If that is so, why are so many women sent to prison for fine default? It is because our system is insensitive: it does not contain a sufficient range of means of dealing with people who find themselves in that position. For that reason, I hope that the new clause will commend itself to the House. It is a forerunner of our treating women in the criminal law system in a way that they unquestionably deserve in the manner of a truly civilised society.

7 pm

Mr. Canavan: I support new clause 9, which was moved by my hon. Friend the Member for Dumbarton (Mr. McFall). Scotland has one of the highest prison populations per capita of any country in Europe. When I hear the Secretary of State speak, I sometimes get the impression that he wants to increase rather than decrease our prison population to such an extent that the construction of prisons may be the only growth industry in Scotland.

Cornton Vale has inevitably been mentioned. I do not have any up-to-date, detailed information about that prison, but many years ago it was in my constituency and I visited it occasionally. No prison is a nice place—I do not suppose that they are meant to be—but it is nonsense to believe the claptrap peddled by some elements of the media that prisoners are living in the lap of luxury. Loss of liberty is obviously the greatest deprivation experienced by anyone who serves a prison sentence.

Some 20 years ago, Cornton Vale was one of the most modern and most civilised prisons in Scotland. I have visited quite a few prisons since then, and some seem Victorian in their conditions. If the Government were serious about penal reform, they would try to make conditions in our prisons more humane, so that ex-prisoners would not harbour such anti-society and anti-establishment feelings.

Although Cornton Vale was, by Scottish standards, civilised and reasonably humane 20 years ago, I am alarmed by what has occurred in recent times. I think that

the Secretary of State, as the Minister responsible for prisons in Scotland and as the constituency Member of Parliament, should take a more active interest in what is going on. It is unacceptable that six young women in Cornton Vale have committed suicide in the past 18 months—an average of one death every three months—and the situation warrants inquiry at the highest level.

Most of the young women imprisoned at Cornton Vale are very vulnerable—many are teenagers who were convicted of drug-related offences. For many, a custodial sentence at Cornton Vale was not the first option of the sheriff or the judge who sentenced them. As the hon. and learned Member for Fife, North-East (Mr. Campbell) and others have said, many initially received non-custodial sentences, such as fines, because the judiciary deemed those penalties most appropriate in the circumstances. However, default in the payment of fines led to their imprisonment in Cornton Vale.

New clause 9 seems to present a reasonable alternative. It places an obligation on the court to

"grant a bail application by a woman unless it is satisfied it is contrary to public safety or the interests of justice to do so."

It also places an obligation on the court not to pass a custodial sentence on a woman unless

"the court considers no other method of dealing with her is appropriate".

It emphasises bail and non-custodial sentences rather than detention and prison sentences.

I admit that, for males and females, prison sentences are appropriate and inevitable in some cases. For example, a custodial sentence is appropriate if someone commits a terrible crime of violence and poses a danger to society. I am convinced that the majority of prisoners at Cornton Vale could receive non-custodial sentences that would be more appropriate to their crimes—particularly when they represent no great danger to public safety. I hope that the Government will consider the new clause seriously and construct bail hostels and alternative forms of accommodation as the new clause suggests. Too many young women have died in Cornton Vale, and it is time for the Secretary of State to act in the interests of justice.

Mrs. Fyfe: If the Minister rejects new clause 9, I imagine that he will do so on the ground that it relates only to women offenders. He may believe that it should be rejected on the ground of equal treatment. However, as my hon. Friend the Member for Dumbarton (Mr. McFall) said, statistics show that, over the years, far fewer women than men have committed serious crimes resulting in gaol sentences. The conduct of men in prison tends to be different from that of women: whereas women tend to turn violent feelings inwards and harm themselves, male prisoners may be more likely to act aggressively against other prisoners. For those reasons, we must look afresh at the treatment of women who are remanded in prison or who are serving prison sentences. That is why I support new clause 9.

Some hon. Members have said that by far the most common crime among women serving prison sentences is fine default. It may seem obvious, but women do not carry a gene for fine default; there is nothing in female DNA to make it more likely. It is a crime of poverty. Women are more likely to fall foul of the law in that way because they tend to have lower incomes than the male half of the human race. As other hon. Members have said, it is unreasonable that those women have to spend time in gaol when there are other ways of dealing with such crime. Taking those women out of the system would ensure that there were far fewer women serving sentences in Cornton Vale.

There is only one women's prison in Scotland, demonstrating how little need there is for prison places for women in Scotland. It is important, however, to consider the research carried out in the United Kingdom. I should be glad if research into the issue were conducted in Scotland. Research in England has shown that courts have taken a sterner view of women breaking the law than of men breaking the same law. I do not know whether that happens in Scottish courts, but we should find out. It certainly seems so, with so many women in prison simply for failing to pay a fine. That says something about the courts' attitude.

Other hon. Members have talked about the deaths of women on remand. That is a tragedy for the young women concerned and it is appalling for their families, who see them go to prison on remand for a relatively trivial offence—I believe that that was true of all the cases—with dreadful results that could not normally be foreseen.

Some of the deaths have been linked with drugs and suicidal tendencies. Rather than attempt to create a round-the-clock suicide watch in prison, we should ask whether people who are so prone to suicide should be in prison. Men or women, should they not be in the care of a mental hospital? Even in mental hospitals, it is difficult to ensure the safety of prisoners determined to commit suicide. If a mental hospital, with all its experience of such cases, finds it difficult, it is only to be expected that prison warders will find it even more difficult to tackle the situation.

I have already said that women are more likely to turn violence on themselves than on others. When I visited Cornton Vale some years ago with my hon. Friends the Members for Falkirk, West (Mr. Canavan) and for Falkirk, East (Mr. Connarty) and others some years ago, one of the warders said that they had had cases of women prisoners slashing their wrists with broken teacups, but the women did not attack others. That was typical conduct of women who were severely upset by being in prison. The loss of liberty is bound to affect anybody—man or woman—and is very difficult to deal with. Knowing that women prisoners might turn violence on themselves, we must consider how many of them should be dealt with in other ways rather than imprisonment.

On my visit to Cornton Vale, I was amazed to discover that actions that could have improved circumstances were not being taken. I know that there have been some improvements, but I should like the Minister to address some of the issues. Even education and training opportunities were limited compared with those available to male prisoners. Little was being done to help those women to rehabilitate themselves into civil life and stay out of trouble.

Incredibly, the reason given was that there were so few women prisoners. The fact that women tend to be by far the more law-abiding sex is held against those who commit crimes. As there are so few of them, they get fewer opportunities to find activities that would help them to be useful members of society when they leave prison. I remember that there was a very limited curriculum.

[Mrs. Fyfe]

Work opportunities at that time did not extend far beyond sewing shrouds, which I would have thought would have depressed any young woman intolerably. The authorities could have exercised a bit more imagination than that.

7.15 pm

Complaints have been expressed over the years about attitudes to prisoners. I know that some feel that prison staff have come in for much unjust criticism. We also hear from prisoners and ex-prisoners that they felt the regime to be too harsh. We should consider that and look into the day-to-day conduct of prison life.

We have talked about public safety. It is important to remember that we are not saying that someone who is a danger to public safety should be freed, but a bail application should be granted for those who are safe to be let out. I find it fantastic that we even have to argue the case, because we have all heard of rapists and others who were a danger to society being let out on bail and allowed to roam about, yet a woman who has not paid a fine is considered too great a danger to society to be allowed out.

With so few women in Scotland having served a gaol sentence, it should not be difficult to research these questions and decide on the best approach. What offences should land people in gaol? In what circumstances should bail be granted? Are we certain that there is fair treatment between the sexes for offenders? The narrow research base should make it simple to carry out that work and ensure that the system is truly just to women offenders in Scotland.

Mrs. Adams: I support new clause 9 and hope that the Government will seriously consider what my hon. Friends have said. It is clear that not nearly as many women commit crimes as their male counterparts. Someone once said to me that if there were no men, the world would be a crime-free place full of fat, happy women. That might well be true. Women are certainly not as oriented towards committing crime, but statistics in England show that they appear to be treated more harshly than men for the same crimes. I hope that the Minister will seriously consider treating women differently in the prison and criminal justice systems.

The Minister may argue that treating women differently would be discrimination in their favour. I make no apology for asking him to do that, because women behave differently from men. When they break the law, it tends to be trivial, or at least non-violent, offences. They tend not to commit violent offences, and when they do, as my hon. Friend the Member for Dunfermline, West (Ms Squire) said, it is often in circumstances in which there has been a great deal of domestic violence, resulting in the woman eventually breaking and retaliating for the first time, frequently after many years of abuse.

Women in prison tend to be there on minor charges, often, as my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) and others have pointed out, for defaulting on fines on trivial issues such as television licences.

In such cases, not only the women concerned but their families are often affected. It is inhumane to punish women to such an extent, but it is also uneconomical. Women are being imprisoned, usually for some weeks, for minor crimes such as defaulting on a £100 fine for failing to pay for a television licence. We may have to keep such women in prison for two or three months, and, moreover, we may have to support their families. Children often have to be taken into care, and the need for support frequently does not end when a woman is released and the family are back together.

Ms Rachel Squire: I support what my hon. Friend says. Some years ago, I had to deal with a family in which the mother of three children had been given a prison sentence. Tremendous efforts were made to ensure that the children could continue to live in the community, with full support from the social services, while awaiting their mother's eventual release. Fortunately, one of the children was 16 years old at the time. As my hon. Friend has said, support was also needed after the mother's release. This important matter needs to be taken fully into account.

Mrs. Adams: I agree.

Families often enter a vicious circle that they cannot break. The children as well as the mother are in the system and cannot escape from it, and that frequently leads to their committing offences in future. Such a system is not economical. It does not do society any good, and it certainly does not do the women involved any good.

Women prisoners often come from difficult backgrounds, and what they have done may relate to their particular circumstances. Many more women with psychological problems are in prison than we would expect, and many are dependent on drugs—not only illegal but prescribed drugs to which they have become addicted. We are not helping such women; we are simply locking them up.

We know that women do not do well in prison. They often do less well than men. I wonder whether that is because the woman in a family is often the responsible person—the person who looks after the household accounts, and runs the domestic side. In locking up such women, we are not only shutting them away from their families but taking all their responsibilities from them. Women often find it difficult to cope with that.

The Minister must look carefully at new clause 9. He must obtain social background reports on women who enter the prison system, and note the number of women prisoners who have been imprisoned for trivial, minor offences such as fine default. I know that, in some instances, he has tried to address the issue, but I do not think that we are currently going far enough.

We should treat women prisoners differently from their male counterparts. They are usually in prison for very different reasons, and the circumstances that landed them there are usually very different. We should not be locking up non-violent women who have committed minor offences, sometimes creating the spiral that leads whole families into not just the social work system but the criminal justice system.

Mr. McAllion: No doubt the Minister will argue—as my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) suggested—that one of the objections to the new clause is that it relates only to women prisoners. No doubt he will say that suicides occur in men's prisons as well, and of course he is right, but I agree with my hon. Friend that women are far more likely than men to turn violence against themselves.

Before I became a Member of Parliament, I spent a number of years as a teacher in a list D school in Dundee, which looked after young male offenders. In fact, the boys were aged up to 16, so perhaps they were not as young as all that. I can recall no occasion on which any of the young inmates turned violence against himself rather than the other boys—or, indeed, the staff, including me on a number of occasions. On one famous occasion, a bowl of hot soup was thrown over me.

Towards the end of my time at that school, I was transferred for some of the week to work in a list D school for girls. It was obvious to me immediately that the girls at that school—Balgay in Dundee—were prone to trying to cut their wrists and push their wrists through windows in an attempt to communicate their problems to those around them. Anyone who works with young offenders, or in the Prison Service itself, could describe such behaviour to the Minister, and I am sure that for a long time he has been advised that women prisoners are much more likely to damage themselves and commit suicide. I hope that he will take that into consideration in his reply.

Back in February 1996—at least according to a Government White Paper—random mandatory testing for drugs was introduced in Cornton Vale. That was another of the great ideas that the Secretary of State for Scotland has from time to time to show that he is a tough guy when it comes to law and order. I am sure that he sees himself as a Jimmy Cagney figure, sorting out the bad guys throughout Scotland; but most people in Scotland see him as a Baldrick figure from "Blackadder Goes Forth". Not only is he small, and not only does he look like Baldrick, but he clearly has "cunning plans" which never come off.

This plan certainly did not come off. Nearly a year later, the chief executive of the Scottish Prison Service tried to explain the spate of suicides that had taken place at Cornton Vale in the following terms: the cause, he said, was the higher rate of drug-taking by women prisoners, and the breakdown of their life style. There we have it—yet another Government initiative that has not worked. Once again, the Government are trying to respond to a crisis that was created because they had not the foresight to deal with the circumstances that were to lead to that crisis in the longer term.

When the Secretary of State for Scotland made a statement to the House on 16 January saying what he intended to do about the crisis at Cornton Vale, he made it in the form of a written answer—as is fairly usual among Scottish Office Ministers nowadays—rather than laying himself open to questions from Scottish Opposition Members. He opened that statement by saying:

"The care of prisoners and the prevention of suicide in prisoners are operational matters for the chief executive of the Scottish Prison Service".

There we have it again—the right hon. Gentleman trying to distance himself from any responsibility for what may be going on in Scottish prisons, and saying, "It is nothing to do with me, guv; it is down to the chief executive of the Scottish Prison Service. If there is anything wrong, it is his fault, not mine." That is a despicable attitude for Ministers of the Crown to take, particularly given that the chief executive, unlike hon. Members, cannot answer back to the Minister concerned and hold him to account.

Most of us would have no problem with the actual measures set out in the written answer. The right hon. Gentleman refers to

"new arrangements for the induction of remand prisoners."

That is a good idea. More time out of the cell for prisoners in Cornton Vale is another good idea. He also refers to

"increased access to education, physical training",

and access to groups such as the Samaritans, Rape Crisis and Women's Aid. That is all good stuff. He says that extra staffing and more money—these days we do not hear about that from either side of the House—have been provided to address

"the drug-related problems experienced by a very large proportion of the prisoner population."—[*Official Report*, 16 January 1997; Vol. 288, c. *307*.]

He also mentions additional psychiatric sessions and five additional posts for drug reduction work.

7.30 pm

That is all fine: no one complains about that. That is the sort of initiative that we want for women in Cornton Vale. The new bail hostel in Glasgow, which provides 15 beds, is another good initiative. But what about those women who are in Cornton Vale but who should not be? The Secretary of State's written answer completely ducks that question. Many women are in prison who should not be. The great thing about the new clause is the principle that there should be fewer women in prison. We should do everything in our power to stop women being sent to prison. That goes against the Government's thinking.

The Secretary of State has already boasted that he wants more offenders banged up in more prisons for a much longer time. The Scottish Prison Service has had to face an outbreak of suicides, especially at Cornton Vale, and hostage taking in male prisons. The Secretary of State faces growing discontent in the Scottish Prison Service among staff and prisoners, but his solution of banging up more people in more prisons only makes the problem worse.

The White Paper spoke about a new accommodation block in Greenock prison, which will have 60 new cells in two galleries. We were promised a new private prison at Kilmarnock—provided by and staffed by the private sector—offering another 500 places. The White Paper says that, after the election, the Government will have to contract out the construction of more prisons to other private sector providers. With all those grand plans to turn Scotland into a great prison yard, does the Minister intend to build any more prisons for women, or is Cornton Vale considered to be sufficient to cope with the demand for places for women prisoners in the future? What is the Government's thinking? Do they share the Opposition's view that we should send fewer women to prison? If they think that more and more women should be sent to prison, there are likely to be more suicides in prison.

It is ironic that, at a time when the social fabric in Scotland is being dismantled by the Government, they want to build more prisons. The social fabric is essential to the health of local communities. As schools, community centres, leisure facilities and swimming pools are taken away from local people, their communities become less welcoming, darker and much more dangerous places. The social fabric of Scotland is being torn apart,

[Mr. McAllion]

and the Government's only response is to build more prisons and to bang up more people. That will lead to the problems that we are experiencing in Cornton Vale.

It is all very well for the Minister to say that the Government have introduced a series of measures to stop drug taking inside Scottish prisons—drug taking was one of the main reasons for the suicides. Mr. Frizzell, the chief executive of the Scottish Prison Service, has spoken on the record about drug taking. An article in the press says:

"Addressing the problem of drugs in Scottish prisons, Mr. Frizzell said prisons should not be fortresses. He added: 'It would be very difficult to keep drugs out. There is a whole culture of drug-taking that is very hard to deal with.'"

Mr. Frizzell is at the cutting edge, and has to deal with situations inside prisons. He says that it cannot be stopped, but the Minister says it can. He says that for purely political reasons, because of the general election, although he knows that drug taking will continue in prisons. If it does continue, more people will be in difficulty, and more women prisoners will take their own lives.

The extra 15 beds in the bail hostel in Glasgow are welcome, but Glasgow and Edinburgh already have bail hostels, whereas there is none anywhere else in Scotland. Ministers and other hon. Members must realise that Scotland is not just the central belt or the Glasgow-Edinburgh axis: there is a large part of Scotland outside that axis which should also be taken into consideration. People from Dundee, Aberdeen, Ayrshire and elsewhere will ask where the bail hostels are for their areas. We do not want everyone to have to troop down to Glasgow or Edinburgh because there is no provision elsewhere in Scotland.

Mr. Connarty: The title of this Bill was of interest. It became known as the Dostoevsky Bill, and I said that it could be Dostoevsky's masterpiece "The Possessed". Having taken it through Committee and seen how it has come out, I think that it should rather be compared with "Charlie and the Chocolate Factory", because it is just a confection to satisfy certain cravings on the right wing of people's thoughts. Incarceration—slamming people up and making it hard on them—satisfies people's deep longing to feel more safe and secure than they feel after 17 years of Conservative Government. The Secretary of State fits my idea of a political Willy Wonka turning out sweets and casting them to all sorts of people in society to try to win them over in his favour. The Bill contains mostly bitter sweeties—as we know them in Scotland.

I hope that the Minister will take a serious look at new clause 9, because it is positive and chimes with people's concerns about crime. People also have deeper concerns about how we should treat vulnerable people—who may also be offensive towards others—as well as try to protect society from their negative influences. That is what new clause 9 is about. It calls into question the appropriateness of prisons, including Cornton Vale. Scotland has only one prison for female, long-term prisoners.

Cornton Vale prison is not the worst female prison: I have visited Holloway. It is a pity that the hon. and learned Member for Fife, North–East (Mr. Campbell), who spoke about Cornton Vale continuing, is not present, because I can tell him that Holloway is one of the most frightening places where any human being can be incarcerated. It was designed as a hospital and has a wing which is full of women psychiatric patients. It was like visiting Bedlam. I am glad to say that we have nothing like that in Cornton. Perhaps there is a lesson to be learned. If the clause is accepted, it could later be included in the legislation covering the rest of the United Kingdom. If it is appropriate to prevent women from going to Cornton Vale, which was designed in the 1970s, it is all the more appropriate to prevent women from being sent to the hell of Holloway prison in London, especially if they are vulnerable or known to need psychiatric treatment.

I have publicly criticised the changes that have been made at Cornton. I do not accept the excuses given for using one of the blocks for young offenders. Mixing the two regimes, even if there is a big fence between them, will heighten the inappropriateness of sending vulnerable women to Cornton Vale. The physical nature and the regime of the prison was included in the excellent inspector's report in 1996—he visited the prison between 19 and 30 May 1996. Every page of the report gives more weight to new clause 9. Given the condition of Cornton Vale in 1996, it is not a place where we should put anyone if it were inappropriate and if another form of disposal could be found.

The report was in response to three suicides. Annex 6 shows that, by the time the report was produced, there had been four suicides and three other attempted suicides—mostly by hanging. There have now been six suicides. It is worth while looking at the different sections—page 9 deals with drugs and page 10 gives an analysis of drugs. Most people who go into Cornton have had some contact with drugs. In Cornton, as in other prisons, because cannabis can be traced in the bloodstream for up to 30 days, people are switching to harder drugs, such as heroin, which is out of the bloodstream in two days. The drug regime is getting harder, and some users are becoming more determined.

Page 14 clearly shows that there is concern among the staff as well as among the prisoners about suicides. When we put vulnerable people into such pressure situations, particularly those who are on remand, it seems that women, as hon. Members have said, tend to commit self-harm. New clause 9 has a great deal of merit, because we should not place people in such establishments.

I should like to comment on the staff and their responses. My hon. Friend the Member for Dundee, East (Mr. McAllion) spoke about some of the sweeties that the Secretary of State gave people in a sudden rush. The Secretary of State, whose party has been in government for 17 years and who has represented Stirling since 1983, suddenly initiated a spate of amendments affecting the regime in that prison. The ratio of male to female staff has been increasing. The inspector found that inappropriate and something has been done about it. Bail hostels are being provided, as are regimes for dealing with drugs, and all this has been done in a rush before the election. It is all about casting sweeties to people in the hope that they will forget the massive failures in the treatment of women prisoners.

There is clearly a malaise among the staff, and it has been reported. Pages 103 and 104 of the inspector's report show that the staff complained about too little training and many staff members said that they felt extremely isolated in the prison and were undermined by the

suicides. They found that the regime was inappropriate for them to create a caring atmosphere. All that strongly argues that the new clause is the most appropriate way to deal with women who do not require to be incarcerated. I hope that the Government will see the logic of that and will accept the new clause.

Dr. Godman: By way of preface to a couple of questions to the Minister and before my speech in support of the new clause, I should like to say that any soft or sentimental feelings that I had about crime or criminals were knocked out of me by my service in the Royal Military Police and as a member of the local committee of Edinburgh prison.

Is it right that recent suicides in Cornton Vale prison are far in excess of the suicide rate among women of a similar age in Scotland, whereas, however sad it may be, the incidence of suicide among male prisoners tragically reflects a growing tendency towards suicide among young, disturbed males in Scotland?

My second question relates to Cornton Vale and alternatives to it. The hon. and learned Member for Fife, North–East (Mr. Campbell) reminded us that Cornton Vale was a replacement for Gateside prison in my constituency. A friend of my wife and myself was an officer at Gateside and Cornton Vale and said that the latter was a vast improvement on the former and that the best option would be a new prison for women. What is the Minister's view on the feasibility of a new prison for women? Perhaps he favours the dispersal of women prisoners to local male prisons. What is the attitude of the Scottish Prison Service on dispersal?

The new clause would benefit both prisoners and women prison officers. It would certainly relieve much of the strain felt by the latter in their attempts to look after the former in difficult conditions. Today a young woman whom I know and who lives in Inverclyde has been remanded on bail by a sheriff in the west of Scotland. Although the case is sub judice, I feel able to say that that sheriff made a sensible decision. On the whole, sheriffs make such decisions in bail applications by women. But we need more than the discretion of sheriffs and I support the new clause because, as I say, it will benefit women prisoners and prison officers.

As the Minister knows, there is to be yet another fatal accident inquiry into the suicide of a young person in Greenock prison. Our prison staff do a fine job in difficult conditions, but they require more resources and facilities.

7.45 pm

Lord James Douglas–Hamilton: I pay tribute to Governor Kate Donegan. I have visited Cornton Vale, as has the hon. Member for Falkirk, East (Mr. Connarty), whom I accompanied. I have visited the prison a number of times since then, as has my right hon. Friend the Secretary of State. I offer my condolences to the families of those who have died, and I am concerned about the number of suicides at Cornton Vale.

Last year we announced our intention to use the empty spaces in Cornton Vale for male young offenders so as to reduce overcrowding elsewhere. That accommodation has been segregated from the rest of the establishment by a fence, but because of the current pressures on Cornton Vale, the transfer of male young offenders has been postponed for the present to allow the governor and staff to concentrate on improving the women's regime.

Mr. Connarty: Does the Minister accept that in the inspector's report the staff said that more women than they expected were under observation? They said that one of the reasons for having prisoners on the upper floors, although they would have preferred them on the lower floors, was overcrowding. At the same time, the prison wing that has been mentioned was left empty for the transfer of young offenders.

Lord James Douglas–Hamilton: I have no doubt that the governor and the chief executive of the Scottish Prison Service will take into account the needs of women in Cornton Vale and the need to avoid overcrowding, especially among vulnerable young prisoners.

The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) spoke about suicidal prisoners being in mental hospitals. If a medical officer considers that a prisoner requires hospital treatment, that will be arranged. However, the problem is not that simple. Some suicidal prisoners do not exhibit symptoms which cause medical concern. The Scottish Prison Service suicide prevention strategy is being revised to help staff better identify prisoners who may be at risk and the service will draw on the recommendations of reports by Professor Gunn of the Institute of Psychiatry and Dr. Power of the university of Stirling.

Courts are currently required to obtain social inquiry reports in all cases where a custodial sentence has been imposed on offenders up to and including the age of 20. Those must also be obtained when persons of 21 or over are facing a sentence of imprisonment for the first time. Some 28,000 are requested each year by the courts, at an average cost of £211 per court.

The Government and the Scottish Prison Service have implemented a range of measures to tackle these issues. We have implemented or are implementing the vast majority of the recommendations in last year's report by Her Majesty's chief inspector of prisons. That move has introduced new arrangements for the induction of remand prisoners, has resulted in extra time out of cells and has increased access to education, physical training and other opportunities. Some outside agencies are now working in prisons, and remand prisoners now share a cell to encourage mutual support.

All those measures are designed to alleviate the problems that prisoners, and especially those on remand, might experience. It is by that route that action should be taken rather than by requiring courts to limit their considerations on the basis of gender. New clause 9 would fetter unduly the discretion of the courts, which already take into account the factors identified in the new clause in reaching decisions on bail. In taking those decisions, the courts must have regard to public safety and the administration of justice, and the range of penalties available for the breaching of bail orders reflects that.

The courts also have responsibility for dealing with bail offenders. We have heard Opposition proposals for tough action on bail bandits. The courts at present have the discretion available to them to refuse bail where the accused has a record of bail abuse. By limiting that discretion to instances where public safety or the interests

[Lord James Douglas-Hamilton]

of justice apply, the courts may not have the same freedom to remand women in custody where they consider such action to be most appropriate.

The hon. Member for Dumbarton (Mr. McFall) asked about the discretion of the courts. A court must grant bail unless, in the exercise of its discretionary right of refusal, it is of the opinion that, in looking to the public interest and securing the ends of justice, there is good reason why bail should not be granted. This approach applies to both men and women. I must tell the hon. Member for Dundee, East that bail beds are provided in Aberdeen and Dundee, and we expect a new hostel to open in July this year. *[Interruption.]* I can tell the hon. Member for Dundee, East that I do not doubt for one moment that the interests of Dundee are important.

As my right hon. Friend the Secretary of State announced last week, the Government have extended the bail information scheme to include the stipendiary magistrates courts in Glasgow. We have offered £50,000 to convert properties operated by the Church of Scotland and the Scottish Association for the Care and Resettlement of Offenders for use as bail accommodation. Officials are discussing with Glasgow city council financial support for the addition of 15 bail bed spaces. The availability of those spaces will assist the courts in releasing an accused person on bail where the only reason for refusing bail is that the accused does not have a normal place of domicile. The hon. Member for Dundee, East will be glad to hear that similar proposals are being discussed with Dundee city council.

Much has been written recently about the link between suicides and drugs. While those who may have been taking drugs or who have life style breakdowns are susceptible to suicide, there is a range of possible explanations for the recent suicides—including depression and a lack of hope for the future on the part of the inmates. I can tell the hon. Member for Dundee, East that mandatory drug testing is providing a clearer picture of drug taking and has provided a clearer message that drug taking will not be tolerated. It is helping staff to target support measures on those prisoners who need help in tackling their drug problems. Some women prisoners have said that being placed on a testing programme has helped them resist the pressures to take drugs.

The hon. Member for Dundee, East referred to some of the measures that were announced recently, and I will not go through them again. I can tell the hon. Member for Maryhill that an independent researcher is undertaking a six-month study to obtain detailed information on the extent and type of drug and alcohol misuse among women prisoners before and after conviction. This will help to provide information to assist the targeting of resources for the future.

More funding is being made available, in addition to the extra staffing provided last year, to address the drug-related problems experienced by a large proportion of the prison population at Cornton Vale. A further addictions worker post has been approved, together with additional psychiatric sessions. Proposals from the governor to increase access to drug reduction programmes in prison and to recruit additional registered mental nurses have been approved. All of those measures will expand the programme that is in operation. Tackling drugs in prison is not the only part of the equation and, to be effective, there must be adequate through care on release. We are discussing with local authority and voluntary agencies what steps may be taken to ensure that this is available, and such discussions are going on in Glasgow.

Any suicide is a tragedy, and although the intention behind the new clause is worthy of support, we do not believe that the proposed details are appropriate for the reason that I have given—that they involve a statutory discrimination in favour of women. That runs contrary to the principle that has informed Government policy for many years—that persons should not be discriminated against because of their sex.

Mr. McFall: This useful debate has done the House proud—particularly as the Secretary of State and the Government have been strangely silent on the issue for far too long. If the debate has assisted the process of doing something regarding the position of women prisoners in Scotland, that is all the better. I thank the hon. and learned Member for Fife, North-East (Mr. Campbell) for his remarks in what has been a good debate. We are unconvinced by the Government's position. There is a gaping hole in the criminal justice system regarding women which has to be rectified, and we shall press the amendment to a vote.

Question put, That the clause be read a Second time:—

The House divided: Ayes 291, Noes 292.

Division No. 44] **[7.54 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Mrs Margaret
Bell, Stuart
Benn, Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Dr John
Cunningham, Ms R *(Perth Kinross)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H

Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd–on–A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stret'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'd)*
Macdonald, Calum
McFall, John
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Shef'd Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Alfred *(Wy'nshawe)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, John *(Aberavon)*
Mowlam, Ms Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Ms Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Shore, Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Sir Harold
Wallace, James
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Greg Pope and
Ms Angela Eagle.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas–Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael

Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Lait, Mrs Jacqui
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Rifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesf'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Roger Knapman and
Mr. Sebastian Coe.

Question accordingly negatived.

Clause 1

IMPRISONMENT FOR LIFE ON FURTHER CONVICTION FOR CERTAIN OFFENCES

Mr. Wallace: I beg to move amendment No. 243, in page 2, line 16, leave out from 'that' to 'may' in line 20 and insert

'it would be in the interest of justice to impose a sentence, other than the sentence required by subsection (2) above, it'.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 148, in page 2, line 17, after 'circumstances', insert

'whether relating to the offence or to the offender'.

No. 244, in clause 2, page 4, line 31, leave out from 'that' to 'may' in line 35, and insert

'it would be in the interest of justice to impose a sentence, other than the sentence required by subsection (2) above, it'.

No. 149, in page 4, line 31, after 'circumstances', insert

'whether relating to the offence or to the offender'.

No. 150, in clause 3, page 5, line 30, after 'circumstances', insert

'whether relating to the offence or to the offender'.

Mr. Wallace: The amendment would ensure that the element of discretion afforded to the judiciary in the two clauses relating to automatic and minimum sentences was concerned with the interests of justice rather than trying to find or establish exceptional circumstances.

I want something more akin to a presumptive than an automatic life sentence, because it is our contention that the provisions in the Bill as it stands amount to an unreasonable fettering of the judiciary. Our constitution, unwritten though it is, proceeds upon a separation of powers among the judiciary, the Executive and the legislature. It has always been clear that Parliament must legislate for sentences, but the Bill seems to be moving towards putting the judiciary in a sentencing straitjacket.

It is significant that in more than one of our debates today the Minister has objected to or opposed certain moves on grounds of the need to provide the judiciary with discretion. There have been newspaper reports recently that the Secretary of State is planning to introduce training for judges, but training would not be needed if the discretionary element in sentencing were removed.

In many cases in which an automatic life sentence would follow a second offence, the courts already have power to pass life sentences if they believe that the circumstances, the seriousness of the crime or the dangerous nature of the person who committed it make that appropriate. If a court has regard to all the circumstances of a case and yet believes, despite having the opportunity to pass a life sentence, that a fixed sentence is more appropriate, it would surely amount to injustice if a more harsh sentence—a life sentence—had to be passed.

From an earlier response of the Minister's, we know that there have been relatively few appeals by the Lord Advocate against a sentence that he considered too lenient. The figures in the White Paper show that, of 1,407 people convicted between 1990 and 1994 of an offence within the categories designated in the Bill, 75 per cent. received custodial sentences. The other side of that coin is that, despite the nature of the crimes, 25 per cent. of cases were regarded by the courts, when they had been made aware of the full circumstances of the offence and of the offender, as not meriting a custodial sentence. If a life sentence may have to be imposed even in circumstances in which the courts do not believe that any custodial sentence is appropriate, that can lead only to injustice.

In many of the 75 per cent. of cases to which I referred, there would be lengthy fixed sentences and the period in prison would be followed by long periods of supervision under licence, during which the offender could be recalled. I understand the Secretary of State's argument to be that prisoners would be released only on licence if a life sentence had been imposed, and that they could be recalled at any time. If reoffending is predictable and prisoners are under supervision, why is the power of recall not used even under the present system? Even with an automatic life sentence, it is quite foreseeable that the parole board would nevertheless opt for release in circumstances in which it did not predict any reoffending, and we should be in much the same position as at present.

8.15 pm

There is a strong argument that what the Government are proposing in this exercise in machismo could weaken public protection. It could lead to an increased risk of wrongful acquittals. I will give an example of circumstances in which an acquittal might take place if an automatic life sentence loomed.

Many offences involving violence and serious violence occur within the family. That is deeply to be regretted, and it does not excuse such crimes, but the fact is that witnesses could be deterred from giving evidence if one member of the family would, on conviction, receive an automatic life sentence. Many a jury might be deterred from convicting if it believed that, in all the circumstances of the case, an automatic life sentence would be disproportionate. In many such cases, counsel representing the accused could draw to the jury's attention the consequences of a guilty verdict, and what might appear to be a shadow of a reasonable doubt might well become a substantial reasonable doubt.

Many more cases are likely to go to trial as a result of the Bill, increasing the number of victims of crime who have to go through the trauma of giving evidence. There could also be more examples of plea bargaining. One of the crimes that will lead to an automatic life sentence on a second offence is an assault

"with an intention to rape or to ravish the victim."

It is not unforeseeable that, to secure a conviction, that offence might be reduced through plea bargaining to a plea of guilty of indecent assault, with all the offence that that might cause to the victim.

The qualifying offences are full of anomalies. One is

"Robbery, where at some time during the commission of the offence, the offender had in his possession a firearm or an imitation firearm."

I do not in any way seek to diminish the seriousness of such an offence, but someone who had a toy gun in the boot of a getaway car used in the commission of an offence could, if that were established, be guilty of an offence that would lead to an automatic life sentence. If, however, a combat knife had been brandished in the face the person being robbed, that would not lead to such a sentence. Such anomalies are liable to bring the law into disrepute.

The amendments also deal with drugs offences and the mandatory seven-year sentence. I have no truck with those who peddle drugs; they are some of the most evil perpetrators of crime. The right hon. Member for Fareham (Sir P. Lloyd), in discussing similar provisions for England and Wales, said:

"For example, young drug addicts who sell small quantities of drugs to other addicts will get the same sentence as professional drug pushers."—[*Official Report*, 19 June 1996; Vol. 279, c. 908.]

That is the sort of consequence that can arise and that will be regarded as unjust, not only by those who have to serve the sentences but by their families. It will bring the law into disrepute. Many small-time drug addicts will be less likely to co-operate with the police in assembling cases against major drug pushers if the consequence of co-operation is an automatic sentence of seven years or more.

The Minister may argue that the Government make some provision for flexibility by referring to "exceptional circumstances". The Lord Chief Justice south of the border has said that "exceptional" is a word that can be given a very narrow definition and suggested that psychiatric problems or threats of suicide may not be "exceptional circumstances". I doubt whether provocation would be regarded as an exceptional circumstance, but it has been relevant in some high-profile cases of murder and in England of manslaughter or in Scotland of culpable homicide where seriously abused wives have killed their partners. The fact that there have been so many such cases means that such circumstances are not exceptional, so courts will not be able to exercise discretion and ensure the justice that the public demand unless the discretion implicit in my amendment is accepted.

The Government introduced unit fines, but had to abandon them when the courts were obliged to levy fines that were disproportionate to the offences committed.

[Mr. Wallace]

If the Bill becomes law, I predict that within months there will be a public outcry about an automatic life sentence which will be regarded as manifestly unjust.

I conclude with the words of the 1990 White Paper, "Crime, Justice and Protecting the Public", which stated:

"The Government rejects a rigid statutory framework, on the lines of those introduced in the United States, or a system of minimum or mandatory sentences for certain offences. This would make it more difficult to sentence justly in exceptional cases."

In times past, the Government recognised the strength of the arguments against what they propose in the Bill. One can only conclude that with a general election looming they would rather be seen as tough on crime than as having a proper regard for the best interests of a civilised and just criminal justice system.

Mr. McFall: I commend the hon. Member for Orkney and Shetland (Mr. Wallace) for his eloquence and agree with much of what he said. We raised these issues in detail with the Minister in Committee.

On "exceptional circumstances", I refer the Minister to the debate in Committee on the Crime (Sentences) Bill, when the hon. and learned Member for Burton (Sir I. Lawrence) said:

"The words 'exceptional circumstances' will present an immediate and fundamental problem for the courts. We cannot foresee the problems that many phrases will cause. Had we foreseen problems with some phrases, we would have acted at the appropriate time. However, we can clearly foresee a problem with the phrase 'exceptional circumstances'."—[*Official Report, Standing Committee A*, 12 November 1996; c. 22.]

We pressed the Minister on that point in Committee, but he said that he did not wish to limit judicial discretion. He made that comment immediately after limiting the judicial discretion with mandatory sentences. The problem of "exceptional circumstances" remains to be cleared up. It is not enough for the Government to say that it is up to the judge to decide what are exceptional circumstances if they are not laid out in the Bill. The Government say that it is a matter for judicial discretion, but if that is so, why was judicial discretion taken away in the first instance?

In Committee the Minister said that he did not want to define "exceptional circumstances" because it would limit judges' discretion. However, this aroused concern even among Conservative Members, such as the hon. Member for Eastwood (Mr. Stewart), who asked whether "exceptional circumstances" applied to the prior qualifying offence or only to the offence under consideration.

The hon. Member for Perth and Kinross (Ms Cunningham) suggested that judges would be loth to define "exceptional circumstances" because they would be open to the right of appeal and their decisions might be challenged on appeal. There was much concern about that problem, not least from the Law Society of Scotland. It is incumbent on the Minister to explain the Government's thinking on "exceptional circumstances". For the life of me, I cannot understand why the Government are reluctant to elaborate.

The Pepper *v.* Hart case in 1992 meant that courts and others outside Parliament could refer to our debates to understand the intention of legislation. It is important to make the intention clear. I ask the Minister to address that and to ensure that he gives a satisfactory response; otherwise, judges will keep to the status quo and make no comment. The Government's aim in the Bill will thus not be realised, and I trust that he does not want that.

Lord James Douglas-Hamilton: In answer to the hon. Member for Orkney and Shetland (Mr. Wallace), I believe that the number of appeals made by Law Officers against too lenient sentences is in the region of 15.

Amendments Nos. 243 and 244 concern the circumstances in which courts may exercise their discretion not to impose an automatic life sentence or a minimum of seven years imprisonment for a third or subsequent conviction for class A drug trafficking offences. The amendments would seriously undermine the purpose of the Bill, which is to protect the public from violent or serious sex offenders and recidivist drug dealers. They would replace the "exceptional circumstances" test in relation to the court's discretion not to impose an automatic life or minimum mandatory sentence with a different and much wider test. The exceptional circumstances test would allow the courts to impose a different sentence only where unusual circumstances exist.

The purpose of clauses 1 and 2 is that life sentences or custodial sentences of seven years or more should be imposed as a matter of course in the generality of the cases; otherwise, they will not have the desired protective and deterrent effect. The tests proposed in the amendments go far beyond that by, for example, allowing the courts to impose a different sentence if they think that it would be anomalous to impose a minimum sentence. They might allow a judge not to impose a minimum sentence in a case in which he would otherwise have been minded to impose a different penalty. That would make nonsense of clauses 1 and 2.

Clause 1 deals with criminals who have already been convicted of serious offences such as rape, or of robbery with a firearm, but go on to commit a further such offence. Such criminals have shown by the nature of their offences and by their inability to desist that they are a threat to public safety. Only automatic life sentences can deal satisfactorily with the risks that they pose to society.

Clause 2 deals with drug dealers convicted of a third or further class A drug trafficking offence. We believe that not to impose a severe determinate sentence on such persons would not provide the protection that the wider community deserves from such people.

Mr. Wallace: If I follow the Minister's argument, will he say whether he thinks that I am offering a fair summation of it? Judges have immense experience and are paid substantial salaries to exercise their judicial discretion. As a result of the Government's proposals, they may have to impose sentences that are harsher than they believe to be necessary in the circumstances. Does the Minister believe that that is justice?

8.30 pm

Lord James Douglas-Hamilton: I believe that the public deserve the additional protections that automatic life sentences would give in the case of repeat offenders. That would be particularly relevant in cases such as that of Maguire, who would have been caught by an automatic life sentence the second time he offended.

Mr. McFall: I should like to add to the question just posed by the hon. Member for Orkney and Shetland about

judicial discretion. The Minister has cited the exercise of such discretion in exceptional circumstances, but has not allowed for it in the case of mandatory sentences. Is he saying that he does not trust judges and that there have been problems in the past as a result of their decisions?

Lord James Douglas-Hamilton: I am not saying that. We believe that the clauses should necessarily provide a discretion for a different sentences to be imposed when there are exceptional circumstances. I am content to leave that discretion to the courts. I have no doubt that the hon. Member for Orkney and Shetland could argue eloquently in court if he believed that exceptional circumstances existed. In my view, the right balance has been struck and to go further would undermine the effectiveness of clauses 1 and 2.

By singling out particular circumstances, we do not wish to fetter the courts' discretion to decide what are exceptional circumstances and how they should be weighed. I therefore ask the hon. Member for Orkney and Shetland to seek leave to withdraw his amendment.

Mr. Wallace: The Minister's reply comes as no real surprise to me, as we are all aware that the Government are going through a window-dressing exercise in trying to appear tough on crime. I do not believe that the proposals will have the effect in practice that the Minister pleads for them.

I have already said that, if a prisoner who has been released on licence under supervision ought to be recalled, then he should be recalled. Equally, if there is an omission to recall him on the basis that he is likely to reoffend, it is equally likely that he will be released by the Parole Board with the consent of the Secretary of State and then reoffend. I do not believe that the Government's proposals would provide the type of safety for the public that the Minister says that they will deliver.

The Minister has completely overlooked the fact that discretion is already exercised by judges to impose a life sentence where they think that there is a strong likelihood that a person will reoffend due to his dangerous proclivities. The Minister has outlined circumstances in which judges and the courts will be obliged to mete out sentences harsher than those that judges' long judicial experience lead them to believe it would be in the interests of justice to deliver.

The Bill may give the Government a few cheap headlines in the weeks running up to the election, but I fear that the consequences in the medium term—and possibly in the short term—will be a series of high-profile cases which will show that what has been done by the Government is ludicrous. Sentences will be imposed that bear no proportion to the crime committed. That will bring our criminal law into disrepute and will undermine the thrust to tackle crime. I therefore insist on pressing the amendment to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 24, Noes 278.

Division No. 45] **[8.33 pm**

AYES

Ashdown, Paddy
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Cunningham, Ms R *(Perth Kinross)*
Dafis, Cynog
Davies, Chris *(Littleborough)*
Ewing, Mrs Margaret
Harvey, Nick
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross C & S)*
Lloyd, Sir Peter *(Fareham)*
Lynne, Ms Liz
Maclennan, Robert
Maddock, Mrs Diana
Michie, Mrs Ray *(Argyll Bute)*
Rendel, David
Salmond, Alex
Skinner, Dennis
Steel, Sir David
Taylor, Matthew *(Truro)*
Thurnham, Peter
Tyler, Paul
Welsh, Andrew

Tellers for the Ayes:
Mr. Archy Kirkwood and
Mr. James Wallace.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Botlomley, Peter *(Eltham)*
Bowis, John
Boyson, Sir Rhodes
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Sir Peter
Howard, Michael

Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett–Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox–Boyd, Sir Mark
Lidington, David
Lilley, Peter
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair–Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Redwood, John
Renton, Tim
Richards, Rod
Riifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Shaw, David *(Dover)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple–Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesf'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Roger Knapman and
Mr. Gyles Brandreth.

Question accordingly negatived.

Amendment proposed: No. 148, in page 2, line 17, after 'circumstances', insert

'whether relating to the offence or to the offender'.—*[Mr. McFall.]*

Question put, That the amendment be made:—

The House divided: Ayes 148, Noes 280.

Division No. 46] **[8.45 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Ms Janet *(Ros'dale)*
Ashdown, Paddy
Ashton, Joseph
Barnes, Harry
Battle, John
Bayley, Hugh
Benn, Tony
Bennett, Andrew F
Berrningham, Gerald
Boateng, Paul
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Menzies *(Fife NE)*
Campbell–Savours, D N
Canavan, Dennis
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clwyd, Mrs Ann
Coffey, Ms Ann
Connarty, Michael
Corston, Ms Jean
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Ms R *(Perth Kinross)*
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Ennis, Jeff
Ewing, Mrs Margaret
Fisher, Mark
Flynn, Paul
Foster, Derek
Fyfe, Mrs Maria
George, Bruce
Gilbert, Dr John
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harvey, Nick
Hattersley, Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Howarth, George *(Knowsley N)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Illsley, Eric
Ingram, Adam
Jackson, Mrs Helen *(Hillsborough)*
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross C & S)*
Kennedy, Mrs Jane *(Broadgreen)*
Kilfoyle, Peter
Kirkwood, Archy
Liddell, Mrs Helen
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'ld)*
Macdonald, Calum
McFall, John
Mackinlay, Andrew
Maclennan, Robert
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Maxton, John
Meale, Alan
Michie, Mrs Ray *(Argyll Bute)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mullin, Chris
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Rendel, David
Roche, Mrs Barbara

Rooney, Terry
Ross, Ernie *(Dundee W)*
Salmond, Alex
Sheerman, Barry
Shore, Peter
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Strang, Dr Gavin
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Tyler, Paul
Vaz, Keith
Wallace, James
Welsh, Andrew
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Clive Betts and
Mr. George Mudie.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Boyson, Sir Rhodes
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Gorman, Mrs Teresa
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Sir James
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Renton, Tim
Richards, Rod
Rifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Shaw, David *(Dover)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Smyth, Rev Martin *(Belfast S)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John

Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesfld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Roger Knapman and
Mr. Gyles Brandreth.

Question accordingly negatived.

Lord James Douglas-Hamilton: I beg to move amendment No. 1, in page 3, line 13, at end insert—

'3A. Clandestine injury to women or an attempt to cause such injury.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 125 and 3.

Lord James Douglas-Hamilton: Amendment No. 1 fulfils a Government undertaking given in Committee to accept in principle an amendment tabled by the hon. Member for Perth and Kinross (Ms Cunningham), which sought to add "clandestine injury" to the list of offences that could on conviction lead to an automatic life sentence. It differs from that amendment only by giving the offence its full name and by providing for the inclusion in the list of convictions for an attempt to commit the offence as well as for the offence itself. Amendment No. 3 is consequential on amendment No. 1

Amendment No. 125 is a response to comments made by Opposition Members in Committee, but in this case in relation to the list of offences contained in what is now clause 44. Amendment No. 125 would remove the words "towards a child" from the description of lewd and libidinous practices, and is paralleled by Government amendment 94.

Mr. McFall: I thank the Minister for listening to the views of Opposition Members in Committee and tabling the amendment. It is important that the crime of clandestine injury is included. Similarly, I thank the Minister for listening to our views on the definition of offences perpetrated against children. The Opposition are content with the amendment.

Amendment agreed to.

Amendment made: No. 125, in page 3, leave out lines 31 and 32 and insert—

'8. Lewd, indecent or libidinous behaviour or practices.'.— *[Lord James Douglas-Hamilton.]*

Clause 2

MINIMUM SENTENCE FOR THIRD CONVICTION OF CERTAIN OFFENCES RELATING TO DRUG TRAFFICKING

Lord James Douglas-Hamilton: I beg to move amendment No. 91, in page 4, line 6, leave out 'this section' and insert

'section 2 of the Crime and Punishment (Scotland) Act 1997'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 92, 228 to 231, 256, 42, 43, 235, 257, 258, 98, 104, 236, 237, 83 to 85, 87, 100, 101, 88 and 89.

Lord James Douglas-Hamilton: These are minor technical and drafting amendments.

Amendment agreed to.

Amendment made: No. 92, in page 4, line 14, leave out 'this section' and insert

'section 2 of the Crime and Punishment (Scotland) Act 1997'.— *[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 2, in page 5, line 15, at end insert—

'(2) In section 196 of the 1995 Act (sentence following guilty plea)—

(a) the existing words shall become subsection (1); and

(b) at the end there shall be added the following subsection—

"(2) Where the court is passing sentence on an offender under section 205B(2) of this Act and that offender has pled guilty to the offence for which he is being so sentenced, the court may, after taking into account the matters mentioned in paragraphs (a) and (b) of subsection (1) above, pass a sentence of less than seven years imprisonment or, as the case may be, detention but any such sentence shall not be of a term of imprisonment or period of detention of less than five years, two hundred and nineteen days.".'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 31, 255 and 32.

Lord James Douglas-Hamilton: Amendments Nos. 2, 31 and 32 deal with the ability of the court to take into account a plea of guilty, and the stage in proceedings and circumstances in which it is made, in determining what sentence to pass under clauses 1 and 2.

What is now section 196 of the Criminal Procedure (Scotland) Act 1995 makes it clear that the court is able to take into account a plea of guilty in determining what sentence to pass on, or other disposal or order to make in relation to an offender. That operates as a disincentive to postponing a guilty plea until the day of the trial, to the great inconvenience of witnesses, police and jurors. It also acknowledges the possibility that a guilty plea may be regarded as a mitigating factor in sentencing, because it may imply an acceptance of responsibility and contrition on the part of the offender and may spare the victim and other witnesses from having to give evidence.

On further consideration, it appears that the provisions of section 196 of the 1995 Act may not apply to sentences imposed under clauses 1 and 2 as drafted. Although those clauses provide for automatic life and mandatory minimum sentences, there is no reason in our view why the court should not be able to take into account a guilty plea where those sentences would apply on conviction. The amendments would ensure that that is possible.

9 pm

Dr. Godman: The Minister spoke of contrition and how that may assist the courts. I have no doubt about that. However, what about a case involving severe sexual assault? I hope that no leniency would be shown in such a case, no matter when the accused agreed to plead guilty.

Lord James Douglas-Hamilton: I am glad that the hon. Gentleman has raised that issue. It is important to spare the victim the trauma of having to go through a case and have every sort of falsehood thrown at her. She may dissolve in tears—I have seen it happen. We are saying that, if the accused shows contrition by pleading guilty at an early stage and therefore does not put the victim

through the process of having to put up with a great deal of abuse and falsehood in court, that is a factor that the court legitimately should be entitled to take into account.

Mr. Wallace: What consideration have the Minister and his colleagues given to the opinion of the recently retired Lord Justice-Clerk Ross, in the case of Strawhorn and McLeod, about inducements to plead guilty at an early stage?

Lord James Douglas-Hamilton: I would not describe the measure as an inducement to plead guilty. I believe that it could be taken into account as a mitigating factor—which is rather different—if the accused faced up to his responsibility and, instead of making false accusations against a victim, did not put her through that trauma. A court should be entitled to take that into account. As I said, section 196 of the 1995 Act makes it clear that the court is able to take into account a plea of guilty in determining the appropriate sentence. After all, if a person who has committed a very serious crime tells a pack of lies, that is a different situation from that of a person who admits his transgressions and shows some contrition.

Amendment agreed to.

Clause 3

IMPOSITION OF SUPERVISED RELEASE ORDERS ON CONVICTION OF QUALIFYING OFFENCE

Amendment made: No. 3, in page 5, line 43, after 'paragraphs 3,' insert '3A,'.—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 4, in page 6, line 10, leave out 'one sixth' and insert 'one quarter'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 238 and 240.

Lord James Douglas-Hamilton: Amendment No. 4 will increase the maximum period of supervision that courts may impose for offenders released from prison to the greater of two years or one quarter of the sentence. That corresponds to a similar amendment incorporated in the Crime (Sentences) Bill in respect of offenders in England and Wales. It is in response to concerns expressed by both sides of the House that the limit of one sixth presently contained in the Bill may not be sufficient to provide adequate safeguards for the protection of the public.

Amendment agreed to.

Clause 4

RESTRICTION OF LIBERTY ORDERS

Mr. McFall: I beg to move amendment No. 137, in page 6, line 17, leave out '245' and insert '229'.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 166, in page 6, line 19, leave out 'orders' and insert 'requirements'.

No. 138, in page 6, line 20, leave out '245A' and insert '229A'.

Government amendment No. 105.

No. 136, in page 6, line 23, after 'an', insert

'additional requirement of a probation'.

No. 167, in page 6, line 23, leave out 'order' and insert 'requirement'.

No. 168, in page 6, line 25, leave our 'order' and insert 'requirement'.

No. 139, in page 6, line 26, leave out '245B to 245F' and insert '229B and 229C'.

No. 169, in page 6, line 28, leave out 'order' and insert 'requirement'.

No. 170, in page 6, line 29, leave out 'order' and insert 'requirement'.

No. 171, in page 6, line 43, leave out 'order' and insert 'requirement'.

No. 128, in page 7, leave out lines 1 to 13.

No. 172, in page 7, line 1, leave out 'order' and insert 'requirement'.

No. 173, in page 7, line 3, leave out 'order' and insert 'requirement'.

No. 174, in page 7, line 3, leave out 'requirements' and insert 'conditions'.

No. 175, in page 7, line 4, leave out 'order' and insert 'requirement'.

No. 176, in page 7, line 7, leave out 'requirements' and insert 'conditions'.

No. 177, in page 7, line 8, leave out 'order' and insert 'requirement'.

No. 178, in page 7, line 10, leave out 'order' and insert 'requirement'.

No. 179, in page 7, line 12, leave out 'order' and insert 'requirement'.

No. 180, in page 7, line 15, leave out 'order' and insert 'requirement'.

No. 129, in page 7, line 15, after 'shall', insert

'in addition to section 228 (6)(a) above'.

No. 181, in page 7, line 16, leave out 'order' and insert 'requirement'.

No. 182, in page 7, line 18, leave out 'order' and insert 'requirement'.

No. 183, in page 7, line 19, leave out 'order' and insert 'requirement'.

No. 184, in page 7, line 23, leave out 'order' and insert 'requirement'.

No. 185, in page 7, line 27, leave out 'order' and insert 'requirement'.

No. 130, in page 7, leave out lines 33 to 47.

Government amendment No. 109.

No. 186, in page 7, line 34, leave out 'order' and insert 'requirement'.

Government amendment No. 110.

No. 187, in page 7, line 36, leave out 'order' and insert 'requirement'.

No. 189, in page 7, line 41, leave out 'orders' and insert 'requirements'.

[Mr. Deputy Speaker]

No. 190, in page 7, line 43, leave out 'orders' and insert 'requirements'.

No. 191, in page 7, line 44, leave out 'order' and insert 'requirement'.

No. 131, in page 8, line 6, leave out '245B' and insert '229B'.

No. 162, in page 8, line 7, leave out '245A(9)' and insert '229A(9).'.

No. 192, in page 8, line 8, leave out 'orders' and insert 'requirements'.

No. 193, in page 8, line 12, leave out 'order' and insert 'requirement'.

No. 194, in page 8, line 13, leave out 'order' and insert 'requirement'.

No. 195, in page 8, line 14, leave out 'order' and insert 'requirement'.

No. 196, in page 8, line 18, leave out

'order shall vary the order'

and insert

'requirement shall vary the requirement'.

No. 163, in page 8, line 20, leave out '245C' and insert '229C'.

No. 197, in page 8, line 24, leave out 'orders' and insert 'requirements'.

No. 198, in page 8, line 27, leave out 'order' and insert 'requirement'.

No. 199, in page 8, line 28, leave out 'order' and insert 'requirement'.

No. 200, in page 8, line 32, leave out 'order' and insert 'requirement'.

No. 201, in page 8, line 36, leave out 'order' and insert 'requirement'.

Government amendment No. 223.

No. 164, in page 8, line 40, leave out from beginning to end of line 45 on page 9.

No. 202, in page 8, line 40, leave out 'order' and insert 'requirement'.

No. 203, in page 8, line 42, leave out

'order may apply to the court which made the order'

and insert

'requirement may apply to the court which made the requirement'.

No. 204, in page 8, line 46, leave out 'order' and insert 'requirement'.

No. 205, in page 8, line 48, leave out 'order' and insert 'requirement'.

No. 206, in page 9, line 3, leave out 'order' and insert 'requirement'.

No. 207, in page 9, line 5, leave out 'order' at both occurrences and insert 'requirement'.

No. 208, in page 9, line 7, leave out 'requirements' and insert 'conditions'.

No. 209, in page 9, line 7, leave out 'order' and insert 'requirement'.

No. 210, in page 9, line 13, leave out 'requirements' and insert 'conditions'.

No. 211, in page 9, line 14, leave out

'order the court may vary the order'

and insert

'requirement the court may vary the requirement'.

No. 212, in page 9, line 15, leave out 'order' and insert 'requirement'.

No. 213, in page 9, line 18, leave out 'order' and insert 'requirement'.

No. 214, in page 9, line 21, leave out 'order' and insert 'requirement'.

No. 215, in page 9, line 22, leave out 'order' and insert 'requirement'.

Government amendment No. 115.

No. 216, in page 9, line 32, leave out 'order' and insert 'requirement'.

No. 217, in page 9, line 33, leave out 'order' and insert 'requirement'.

Government amendment No. 119.

No. 218, in schedule 1, page 71, line 32, at end insert—

'(17A) In section 232(3) insert 'a' after '(3)' and insert after sub–paragraph (a) a new sub–paragraph as follows—

"(b) notwithstanding (a) above, in relation to a probation order with an additional restriction of liberty requirement—

(i) evidence of the presence or absence of the offender at a particular place at a particular time may, subject to the provisions of this section, be given by the production of a document or documents bearing to be—

(a) a statement automatically produced by a device specified in regulations made under section 229C of this Act, by which the offender's whereabouts were remotely monitored; and

(b) a certificate signed by the person responsible for monitoring the order that the statement relates to the whereabouts of the person subject to the order at the dates and times shown in the statement;

(ii) the statement and certificate mentioned in sub–paragraph (i) above shall, when produced at a hearing, be sufficient evidence of the facts set out in them;

(iii) neither the statement nor the certificate mentioned in sub–paragraph (i) above shall be admissible in evidence unless a copy of both has been served on the offender prior to the hearing and, without prejudice to the foregoing, where it appears to the court that the offender has had insufficient notice of the statement or certificate, it may adjourn a hearing or make any order which it thinks appropriate in the circumstances.".'.

No. 219, in schedule 1, page 71, line 45, at end insert—

'(21A) In Schedule 6 (discharge of and amendment to probation orders) there shall be inserted after sub–paragraph 3(2) (c) a new sub–paragraph as follows:—

"(d) so that the probationer is thereby subject to a restriction of liberty requirement for any period or periods exceeding 12 months in all.".'.

Mr. McFall: We want restriction of liberty orders not to stand alone but to be part of the probation and supervision process, together with social inquiry reports. That will enable us to focus on the right people.

The research to date shows that such targeting is essential. As it stands, it is not clear from the Bill whom the provision is directed at, and whether it is to apply in solemn, summary or district courts. Experience world-wide with tagging is varied. Sweden has used it perhaps the most successfully. The Swedish experience shows that success is more likely if tagging is used for a

very short period; if it is part of a treatment programme; and if the person concerned enjoys a stable environment and has the will to go along with the tagging.

Amendment No. 136 would allow the High Court, the sheriff court and the district court to make restriction of liberty orders in a wide variety of circumstances. There is currently no guidance on which offenders or offences should be the target of such orders. The Bill merely states that they should be used when the court deems them the most appropriate method of disposal.

On Second Reading, the Secretary of State and the Minister of State frequently reiterated their intentions. Such orders are best used when the alternative would be a short period of custody. In Committee, we pressed the Minister on that; if tagging is to be used, then it should be used as an alternative to custody when the judge or sheriff states that someone who would otherwise be given a gaol sentence may be given a tagging order instead—we want the orders restricted to that.

As I said, the Bill gives no guidance to the judiciary or to sheriffs. We therefore conclude that it is untargeted and that it will cause confusion about the purpose of the disposal. Moreover, the Bill contradicts the Government's attempts to achieve greater consistency in sentencing. Linking a restriction of liberty order with a probation order will ensure a proper assessment by means of a mandatory social inquiry report. That will facilitate the targeting of the disposal, in the interests of the community, the offender and the offender's family, in such a way as to advance the prospects of successful compliance.

Research in the United States and Sweden has shown that electronic monitoring is most likely to succeed when it is attached to a programme of probation or supervision. In that way, surveillance is supported by constructive intervention designed to reduce offending behaviour. Electronic monitoring by itself would preclude the regular personal supervision that could deal with offending behaviour. Public safety—the theme of all our amendments and new clauses—will be enhanced by the dual approval of monitoring and direct supervision.

Linking restriction of liberty with probation ensures public and democratic accountability. The supervising officer will be accountable to the local authority as well as to the court and, through the Secretary of State, to Parliament. In that way, the disposal will be free of commercial considerations.

I wonder how much notice the Secretary of State has taken of the international experience of tagging, which is used in New Zealand, Singapore and other places that I mentioned earlier. Of the pilot schemes operated in Sweden, the Netherlands, America and Western Australia, the Swedish experiment seems to be the most successful. It combines electronic monitoring with intensive supervision and was initially operated in six probation districts. Offenders sentenced to up to two months in prison are allowed to apply to serve their sentence in the community under intensive supervision and with electronic monitoring. They must be of fixed abode, have a telephone, and be in employment or education.

Between 1 August 1994 and 31 July 1995, 637 offenders were eligible under those criteria and nearly 70 per cent. of them applied for the project. A total of 396 applications were approved; 50 per cent. were drink drivers; 20 per cent. were violent offenders, often committing drink and drug-related offences; and 30 per cent. were convicted of other offences, including theft and refusing to do military service. By the end of the period, 311 people had completed their supervision satisfactorily; 23 offenders had had their supervision terminated by reason of misconduct; and 62 were still under suspension.

The Swedish scheme is considered to be a moderate success and has been expanded to include anyone serving three months anywhere in the country, although the maximum tagged period is expected to be four months. However, the level of technical faults was much higher than expected and the issue of false violations has still not been resolved.

Experience is much more plentiful in America, where about 600 schemes operate. Although I hold the Minister to his remark in Committee that this will be a pilot scheme, lessons could be learned from the American experience, about which a six-year study has been made. It suggests that one main reason for failure was lack of staff resources in the probation service. Even one of the manufacturers was reported to have said:

"reliable equipment alone will not ensure a successful programme".

He asserted:

"The involvement of professional social workers is key."

The success of the schemes that have been running was said to involve the following components: first, clear, well-defined objectives for using the system; secondly, strong involvement and support from the probation and parole service; thirdly, careful screening of the participants using well-defined selection criteria; fourthly, the provision of support programmes; fifthly, strong Government commitment; and, sixthly, reliable equipment. Neither the Minister nor the Secretary of State commented on any of those issues on Second Reading or in Committee. If the Government are to go ahead with such a scheme, it is important that those objectives are laid out, and this is where they should be debated.

There seems to be some evidence about the likely criteria for success. That is important when it comes to targeting the type of individuals whom the Government would like to see on an electronic tagging programme. Offenders must have a settled address with a telephone installed. They should be employed. Tags should not be used for any offender with a history of violence in the household, and tagging works best for offenders

"who already have some internal control and just need an extra nudge".

Those criteria are supported by the Swedish findings, where three criteria for success emerged. Tagging works only if it is for a very short period, the offenders are well motivated and in stable life situations, and tagging is part of a treatment programme.

I hope that the Minister of State will address his remarks to those findings. If he tells us that the measure is being introduced in the dying weeks of a Parliament just for the sake of introducing it, that is not good enough. The measure must be shown to have merit.

The Secretary of State turns his nose up. No information has been forthcoming from the Government about the target population, what they hope to achieve, who will be involved and what resources will be made available to the service—the building blocks fundamental to the success of the programme.

[Mr. McFall]

The Opposition tabled amendments in Committee to ensure that there would be a supervisory element and a probationary aspect to the programme. With that in mind, I invite the Minister to comment.

9.15 pm

Lord James Douglas-Hamilton: The Opposition's amendments Nos. 128 to 131, 136 and 137, to which the hon. Member for Dumbarton (Mr. McFall) spoke, and the other amendments would unhelpfully limit the use of electronically monitored restriction of liberty requirements, so that in Scotland such an order could be made only as a condition of a probation order.

Our proposals would allow a court to deal with an offender by making a restriction of liberty order alone, or by making a restriction of liberty order together with a probation order. The Opposition amendments would withdraw the first of those options. As a consequence, a court would not be able to make a free-standing restriction of liberty order, even if it considered that to be the most appropriate option. That would be hard to justify, and I would not recommend accepting those amendments to clause 4.

I shall deal now with the Government amendments in the group. As was said in Committee, in some cases the effectiveness of electronically monitored disposals may be enhanced if they are associated with the sort of supervision offered by probation. On that basis, the Bill provides for a facility which enables a probation order to be associated with a restriction of liberty order. Government amendments clarify how that facility will operate.

Mr. Davidson: The amendments moved by my hon. Friend the Member for Dumbarton (Mr. McFall) are useful, as they strike at the centre of the Government's proposal by probing the way in which the Government intend to use restriction of liberty orders.

The Minister's response to my hon. Friend's excellent argument suggested that orders made without probation will be a cheap way of dealing with someone who should be punished by being sent to prison. In those circumstances, a restriction of liberty order without supervision misses the point.

I recognise that the clause goes beyond the idea of electronic tagging. Under subsection (2)(b), for example, a person could be instructed not to attend football matches, if he had been convicted of an offence arising from his attendance at such a match. Clearly, electronic tagging would not be suitable in those circumstances. That person should not simply be left and trusted not to go to matches. Provision should be made for some form of probation or supervision, to ensure that the restriction is not seen as a soft option. There is genuine anxiety that, if restriction of liberty orders are unpoliced, they will be seen as a soft option.

Does the Minister accept my hon. Friend's contention, arising from practice elsewhere, that success is likely where the restriction is for a short period, and where the person concerned is well motivated? Other evidence suggests that restriction of liberty works best if the person is in a job and if the restriction is part of a comprehensive treatment programme. The order seems tailor-made for many middle-class people. Is it intended to distribute restriction of liberty orders evenly throughout the population, or will certain social criteria be taken into consideration?

We have already discussed the increasing number of women who experience serious difficulties in prison. I think that restriction of liberty orders may represent a reasonable alternative to imprisonment in some circumstances, depending on the nature of the offence. People would require a degree of supervision—perhaps they should have some form of probation—but the Minister did not touch upon that aspect. I ask him to clarify those points in his response.

Lord James Douglas-Hamilton: I am glad that the hon. Member for Glasgow, Govan (Mr. Davidson) supports restriction of liberty orders—as he has done more than once before. I make it clear that we are particularly guided by the experience of the pilot scheme in England, which has proved a success. The technology is seen to be reliable and it has worked effectively. The courts have made extensive use of the option and we can see no case for denying it to Scottish courts. Of course, there will be a pilot scheme and, depending on how it works, the option could be extended more widely thereafter.

The Opposition amendments would make a restriction of liberty requirement a condition of a probation order instead of a discrete disposal. While I do not object to considering that approach in the longer term, it raises some practical issues that must be resolved beforehand. I shall examine them quickly.

First, an issue arises because responsibility for supervising a probation order rests with a local authority officer while responsibility for the electronic monitoring of any restriction of liberty condition would rest with a person nominated by the Secretary of State. Therefore, in fulfilling his duty to supervise a probation order, the local authority officer would have to rely on someone over whom he had little direct control to monitor one of its conditions.

Mr. McFall: Could not the Secretary of State nominate a local authority officer?

Lord James Douglas-Hamilton: We would first have to assess and evaluate the success of the pilot scheme—which is what we intend to do. My second point is that evaluation will be extremely difficult. It may be difficult to ascertain whether any shortcomings are due to electronically monitored requirements or to the general order. I believe that it is necessary to proceed as I have recommended.

Amendment negatived.

Amendment made: No. 105, in page 6, line 20, after '(1)' insert

'Without prejudice to section 245CC of this Act,'.—*[Mr. Carrington.]*

Amendment proposed: No. 245, in page 6, line 20, leave out

'of 16 years of age or more'.—*[Lord James Douglas-Hamilton.]*

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 246 to 250, 252 and 253.

Mr. Wallace: I shall resume my seat if I have the wrong amendment. Amendment No. 245 would delete the

reference to persons of 16 years and over, which would have the effect of extending the tagging provisions to those aged under 16. I find it absolutely extraordinary that a measure that has received considerable publicity and marks an important departure in the treatment of juveniles in Scotland should be moved formally by the Minister without any attempt to justify the measure to the House. It is quite extraordinary behaviour from the Minister.

Lord James Douglas-Hamilton: If the hon. Gentleman will sit down, I shall happily explain exactly what it means and then he may resume his speech.

Mr. Wallace: I rather suspect that you would rule that out of order, Mr. Deputy Speaker, as the intervention would be too long. Nevertheless, the fact remains that the Minister has moved a major amendment formally.

I shall explain briefly why my party opposes the measure. As I understand it, the option of tagging children under 16 will be available only to the courts. The Minister assured the Committee that the electronic tagging exercise would be run as a pilot scheme, but at the same time as running a pilot scheme, he is trying to extend its provision.

More seriously, in Scotland we have a distinctive scheme of juvenile justice, in which the overwhelming number of young offenders are referred to a children's hearing. Only a handful of those under 16—no doubt the Minister will be able to give us the figure—have been referred to the criminal courts in recent years. I have strong doubts that electronic tagging is an appropriate disposal for those whose offences are such that it is thought right to determine them in the criminal courts rather than the children's hearing system.

We are embarking on a costly scheme for children under 16 when a pilot scheme is still in operation. I suspect that it is being implemented where it is most inappropriate, and the Minister has not given any explanation. We look forward to hearing one.

That is the pattern of so much of the Bill—it has been done to give the Secretary of State a cheap headline. It sounds as though he is tough, but in this case he has misread the situation and is trying to introduce electronic tagging in cases for which it is wholly inappropriate. I look forward with interest to hearing how the Minister tries to justify the proposals, when he finally gets round to doing so. He will need a good argument to persuade us that the proposals are appropriate and amount to anything more than an exercise in window dressing.

Mrs. Fyfe: I agree whole-heartedly with the comments of the hon. Member for Orkney and Shetland (Mr. Wallace). Government amendment No. 247 says:

"the court shall obtain and consider information about that offender's family circumstances"

before making a restriction of liberty order. Would that include finding out whether the offender had younger siblings who were likely to admire the older brother or sister for having such an imposition placed on them and might look up to them as a hero because of that mark of distinction? I wonder whether such information on an offender's family circumstances might include the attitude of his schoolfellows. The same problems might apply to them.

As has been said already, the measure has attracted widespread publicity. Senior police officers have said that they find it wholly objectionable and impractical and that being tagged could result in some young ne'er-do-weels having more street cred. It is remarkable that the Minister should move the amendment formally without any word of explanation.

Mr. Wallace: The hon. Lady and I, together with the Minister, sat on a Committee considering the Children (Scotland) Bill two years ago. The Committee took evidence and sat for many weeks considering appropriate measures for young children. Does the hon. Lady recall—I certainly do not—any suggestion by the Government that such a measure was appropriate or necessary?

Mrs. Fyfe: The hon. Gentleman has raised an interesting point, and he is correct. At no time was it suggested that this was an appropriate course of action for under-16 offenders. The Committee was united in welcoming the fact that the hearing system had worked so effectively over the years and, as the hon. Gentleman has just pointed out, few cases involving under-16s were considered serious enough to be dealt with in a court. The relevance of the amendment is highly questionable.

With such widespread critical comment on the proposals, including from the police, why is the Minister pursuing the amendment? In particular, given that we have agreed that a pilot scheme should go ahead in relation to adult offenders, what is the purpose of opposing such a scheme for under-16s? Are the Government waiting to see the outcome of the other scheme?

Lord James Douglas-Hamilton: The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) raised the objections of the police to extension of the scheme to children's panels. We listened to the responses, and we are not doing that. We believe that electronically monitored disposals will provide a useful means of dealing with offenders. The Bill currently limits the use of such disposals to offenders aged at least 16. We considered that we should also examine the potential in relation to younger offenders.

In November, we issued a consultation paper seeking views on that, specifically in the context of our children's hearing system. The consultation period ended on 4 January, with most respondents expressing reservations about the use of electronic monitoring by children's hearings. Various reasons were given. It was suggested that such a disposal would be out of keeping with the ethos of the hearing system, for example, and that it should be piloted with adult offenders in the criminal justice system first. We took account of the views, and of the fact that, even if given the power, hearings would probably make little use of it until its value had been proven in the criminal justice system. We therefore concluded that the Bill should not make electronically monitored disposals available to children's hearings.

9.30 pm

Mr. Dalyell: I feel that it behoves those of us who did not serve on the Committee to be a bit reticent at this stage of the Bill's passage, but may I ask what advice the Government are receiving from the police?

Lord James Douglas-Hamilton: I understand that the police were reserved about the extension of the power

[Lord James Douglas-Hamilton]

to children's panels. The responses were overwhelmingly opposed to it, and we listened to those responses. It has been suggested—by, for instance, the hon. Member for Dumbarton (Mr. McFall)—that relatively few people under 16 would come before the courts, and, in fact, that is so. In 1994, only 171 young offenders had a charge proved against them in court. Nevertheless, in some such cases, the courts might consider an electronically monitored restriction of liberty order—perhaps in conjunction with a probation order—to be an appropriate disposal, for example in the case of a football hooligan or a persistent shoplifter.

Mr. John Maxton (Glasgow, Cathcart): Will the Minister tell us in a little more detail the exact nature of most of the cases that were taken to a juvenile court rather than a children's panel? The hon. Member for Orkney and Shetland (Mr. Wallace) made a good point: he said that it seemed to him that any case that was referred to a court rather than a children's panel was likely to involve an offence to which a restriction of liberty order would not be appropriate.

Lord James Douglas-Hamilton: That is not necessarily so. The cases that go before the court are the more serious—

Ms Roseanna Cunningham: Will the Minister give way?

Lord James Douglas-Hamilton: Let me finish. I have not had a chance to answer the question.

It may well be that, for a football hooligan, a person who has committed an assault in certain circumstances or a persistent shoplifter, a restriction of liberty order, coupled with a probation order, might be more appropriate than prison. We consider that that option should be available. We think that a pilot scheme is the correct way to proceed, and that such a scheme should be properly evaluated and assessed in due course.

Mr. McFall *rose—*

Mr. Wallace *rose—*

Ms Cunningham *rose—*

Lord James Douglas-Hamilton: I give way to the hon. Member for Dumbarton.

Mr. McFall: I thank the Minister.

The Minister referred to the 171 children under 16 against whom a charge had been proved. He knows that 25 of those were detained, and that 46 cases were admitted to children's hearings. The penalty in most of the remaining 100 cases was split between probation, in 32 cases; financial penalties, in 30 cases; and caution and admonition, in 32 cases. Only a small number of young people—25—went to court. Does the Minister agree that those would be very serious offenders, and that tagging would therefore be inappropriate? I am perplexed about why the Government introduced such a measure, and the statistics make their case even weaker.

Lord James Douglas-Hamilton: I merely suggest that the option should be available to the courts. I cannot conceive of all the circumstances that will arise, but it is a useful option. The hon. Member for Dumbarton said that young persons should not be sent to prison for fine default, for example, but should have the option to serve non-custodial sentences in the community.

Ms Cunningham *rose—*

Lord James Douglas-Hamilton: I must proceed and spell out our intentions.

We have decided that courts should be able to use restriction of liberty orders for young offenders whom they sentence. Although that group of people may be small in number, they are often guilty of particularly serious offences that seriously disrupt the lives of people in their communities. I accept that, in some cases, their offences will definitely warrant a custodial sentence. In other cases, it may be preferable to confine them to their homes and to use electronic monitoring to ensure that they stay there.

If a young offender is confined to his home, and that confinement is monitored rigorously by electronic means, he cannot be out on the streets disrupting the community by serious acts of violence or dishonesty. It may also help the young offender to break free from the malevolent influence of older offenders with whom he has been mixing.

Some Opposition parties are not enthusiastic about the use of electronic monitoring, especially for young offenders: objections to it have been made throughout the passage of the Bill. Indeed, the Opposition objected on Second Reading, and their objections lay at the heart of the reasoned amendment that would have killed the Bill stone dead. We do not want to deny the courts the option of tagging when dealing with young offenders who commit serious and disruptive crimes. Such a disposal could provide a measure of protection to the public, enabling the offender to address the offending behaviour without having to resort to a custodial disposal. We believe that that would be a useful option in some cases, and I commend the Government's amendments to the House.

Ms Cunningham: I was trying to intervene on the Minister to ask him to tell us how many of the 171 young offenders to whom he referred will be affected by the proposal. If only 25 of that 171 end up in court, how many of that 25 will be affected? Are we talking about two or three individuals next year? Is that what it is all about? The people of Scotland have a right to know that the Government, while supposedly making some wonderful gesture for the future of criminal justice, are in reality introducing a proposal that will affect only two or three of that 25. I want a direct response to my question.

It is interesting that the Government have introduced the Bill supposedly in response to a consultation process. The proposal has met with widespread opposition from children's agencies, local authorities and the police, but the Minister has not mentioned that. The Scottish Child Law Centre considers that one of the main problems of the scheme is that it is not based on an understanding of children's offending behaviour. A spokesperson for the centre said:

"Children's offending can often be linked to difficult circumstances at home, possibly even involving abuse. . . Giving parents a key role in enforcing compliance with the scheme may be

tying the child to an abusive relationship which could be the whole reason behind the offending."

We must deal with that issue.

Mrs. Fyfe: The hon. Lady has raised an important point. Not a minute ago, the Minister said that tagging could ensure that the child stayed at home, which is precisely where abuse, if there is any, is likely to take place.

Ms Cunningham: The hon. Lady is right. The child's home may be the problem, but the Minister does not address that issue. Branding children in that way may make it much more difficult for them to change and to learn from their mistakes.

I should like to hear the Minister address the issues that have been raised by the police. I understand that they expressed concern that, obversely, the tags may be a status symbol for some children and will have the opposite effect to the one claimed by the Minister. Did the police say that? If the potential for encouraging disruptive behaviour presented by such a status symbol is enough for the police to express concern, why are the Government pressing on with the measure?

In Committee, the Minister said that there must be consultation about young persons and added that he had nothing further to say other than that he would assess the responses. From what he has said in today's debate, instead of assessing the responses, he has ignored them, and that is not a responsible way for the Government to behave. I hope that the Minister will deal directly with the issues and give direct answers to questions.

Mr. Davidson: The Minister asks the House to support the amendment, but, given the nature of past discussions, we are entitled to ask for clarification of the offences that he thinks might be suitable for disposal by tagging. I am no clearer than when the Minister opened the debate what offences he has in mind and how many young people he envisages under the existing pattern of offending will be affected by such a method of disposal.

I was interested in what the Minister said about youngsters who disrupt life in their communities. I can understand why he thinks that tagging, presumably along the lines of some sort of curfew order, might be appropriate. If that is what he has in mind, he should spell out the procedure by which it would be deemed suitable for a youngster to be placed under such a curfew order in one area rather than another. Perhaps such curfew orders are not the sort of procedure to which the Minister thinks tagging orders might apply.

The Government seek cheap headlines by wanting to be seen to be tough on crime by young people, but they are not dealing seriously with the problems that are faced by young people, or with the scale of the difficulties. In my area, a number of young people engage in repeated acts of burglary. They break and enter garden sheds, destroy gardens and break greenhouses and so on. I am not sure how the possibility of a tagging order would deter or prevent someone from destroying greenhouses or breaking into houses.

How would it work in practice? Many burglaries take place at night or during the day when youngsters have absconded from school. Would such offences be the subject of a tagging order? If not, what sort of offences would be involved?

Some youngsters in my area have repeatedly caused damage costing enormous sums by simply going along the side of a school and smashing every window in sight. They similarly destroy the windows in community centres. The Secretary of State nods. He obviously understands the situation. How would the introduction of tagging affect offenders of that sort?

The police spent a great deal of time trying to catch some youngsters in my area. They were eventually caught and taken to an institution, from which they repeatedly absconded because it was not secure. There were not enough places in secure establishments for those youngsters to be detained. The Government have not proposed an increase in spending on secure units for young people, but are instead going for the cheap gimmick of tagging rather than seriously addressing the difficulties. Considerable police time is wasted chasing youngsters who abscond from non-secure establishments, and it greatly undermines the credibility of the police and the system in general when youngsters are seen to be back out on the street a short time after they have been disposed of by the court.

Mrs. Fyfe: Has my hon. Friend noticed that Government amendment No. 246 sets time limits on the tagging? Those time limits may be a response to the critical comments that have been heard on the subject in the past few months. But if they are imposed—regardless of whether there has been any change for the better in the behaviour of the young person—the whole system will have been brought into total disrepute, as any punitive system, whether in schools or elsewhere, must be aimed at changing behaviour.

9.45 pm

Mr. Davidson: That excellent point is well made by my hon. Friend, and I look forward to hearing the Minister's response. All the evidence we have heard of on how tagging dealt with adults elsewhere suggested that the period of tagging should be short, that the people involved should be well motivated, and that tagging should be part of a comprehensive pattern of treatment.

The difficulty with many of the youngsters to whom we are referring is that they are extremely badly motivated and anti-social. I am not convinced that tagging will work with the worst of youngsters—if I can use that term—who will have been before the courts for the worst of offences. I do not know how something that may be seen as a relatively soft option will help in those circumstances.

Colleagues have asked whether tagging will effectively stigmatise or brand the youngsters. Branding seems to me to be a trifle severe, and I presume that that was not a serious suggestion. However, I recognise that tagging might well become a status symbol, and I am not clear whether the Government have taken that into account. The Minister has not referred to it, but he must be aware that many youngsters dare each other to go further and further down the anti-social route. It can be a case of, "You break one window and I'll break two. You break two and I'll break three." How will the Government overcome the problem that tagging will be seen as a mark of honour or achievement?

The Minister must be aware many parents in the community are not worried by the anti-social behaviour of youngsters, but—in some circumstances—see it as a

[Mr. Davidson]

badge of manhood. I am aware of youngsters who are encouraged in anti-social behaviour against other families in the area by their parents, who are engaged in a vendetta by proxy. The adults are well aware that gaol sentences could be imposed upon them were they to act as their youngsters do. What is there in the Government's proposals to deal with that?

The Government's proposal is designed to look good in the press, but it does not seriously address the real difficulties posed by a minority of extremely anti-social youngsters. If the Secretary of State wants to consider a method of restricting liberty, he should—rather than look to the new Tory symbol of tagging—go back to an old Tory symbol of penal servitude, the ball and chain, which at least would restrict youngsters and prevent them from running about the community. I look forward to the Secretary of State using that old Tory proposal as part of his general election manifesto.

Mr. Dalyell: I am extremely puzzled by this discussion, and I want to ask the Minister one question—where on earth did this notion of electronic tagging come from? I cannot believe that it came from the civil service. I was not on the Committee, but some of us have served on many Committees—including Kincraig—and tagging was always excluded in the past. By what alchemy did this idea infiltrate St. Andrew's house? I put forward one possible candidate— [HON. MEMBERS: "Name him."] I am not going to, because it is a lobby—the lobby of the commercial security manufacturing interests. They are certainly at it. Some people could potentially make a good deal of money out of it.

The proposal has a lot to do with posturing or, as my right hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) put it, with "tokenism". That is what it is about because, if children's panels are excluded, jolly few are involved. Who dreamed this up?

Mr. Connarty: Anyone who looks at the record of the Standing Committee will see that I was firm that I found this proposal one of the most abhorrent of the Government's proposals for Scotland, even for adults. I have no doubt that the Government feel that they must do something because of the attacks that they have made on the structure of society and support for the family in the past 17 years. They are beginning to be aware that many factors in society have led to family breakdown, or even aberrant behaviour among parents, which is copied by children, many of whom live in dire poverty and under tremendous stress, who feel great anger against society for having failed them and their children.

The general spirit of the Bill seems to be that we must lock those people away for as long as possible, or that, with tagging, we should lock them into the very families and social units that may be failing them in the first place. The main theme is to keep them out of the hair of the middle and upper classes—the political classes the Government represent—who do not live in the schemes in which many of those children are first failed, then learn their social behaviour, and kick out against society. The middle and upper classes do not have to live among the tenements and the walk-up flats where many single-parent families are dumped because there is nowhere else for them, where they lose hope and where their children get out of control and become a major problem.

I see the Secretary of State having a good laugh. As we know, there are not that many schemes where he lives. The area in which he has chosen to put down his roots does not have that many people living in densely populated areas, either in Scotland or in London—whichever roots he feels most strongly these days.

The reality is that, if they take the trouble to visit them, many Conservative Back-Bench Members will find all this social malaise in the communities that they represent. The idea of tagging people and restricting them to live in that environment as adults is bad enough. It is bad because it does not work, it is expensive and it does not constrain their behaviour. Tagging can pinpoint them for a short time, but people find ways of getting out of the surveillance, and if they want to continue with their aberrant behaviour as adults, they will.

The idea of introducing the amendment for children of 16 years or below is even worse. How low does the Secretary of State expect it to go? If a family breaks down and children of eight, nine and 10 years old find that doing something anti-social is a way of working against society, is the Secretary of State suggesting that they will be tagged? Is he suggesting that eight-year-olds, six-year-olds or five-year-olds will be tagged—held in the home, under surveillance with an electronic bleeper on them, or whatever other technique we are going to use, until they are released into the nursery, only to continue their behaviour there?

That shows the fundamental flaw in all the theory behind the Bill. It is not about amending the wrongs that society has caused, or amending the behaviour of those who then retaliate against society. It is about locking them away somewhere for a short time or a long time. In the case of the children, it will be six months at home, presumably, with their tag on, and, if they leave between certain hours, a bleeper will go off and Group 4 or Securicor will rush in to find out where they have gone.

Tagging would not tackle the root problem, which is that, if young children are misbehaving in a regular anti-social pattern, something needs to be done about the environment in which they live. That must be done either by supporting the family or by finding some other area of care to supplement the family and turn failure into success; but that is not in the Government's mind.

In Committee, I said that I was struck sometimes when I saw social workers abandoning supervision orders on children who were no longer co-operating. They walked away from those children, and I am extremely angry about that. I have written a letter only today about one such case in my constituency. I would be much more interested in the Government introducing some structure in social work departments to supervise children and to give them a place where they could learn good behaviour and find something useful to do, perhaps after school. That would provide a better solution to their psychological and social problems than locking them in with the family in which those problems arose and putting a bleeper or buzzer on them. It is all wrong: the idea does not attract me for adults, and it appals me for children. I think that it also appals most of the public.

The Government have gone over the top, into what I have called a science fiction nightmare. For children, it is even worse. Someone asked where the idea came from, but I remember reading about it in 10-cent DC comics. It is Judge Dredd in the form of the Secretary of State for Scotland—although I recently saw a cartoon trying to claim that title for the Prime Minister.

The idea is an aberration and has not worked where it has been tried. The Government have caused most of the problems by exacerbating the feeling of alienation and the sense that society has failed people so badly that it is all right for them and for their children to kick back at it. I put it on record that I do not think that it is right to kick back against society. It is not right to attack or terrorise neighbours, or to break into shops and continually offend other people, but we must do something positive about it, not something silly and nonsensical that underlines the fact that in the Government's eyes there are two sections of society: those who are doing all right and those whom it is advisable to keep away from the people who are doing all right because they might cause some problems.

Have the Government ever thought that, if we took those people to our bosom and worked with them to turn them into positive citizens, we might save the next generation instead of locking it up? I hope that the amendment is kicked out, for the nonsense and the insult that it is.

Mrs. Adams: Is not this another case of "The higher you build the walls, the faster I will run"? The amendment would confine children to deprived areas, when we should be trying to get them out of those areas as often as possible. Often the problem is that those children never see the outside of those areas, and they should not be confined to them for ever.

The proposal would punish families who are already severely punished by poverty. Their greatest crime is that poverty has been visited on them and they cannot break out of it. We are telling children under 16 that they will never be allowed to break out of that circle.

Dr. Godman: I was not on the Committee, so perhaps my hon. Friend can tell me whether the Minister told members of the Committee where the clamping—presumably around the ankle—of the young offender would take place. Is it to take place in a police station or the youngster's home, and would the Group 4 people be escorted by police officers when carrying out the task? That is a practical question, unlike the question put by my hon. Friend the Member for Linlithgow (Mr. Dalyell) about who was the intellectual who came up with the idea. Where would the clamping be done?

Mrs. Adams: As far as I could gather in Committee, the clamp would be something like a wrist watch or an ankle watch.

Mr. Davidson: Or even an ankle chain.

Mrs. Adams: Yes, even an ankle chain. The offender would be confined to the place—the home—for about 12 hours. It would be linked to something like a modem, which would have to be installed in people's homes by the Government. That would not be cheap. If someone moved outwith the radius permitted, the bleeper would go off.

Mr. Maxton That is interesting. To have a modem, one must have a telephone line, and therefore a telephone. Many of the homes of the children we are discussing cannot afford telephones. Will the Government provide free telephones to everyone?

Mrs. Adams: We raised that point in Committee and were told that the Government would provide telephones, but only a single line for the modem.

Mr. McFall: May I take the matter a stage further? If telephone lines are to be installed, what would happen if people did not pay their bills?

Mrs. Adams: We never got round to that. We were told that, once again, the taxpayer would meet the cost of installing—

It being Ten o'clock, the debate stood adjourned.

Debate to be resumed tomorrow.

ENVIRONMENT

Ordered,

That Mr. Michael Stephen be discharged from the Environment Committee and Mr. Nigel Evans be added to the Committee.—*[Mr. MacKay, on behalf of the Committee of Selection.]*

TREASURY

Ordered,

That Mr. Matthew Carrington be discharged from the Treasury Committee and Mr. Jacques Arnold be added to the Committee.—*[Mr. MacKay, on behalf of the Committee of Selection.]*

ADJOURNMENT

Resolved,

That this House do now adjourn.—*[Mr. Carrington.]*

Adjourned accordingly at Ten o'clock.

House of Commons

Tuesday 21 January 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

KING'S COLLEGE LONDON BILL [*Lords*]

Order for Third Reading read.

To be read the Third time on Tuesday 28 January.

Oral Answers to Questions

HEALTH

Capitation Funding (Nottingham Health Authority)

1. **Mr. Tipping:** To ask the Secretary of State for Health what level of capitation funding the Nottingham health authority will receive in 1997–98. [10356]

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): In 1997-98, Nottingham health authority will receive an integrated allocation of £285.6 million—a cash increase over this year of £12.1 million.

Mr. Tipping: Will the Minister confirm that, under the capitation formula, Nottingham will next year receive a growth in funding of 0.34 per cent. over this year? Given that fact, will it not take another seven years for it to reach 100 per cent. formula funding? The Queen's medical centre has not carried out non-urgent operations since November. Should not Nottingham people and Nottingham health services receive a fair share of the cake?

Mr. Horam: I hear what the hon. Gentleman says, but I note that Sir David White, the chairman of Nottingham health authority, said that Nottingham's funding in the next year is in line with that authority's proposals for development, and that

"Due to a better than expected national settlement for the NHS and the case put forward by the authority . . . I am happy to say that the prospects for the development of our local services—and the maintenance of excellence—looks more certain for next year."

While I understand what the hon. Gentleman says, we can offer him much faster progress in seven years. The hon. Gentleman should be worrying about the Labour Government after the next general election. Will they be able to maintain the progress that we have made in the past 18 years?

Sir Jim Lester: Does my hon. Friend understand that those of us who seek the return of a Conservative Government recognise that both parties acknowledge that Nottingham needs the additional money? The settlement is a step in the right direction, but it is only one step and we want considerably more money, year on year, to restore us to the correct position of parity with other similar teaching areas.

Mr. Horam: As I said in reply to the hon. Member for Sherwood (Mr. Tipping), he has got a far better deal out of this Government than he will ever get out of a Labour Government. Progress was made last year and this year, and will be made next year—if a Conservative Government are re-elected, funding for health authorities will ensure that progress is made in every year to come. I am sure that my hon. Friend looks forward to the re-election of a Conservative Government.

National Health Service Funding

2. **Mr. Loyden:** To ask the Secretary of State for Health what representations he has received from the Centre for Policy Studies concerning the future funding of the national health service. [10357]

The Secretary of State for Health (Mr. Stephen Dorrell): I have received no such representations.

Mr. Loyden: Will the Minister confirm that a pamphlet recently issued by the Centre for Policy Studies, the author of which was a special adviser to the former Secretary of State for Health, now the Chancellor of the Exchequer, proposed that future policy on the NHS should involve the introduction of top-up fees and vouchers? Does not that show that it is now undeniable that a Conservative Government serving their fifth term would abolish the national health service as we know it and as its founders intended it to be?

Mr. Dorrell: The hon. Gentleman asks me about the future funding of the national health service. The Government's policy on that is set out not by the director of the Centre for Policy Studies, but by the Prime Minister. He set it out clearly at the Conservative party conference, when he laid down a challenge, which the Labour Front Bench has so far refused to take up. A re-elected Conservative Government will increase real-terms funding for the health service through the life of the next Parliament, year by year by year by year by year. When will we hear from Labour Front Benchers how they will match that pledge?

Mrs. Roe: Is my right hon. Friend aware that the Centre for Policy Studies document "A Conservative Agenda" congratulated the Government on their record of increasing NHS funding since 1979? Does he agree that it is only against a background of guaranteed financial growth throughout the next Parliament that the NHS can continue to thrive?

Mr. Dorrell: My hon. Friend is precisely right. The CPS made another suggestion—that we should abolish the regional health authorities. The Government have already done so and delivered as a result £100 million of administrative savings. That was done over the opposition of Labour's Front Benchers, who would be taken a great

deal more seriously on the question of administrative savings if they ever voted for one, instead of voting against them.

Mr. Simon Hughes: The Secretary of State and I probably agree that the health service needs more money, although we would disagree about how much. I would argue for more than he would and both he and I would argue for more than the Labour party would.

Mr. Campbell-Savours: Where did the hon. Gentleman get that line from?

Mr. Hughes: From Labour's figures.

Laying that argument to one side for the moment, will the Secretary of State accept that there is one area on which we can agree immediately—that, for one year, we could halt all closures while an independent body such as the King's Fund assessed demand and supply in the health service, so that we could at least agree on the facts before returning to the debate about money?

Mr. Dorrell: With great respect to the hon. Gentleman, I do not believe that it is in the interests of the health service or, most important, its patients to freeze the development of the health service. We need to have a service that uses a growing budget, year by year, to deliver improving service to patients. That is the commitment that the present Government give. The commitment given by the Opposition is that they invite patients and the health service to rely on the hon. Member for Islington, South and Finsbury (Mr. Smith), who told *Pulse*,

"I'll fight my corner for NHS funding."

We know what that means—he will lose his corner, as the right hon. Member for Dunfermline, East (Mr. Brown) made clear yesterday.

Mr. Congdon: Does my right hon. Friend agree that the increase in real-terms funding for the NHS—of more than 70 per cent. since 1979—demonstrates the Government's continuing commitment to the NHS? Does he also agree that the record number of patients being treated, including the increase in the number of people having hip replacements and heart bypasses, also demonstrates that firm commitment to the NHS?

Mr. Dorrell: My hon. Friend is exactly right. The figures for the past seven years are: an increase of a quarter in the real funding for the NHS and an increase of a third in the number of patients treated. That is the Government's record—extra funding, used efficiently to treat patients. It is a record that the Labour party cannot match in office and would not and cannot match now, ahead of a general election.

Mr. Chris Smith: Is it not the case that the so-called promise made by the Prime Minister about year-on-year increases in real-terms funding for the health service was disavowed two months later by the Chancellor of the Exchequer, when he published the figures in the Red Book? Will the Secretary of State admit that page 142 of the Red Book shows clearly that, in the second year, the Government expect a fall in real-terms expenditure in the Department of Health and that, in year three, they expect a standstill in real-terms expenditure in the Department of Health? Does not that show, first, that the Government have already broken the promise that they made at their party conference and, secondly, that they are not to be trusted with the health service or with the government of this country?

Mr. Dorrell: Page 142 of the Red Book deals with excise duties, tobacco, fuel, air quality package, and alcohol. The hon. Gentleman cannot even get his page references right. He is probably referring to table 5A.1—

Mr. Smith: No.

Mr. Dorrell: I am looking at the 1997-98 Red Book, published in November 1996. The hon. Gentleman has the wrong reference.

The substance of the hon. Gentleman's point, as he knows very well—we dealt with it repeatedly around Budget time—concerns the commitment set out in the Red Book to real-terms increases in NHS funding, provided at 3 per cent. growth in current funding for year one, and provided at more modest levels in years two and three. That still represents real growth, which the right hon. Member for Dunfermline, East will not allow the hon. Gentleman to match.

Mr. John Marshall: Can my right hon. Friend confirm that the right hon. Member for Dunfermline, East (Mr. Brown) will not increase health service spending but will burden the health service with the costs of a national minimum wage, which will mean extra pay for manual workers in the health service and less money for patient care?

Mr. Dorrell: My hon. Friend is exactly right. The right hon. Member for Dunfermline, East is so unconfident of his ability to deliver a growing economy that he knows he cannot match our commitment to the national health service. What is more, even the paltry budget that the slow-growing British economy under Labour would allow the hon. Member for Islington, South and Finsbury includes a prior commitment to abolishing compulsory competitive tendering. That will cost him £90 million. There is also a prior commitment to introducing a national minimum wage, which the right hon. Member for Livingston (Mr. Cook) was the last Labour spokesman to cost—at £500 million. That makes £590 million that will come out of patient care before the hon. Member for Islington, South and Finsbury can even begin to think about a growing health service.

Mental Health Services

3. **Mr. Miller:** To ask the Secretary of State for Health when he last met the chairmen of health authorities to discuss services for mentally ill people. [10358]

The Parliamentary Under-Secretary of State for Health (Mr. Simon Burns): I meet chairmen of health authorities whenever issues of mutual interest need to be discussed.

Mr. Miller: Will the Minister comment on the report published today by the King's Fund commission? Does

he agree that it shows that, after 18 years of Conservative rule, London does not have a comprehensive mental health strategy? In the light of that report, will he also look carefully at the proposed mergers of NHS trusts such as the West Cheshire and Wirral Community Healthcare NHS trusts in my constituency, and ensure that any mergers are approved only on the basis of patient care and need, not managerial convenience?

Mr. Burns: The King's Fund report, published today, is important in that it coincides with much of the work that we have done at the Department of Health on the provision of mental health services in London. No one could disagree that those services are under pressure. Unfortunately, since the creation of the NHS, both inside and outside the medical profession, mental health care has been the Cinderella service. That has been tackled over the past five years with significant increases in funding and targeted funding to deal with particular issues.

The important issue that the report highlights—weighted capitation funding—has already been decided on by the Government; we have changed the system and implemented the proposal so as to improve comprehensive community services. In that respect we are one step ahead of the report.

As for the hon. Gentleman's constituency point, the merger is subject to consultation, and a decision will be taken in due course. I know that he would not expect me to comment at this stage.

Mrs. Ann Winterton: Does my hon. Friend accept that there is a gap in the services for mentally ill young people, and that the services offered for children and adults, many of the latter elderly, are not appropriate for this age group? Will he give support to voluntary groups, such as VISYON in Congleton, which seek to highlight the problem and to support mentally ill young people and their families?

Mr. Burns: A great deal of work is going on with regard to young people and adolescents because of the problems that have arisen. One such problem is that, because of the age of that group, they have never been used to institutional care. As part of the programme of improving and developing a comprehensive mental health service, we have in place the children's and adolescent mental health programme. We are well aware of the problems facing that target group. More must be done in the area because, as I said earlier, in the past—since the creation of the health service—it has not had the same priority as, say, accident and emergency services. We welcome all input to improve and enhance the provision of care, from the voluntary sector as well as within the health service.

Ms Coffey: As today's King's Fund report on mental health in London clearly shows that services in the inner city are in a state of near collapse, will the Minister explain the huge gap between his recent reassurances and the reality outlined in the report? Is he now finally prepared to accept that that Cinderella service is not providing care in the community for mentally ill people and their families or proper protection for the public in London or elsewhere?

Mr. Burns: No, I do not accept that analysis. The hon. Lady is well aware that record sums of money are being put into mental health care. For example, the mental health challenge fund, the mental illness specific grant and the £5 million emergency pressures fund are targeted where help is most needed. In addition, because by definition the problem is greater in London—because more people suffer from mental illness there—London receives a significant proportion of the available funding. It is important to build on everything that has been done to create a comprehensive and effective service that provides proper patient care. My right hon. Friend the Secretary of State announced last February a programme to ensure that health authorities draw up plans for a comprehensive community service for mental health. That is going ahead and being monitored. We shall continue to do that to ensure that we catch up and get the best service possible. That is how we should move forward, rather than carping and criticising at the margins.

Sir Roger Sims: Services for mentally ill people include not only medical provision in hospital but the provision of adequate housing accommodation when patients are ready to leave hospital so that they do not block beds. May I suggest that my hon. Friend urges the chairmen of health authorities to work closely with local housing associations to ensure that appropriate housing is provided? May I also suggest that he discusses with his colleagues in the Department of the Environment the fact that they, too, should urge housing associations to make such provision and ensure that housing associations have the resources to do so?

Mr. Burns: I hope that my hon. Friend is reassured that he has identified two important areas that are already at the crux of Government policy. We encourage housing authorities, housing associations, social services and health authorities to work together so that there is a multidisciplinary approach. That is the best way to cut through the problems and reach a solution as quickly as possible. Another area where the Government are doing a great deal of interrelated work is on drug and alcohol abuse, which is a contributory factor in much mental illness.

Hospital Closures

4. **Mr. Skinner:** To ask the Secretary of State for Health what are the latest figures for the number of hospitals closed since 1979. [10359]

The Minister for Health (Mr. Gerald Malone): This information is not available centrally.

Mr. Skinner: I am surprised that the Government have not fiddled those figures as well. All of us on Opposition Benches know the figures—they are in the Library. Since 1979, 20 per cent. of all hospitals have been closed by this lousy, rotten Government. That is the truth.

On a day when we are told that 400 critically ill children have been turned away from intensive care in the past three months by the tawdry lot opposite, is it not a fitting epitaph for this Government that the national health service is now filled with patients on trolleys in corridors from the cradle to the grave? It is time that the Government got the sack.

Mr. Malone: The hon. Gentleman's reference to the exercise by his own party earlier this morning will be exposed by my right hon. Friend in the debate that follows as a disgraceful ruse. The statistics for hospitals have never been collected centrally. That has been explained in a number of written answers, as the Opposition know. For a party that wants to cut bureaucracy, it would be bizarre if Labour started to collect those figures now, as they are far less relevant than the figures that show how many people are being treated in the NHS, which is what counts.

The hon. Gentleman might be interested to know that, during the past few years, there has been an investment of £15 million in capital building in his health authority. Why does he not welcome that, along with the fact that more patients are being treated? That is what counts.

Dame Jill Knight: Is it not also true that a great many new hospitals have been opened since 1979? Furthermore, is it not true that some hospitals, which were very old and not in a suitable state to serve the public properly, have been renovated, such as the general hospital in Birmingham, which is being converted to the new children's hospital? When Opposition Members speak like the hon. Member for Bolsover (Mr. Skinner), they show that they are dinosaurs who want hospitals built in the early 1900s to remain unchanged and unimproved.

Mr. Malone: My hon. Friend is right to point that out. The hon. Member for Bolsover (Mr. Skinner) an expert in supporting outdated Victorian industrial practices, now seems to want to do the same for Victorian buildings and hospitals. There has been substantial investment in real estate in the NHS. That investment is now threatened by the Opposition, who do not accept the private finance initiative which will be responsible for the building of more hospitals in their constituencies. They would put that at risk.

Redbridge and Waltham Forest Health Authority

5. **Mr. Gapes:** To ask the Secretary of State for Health when he next plans to visit Redbridge to discuss the financial position of Redbridge and Waltham Forest health authority and the situation in local hospitals. [10360]

Mr. Malone: The national health service executive is in regular contact with national health service organisations on behalf of Ministers. I have no immediate plans to visit Redbridge and Waltham Forest health authority.

Mr. Gapes: Why not? Does not the Minister know that, in my health authority, there is a £6 million deficit, that Whipps Cross hospital has cancelled elective admissions since just after Christmas because it cannot cope with accident and emergency admissions, and that King George hospital has 97 per cent. bed occupancy? People are frequently left on trolleys for 12, 15 or 20 hours. Why does not the Minister have the courage to come to my local hospital? I will take him there and show him the problems that the Government have created.

Mr. Malone: If invited, I shall visit the hon. Gentleman's constituency, and I shall be delighted to see the excellent work that has been carried out by the trust in his health authority. He fails to recognise the additional investment that has been made available for this year—an increase of £1.7 million in real terms, a further £4.4 million funding for strategic change and £845,000 for priority services for the rest of the year. Much of that money is now being deployed in trusts in the hon. Gentleman's constituency. I will gladly come along and celebrate the success of that fund as it builds even more facilities.

Mr. Duncan Smith: I encourage my hon. Friend to visit that health authority. Notwithstanding any difficulties that it, like many other health authorities, experiences, will my hon. Friend point out that more than £23 million of capital expenditure has been put into the main hospital there, Whipps Cross hospital, which has resulted in brand new surgeries and a brand new accident and emergency wing, from which local people now benefit?

Mr. Malone: A cross-party invitation is almost impossible to resist, even with a busy diary. If invited formally, I shall certainly try to make time to acknowledge the progress in the constituency of the hon. Member for Ilford, South (Mr. Gapes) and the progress to which my hon. Friend drew attention—progress that would not take place if a Government ever got into office who could not make the pledge made by the Prime Minister, that a Conservative Government would continue to fund the health service and to increase funding in real terms year on year.

Ms Jowell: The nation would be reassured if the Minister would face up to the crisis that is confronting accident and emergency departments throughout the country. What does he have to say to the nurse whom I met recently at Edgware hospital—

Madam Speaker: Order. This question refers to hospitals that are local to Redbridge and Waltham Forest.

Ms Jowell: As at Whipps Cross hospital in Redbridge, which has also been gripped by crisis, the nurse said:

"It has been like a war zone here. We have had to put up 18 beds in the minor injuries unit and the Government tells us that there is no crisis."

When will the Government face the fact that there is a winter crisis in the national health service?

Mr. Malone: I would be delighted to meet the ambulatory nurse to whom the hon. Lady refers. She seems to move with great felicity from one health authority to another, depending on the question that is posed. I would tell that nurse that I am sure that she recognises the investment that the Government have made in the health service. If the hon. Lady wants to set the nation's mind at rest, perhaps she and her Front-Bench colleagues could stop drumming up spoof reports—which are based on no facts whatsoever—to scare the public.

Renal Services (Greater Manchester and Cheshire)

6. **Mr. Nicholas Winterton:** To ask the Secretary of State for Health if he will make a statement on the provision of renal services in Greater Manchester and Cheshire. [10361]

Mr. Horam: Health authorities serving Greater Manchester and south Cheshire have recently consulted the public on proposals to reorganise renal services in the area. The health authority that is co-ordinating the review is presenting its evaluation to all seven participating authorities this month. Afterwards, health authority members and others will have the opportunity to consider the proposals further.

Mr. Winterton: Does my hon. Friend accept that renal failure is a complex illness that often needs the support of other specialties? Does he accept that Macclesfield community health council, which has conducted an in-depth inquiry into the matter and sought public views on the provision of renal services in Cheshire and Greater Manchester, has advanced the unanimous opinion that Wythenshawe hospital, under Dr. Mike Venning and his colleagues, would provide a wonderful hub for the provision of renal services? It found that it would be an advantage to retain three hubs—the Manchester royal infirmary, Hope hospital and Wythenshawe hospital—rather than reducing the hubs to two, with all the associated problems that that would create for those with renal diseases.

Mr. Horam: I hear what my hon. Friend says. He raises an important point. I put it to him that this is a clinician-led review that involves a lot of capital investment. It will obviously be predicated on the desire to secure better health care for renal patients. I am delighted to tell my hon. Friend—the House will understand my relief in saying this, knowing my hon. Friend's formidable lobbying attributes—that it will include improved satellite facilities in Macclesfield which, as he knows, are not nurse or clinician-led at the moment. They will receive full medical support under the proposals.

My hon. Friend will also understand that, if there is opposition to the proposals, or if the health authorities cannot agree on them, they will come to Ministers. In light of that, I must retain the independent view of Ministers to judge the proposals properly when they come before us. However, I shall certainly take into account the points raised by my hon. Friend.

Mrs. Dunwoody: Would the Minister like to astonish us all by putting the patients' interests first? This is not a matter that can be decided by the ill-mannered fighting of individual consultants: it is a matter of providing high-quality satellite facilities to serve not just Macclesfield but any patient in south Cheshire who requires renal assistance. Will the Minister confirm that, as far as he is concerned, the quality of renal services will always take precedence over the particular interests of individual Members of Parliament?

Mr. Horam: Of course that is the case. As I pointed out to my hon. Friend the Member for Macclesfield (Mr. Winterton), this is a clinician-led review with the object of putting more capital investment into a necessary area in order to provide a better service. I am sure that the proposals will achieve that aim, but we take into account all points of view—both those opposed and those in favour—when we consider them.

GP Fundholding

7. **Mr. Butler:** To ask the Secretary of State for Health how many residents of (a) Buckinghamshire and (b) Milton Keynes are served by fundholding general practitioners (i) as a percentage of the population and (ii) in total. [10362]

Mr. Malone: The total registered population in Buckinghamshire covered by a fundholding general practitioner is appropriately 486,000. In Milton Keynes, fundholders serve around 156,000 people. Those figures represent 71 per cent. of the registered population of Buckinghamshire and 80 per cent. of the registered population of Milton Keynes.

Mr. Butler: As a registered patient with one of the best fundholding GP practices, not just in Newport Pagnell and my constituency but in the country, may I invite my hon. Friend to join me in congratulating the doctors who have demonstrated that this policy works in providing an ever-improving and outstanding service to their patients? What advice would he give to my constituents and others who are anxious to continue to enjoy the benefits of GP fundholding after the next election?

Mr. Malone: I am grateful to my hon. Friend for pointing out the excellent work that is being done not only by his GP fundholder but by others in his constituency. I extend that to across the country as well, where the majority of the population of England are now served by GP fundholders. There is a very simple answer to the question that he posed, because in the election one party will be pledged to abolish GP fundholding—the Labour party. The Conservative Government will sustain GP fundholding when re-elected, so my advice is pretty clear: vote Conservative.

Health Service Savings

8. **Mr. Richards:** To ask the Secretary of State for Health what assessment has been made of the likely savings to be made for the health services as a result of the measures contained in the Health Authorities Act 1995. [10363]

Mr. Dorrell: Total annual savings as a result of the Health Authorities Act 1995 are estimated at £150 million: £100 million from the abolition of regional health authorities, and £50 million from the introduction of single, unified health authorities. Those savings will be used for direct patient care.

Mr. Richards: Does my right hon. Friend recall that the savings from administration that he just announced were bitterly opposed by the Labour party? Will he confirm that an additional £300 million a year will be diverted to patient care from cuts in hospital bureaucracy? Therefore, is it realistic for the Labour party to claim that a further £100 million a year can be saved? Where would the money come from?

Mr. Dorrell: My hon. Friend is absolutely right. There will be an extra £300 million a year for patient care as a result of the Government's squeeze on unnecessary administrative processes.

The hon. Member for Islington, South and Finsbury (Mr. Smith) loves talking about savings from reduced administration, but he is not serious about it. Indeed, so unserious is he that the *Health Service Journal*, which circulates among health service managers, says:

"Managers will not lose their jobs, says Smith".

So he will reduce costs on administration but he will not reduce the number of people in administration.

Mr. McNamara: The Minister will be aware that, a fortnight ago, a patient from Leeds was sent to the intensive care unit in Hull, a journey of 60 miles, because there was no room in the Leeds intensive care unit. Last Tuesday, because of no room in the Hull royal infirmary intensive care unit, a constituent of mine, Mr. Dennis Drax, was sent to Leeds, another journey of 60 miles. Sadly, both patients died. How much of the new surplus will be given to our intensive care unit?

Mr. Dorrell: The hon. Gentleman raises an important point; it is not directly relevant to this question, but I shall answer it none the less.

Any individual case where the service may be seen to have failed will of course be investigated, but I hope that the hon. Gentleman will tell the House the whole story of intensive care referrals this winter. I hope that he will remind the House that, this winter, for the first time, every intensive care unit in the health service is connected to an emergency bed referral system, and that an intensive care clinician who needs to refer a patient to another intensive care unit has immediate access to availability in the health service for the first time. The hon. Gentleman might have spared time to welcome that development of service.

Private Finance Initiative

9. **Mr. Jacques Arnold:** To ask the Secretary of State for Health if he will make a statement on the development of the private finance initiative for the construction of new hospitals. [10364]

Mr. Horam: Contracts have been signed for 43 private finance initiative schemes, with a total capital value of £317 million.

Mr. Arnold: Does my hon. Friend remember that, three years ago, when the PFI policy was in its infancy and we were considering the prospects for a brand new district general hospital in Darenth park for the people of north-west Kent, the then spokesman on health for the Labour party, the hon. Member for Peckham (Ms Harman), derided the project as being on a B list and highly unlikely to take place? Will he tell the House what progress is being made with that project, and emphasise the excellent quality of the team in our local NHS trust and the very strong support for the project from the people of north-west Kent?

Mr. Horam: If, indeed, it was on a B list when the Opposition said it was, it has done pretty well since. The Darenth park scheme is progressing extremely well and making good progress. As the House knows, my right hon. Friend the Secretary of State, not least among many others, has put a great deal of effort into introducing a successful product. I am glad to be able to say that he is not alone. There are many schemes throughout the country that are benefiting from PFI, where otherwise there would perhaps be no hope of having a new hospital.

Mr. Barron: Is the hon. Member for Gravesham (Mr. Arnold) aware that he has some support from the Opposition? He said in his last election manifesto that he had taken a leading role in securing the recently announced district general hospital. In fact, it has still not been agreed. We await the hon. Gentleman's next election manifesto.

The Minister referred to 43 projects under the private finance initiative. Not one of them is a new hospital. The Tories have promised PFI hospitals since 1990 but not one has been delivered. The Secretary of State has promised the Prime Minister £500 million of new PFI hospital contracts by April, yet has not delivered £1.

The Government have tried to sweeten PFI deals with tailor-made Acts, but have failed to do so. I understand that, last week, new guidelines were offered to prop up the PFI scheme by making available national health service budget building cuts.

Is not the scenario that I have outlined jeopardising the future of our NHS? When will the Government clean up the mess and start to build new hospitals instead of talking about so doing?

Mr. Horam: That was a long question. In turn, I will ask the hon. Gentleman a short question. Are the Opposition in favour of PFI or are they not? It is—

Madam Speaker: Order. The Government are here to answer questions, not to ask them.

Mr. Horam: We would like some answers, Madam Speaker.

The hon. Gentleman seems not to understand that the proposal for a Norfolk and Norwich general hospital is indeed for a hospital. It will amaze hon. Members on both sides of the House in that area to learn from him that the proposal is not for a new general hospital. In fact, we all know that it is for a new general hospital. What is the hon. Gentleman talking about?

Mr. Dunn: I remember a time when the International Monetary Fund, not the then Government, determined our health expenditure. Will my hon. Friend accept my thanks on behalf of the people of Dartford for all the help that he has given to the PFI, leading to the construction of a new district hospital with 400 beds—a state-of-the-art hospital—in my constituency, which was opposed by the Labour party throughout, by its Front-Bench spokesmen?

Mr. Horam: That is a fact. The reality is that hospital projects are going forward throughout the country and not only in west Kent. We are seeing projects going forward in Norfolk and Norwich, Durham, Worcester and Carlisle. Such projects are progressing throughout the country as a result of the PFI, with no thanks to the Opposition, who have constantly sniped and accused us of privatisation, all to no effect.

NHS Pay Awards

10. **Mr. Robert Ainsworth:** To ask the Secretary of State for Health what assessment he has made of the efficacy of local pay bargaining as a means of determining pay awards for NHS staff. [10365]

Mr. Dorrell: Local pay is delivering fair and affordable rewards to staff while supporting the development of flexible and responsive health services.

Mr. Ainsworth: Is the Secretary of State aware of the recent comments made by Ken Jarrold, the director of human resources of the national health service executive? He said that local pay arrangements would be considered successful only if deals had been made in 50 per cent. of NHS trusts. Surely the right hon. Gentleman is aware that, to date, almost a year after the system was set up, settlements have been reached in only 25 per cent. of NHS trusts. Does he agree with the director's comments or does he not?

Mr. Dorrell: The hon. Gentleman has got the facts wrong. As of last Friday, 228 trusts had agreed local deals with their staff. They represent 53 per cent. of all trusts. The substantive question that parties must answer is whether they are in favour of accepting the recommendations of the independent review bodies. The independent nurses' pay review body recommended a system of local pay. The question that every party must answer is whether it is in favour of the continuation of those review bodies and of respecting their advice. The Government are in favour of respecting their advice, which is why we accepted their recommendation in favour of local pay, and why we are implementing it.

Mr. Bill Walker: Does my right hon. Friend remember a time when pay was agreed centrally, when there was civil war in the Labour party, and when there was a pay freeze, which led to the winter of discontent? Is that not the likely scenario ahead of us if we ever get a Labour Government?

Mr. Dorrell: My hon. Friend has quite an authoritative figure on his side. No less a figure than the right hon. Member for Dunfermline, East (Mr. Brown) was busy yesterday warning nurses:

"Pay squeeze here to stay, Brown warns the nurses".

It will be interesting to see how quickly Labour Members have learnt their party's new lines when they meet members of the Royal College of Nursing in their constituencies.

PRIME MINISTER

Engagements

Q1. **Mrs. Anne Campbell:** To ask the Prime Minister if he will list his official engagements for Tuesday 21 January. [10386]

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mrs. Campbell: In April last year, the Health Secretary promised to deliver a proper level of paediatric intensive bed space. Will the Prime Minister explain to the House why, despite that promise, 15 critically ill children have been turned away from Addenbrooke's hospital in Cambridge in the past few months? Can he not keep any of his promises?

The Prime Minister: The hon. Lady should check that her facts are accurate before she mistakenly sets out such policies. Every child needing a paediatric intensive care bed this winter has been found one. The bogus figures that the Labour party has produced can self-evidently be seen as bogus. Perhaps the hon. Lady would care to hear what Dr. David Hallworth, chairman of the independent Paediatric Intensive Care Society, said. He called Labour's claims "pretty meaningless", and very wisely added that this issue should not be

"subject to party political point scoring."

Sir Terence Higgins: Does the Prime Minister agree that the electorate are not naive? They know that a promise not to increase rates of income tax is not the same as a promise not to increase personal taxation. If one says that one wants a starting rate of 10p, that is utterly meaningless if one does not also say at what level it will start and how wide the band will be. Will my right hon. Friend comment on the Government's record on such matters?

The Prime Minister: One simply needs to look at which was the last party to put up the basic rate of tax; and one recalls that it was the Labour party. One should look at which party has never supported a single Conservative tax cut and has done nothing to get the basic rate down to 23p—I think that Labour Members know that it is their party—at which party has supported absolutely no measures to control expenditure—the Labour party has supported none—and at which party has made £30 billion-worth of promises that it has not yet disclaimed, but that it must disclaim if it is to stand up its ludicrous claim that it will not increase taxes.

Mr. Blair: The Conservative party's 22 tax rises since the last election must have slipped the Prime Minister's mind for a moment.

May I return the Prime Minister to the point about intensive care beds for children? Does he accept that the figures given by hospitals of the number of children turned away—eventually found a bed in other hospitals, but turned away—are correct? If they are correct, how does that square with the Health Secretary's promise that the whole matter would be dealt with, and that there would be no repetition of that practice, given what happened last year?

The Prime Minister: I said a moment ago that the report produced by the Labour party was alarmist nonsense. I repeat that point. Every child needing a paediatric intensive care bed this winter has been found one—

Mrs. Ann Taylor: Not to the parents.

The Prime Minister: Of course not to the parents—but, unless the hon. Lady will persuade the shadow Chancellor to provide more resources for health, I suggest that she and the right hon. Member for Sedgefield (Mr. Blair) should not criticise a service that is treating more people, and treating them better. Just occasionally, it would be wise of them to praise the health service for the way in which it deals with the growing demands of health care, rather than always criticising it.

Mr. Blair: We do praise the national health service. We built the national health service. What we condemn is the Government's record on the national health service.

May I put this to the Prime Minister? Of course it is the case that children are eventually found another bed—that was the case even in the tragic instance of Nicholas Geldard, which gave rise to this whole problem—but the Secretary of State for Health claimed that the business of having to go from hospital to hospital would stop. May I give the Prime Minister an instance from Bristol children's hospital? Since January this year—even this year—15 children, just at that hospital, have been turned away because of a shortage of beds. Does the Prime Minister accept—*[Interruption.]* Hon. Members may shout, but does the Prime Minister accept that we are talking not just about intensive care beds for children? Has he seen the report prepared on community care for the mentally ill, and what today's newspapers say about problems for doctors' practices? Can he not accept that there is a crisis in some parts of the national health service, and that it is not good enough for him and other Ministers just to conceal the true state of affairs this side of a general election?

The Prime Minister: If there is a crisis, and the right hon. Gentleman is concerned about the language of priorities, why does he not match our pledge on spending in the national health service? If there is a crisis, why are more people being treated in the national health service than ever before? If there is a crisis, why have we met the charge set out by the shadow Foreign Secretary, the right hon. Member for Livingston (Mr. Cook), on whether our reforms are working—that is, whether more people are being treated?

There are more intensive beds; there are more treatments; there are better treatments; there are speedier treatments. Unless the right hon. Member for Sedgefield is going to follow the lead that we have set in providing resources for the health service over the past 18 years, and committing ourselves to do so in the future, he is doing nothing more than seeking to make political capital out of a service that is dealing with a growing demand with great skill.

Mr. Blair: May I put it to the Prime Minister that, over the past few years—since he has been in charge of the national health service—the service has been given 20,000 more managers but has 50,000 fewer nurses? Is it not the case that the national health service would be better if it were run as a proper co-operative service again, rather than hospital against hospital and doctor against doctor? The only party that will rebuild Britain's national health service is the party that created it.

The Prime Minister: It is perfectly true that the Labour party established the national health service, and I offer it full credit for its role in following up the Beveridge report instituted earlier by an all-party Government; but it is the Conservative party that has built up the health service. We have been in power for two thirds of the period that has elapsed since then, and we have built up the health service from its beginnings into a service that is now recognised as the best in the world.

The figures that the right hon. Gentleman quotes on managers are wrong. The impression that he consistently gives of the health service runs it down. It would be very refreshing if, just for once, Labour Members acknowledged that we have on our hands the most successful national health service in the world, which provides more and better treatments than ever before. The reality is that the people of this nation who use the health service understand that, even if the Labour party, using it as a political football, does not.

Mr. Rathbone: During the course of today, when the Prime Minister looked back on his trip to the far east, did he remember seeing there a beautiful and very rare flower called the rafflesia amoldia, which is parasitic in nature, is without a stem or roots and which with its vines embraces any handy, strong tree? If he did, did he draw any conclusions from seeing it?

The Prime Minister: I saw no such flowers on that occasion.

Mr. Ashdown: Will the Prime Minister accept that, in last night's vote, the Government won no part of informed opinion, including that in his own party, in support of their proposals for bugging people and their homes through the Police Bill? Surely he cannot accuse four past Home Secretaries, including a Conservative one, one past Conservative Attorney-General, the present Lord Chief Justice and many Law Lords of failing to back the police because they insist that those wide-ranging powers ought to be subject to prior judicial authority. We all understand that the Home Secretary must take time to digest that vote, but will the Prime Minister at least assure us that, rather than riding roughshod over that opinion, he will listen and respond to it? Will he note that, if he wishes to do so on a cross-party basis, we stand ready to participate?

The Prime Minister: The whole House, including I assume the right hon. Gentleman, knows that intensive surveillance has been going on under successive Governments under the mantra of guidelines for about 30 years: there is nothing new about it. The purpose of the Bill was to put it on a statutory footing: that was what my right hon. and learned Friend the Home Secretary was seeking to do, and he proposed that it should be put under independent review. The amendments tabled by the Labour and Liberal parties in the Lords contradict one another. They are unsatisfactory and will need to be changed. Of course my right hon. and learned Friend the Home Secretary will reflect upon the view that was expressed in another place, but the right hon. Gentleman has to realise that intensive surveillance can be used only in investigating serious crime and where there is no other way of obtaining the intelligence. That is an important principle, and I hope that the right hon. Gentleman will not wish to move away from that principle.

Sir Patrick Cormack: Will my right hon. Friend remind those who listened with incredulity to the yesterday's speech by the shadow Chancellor that, although imitation is the sincerest form of flattery, it is no substitute for the original?

The Prime Minister: I suppose that every Conservative Member regards imitation as the sincerest form of flattery, but the reality is that, whatever the best intentions of the shadow Chancellor, the sheer nature of the Labour party is such that he certainly could not deliver that which he has promised. He knows that, I think the electorate know that, and the faces behind him portray that very clearly.

Q2. **Mr. Donohoe:** To ask the Prime Minister if he will list his official engagements for Tuesday 21 January. [10387]

The Prime Minister: I refer the hon. Member to the reply I gave some moments ago.

Mr. Donohoe: Since 1989, some 25 per cent. of beds have been lost to the national health service in Scotland. Today, the senior Duke, the Duke of Hamilton, who happens to be the brother of the Minister who has responsibility for health in Scotland, told the people of Scotland that the Tories cannot be trusted with health. Does the Prime Minister agree?

The Prime Minister: Perhaps the hon. Gentleman could explain, after yet another attempt to denigrate the health service by the Labour party, why more people are being treated in the health service in Scotland and elsewhere. Can the hon. Gentleman explain that, or is he playing "follow my leader" by trying to use Britain's national health service as a party political football for the Labour party?

Mr. John Greenway: Will my right hon. Friend ask to see a report of the incident overnight at Full Sutton prison? When he does, does he expect to find that the progress that has been made in the Prison Service in recent years will be reflected by the fact that the disturbance was quelled quickly by the excellent work of the Prison Service and prison officers, to whom praise is due? Will he note that Full Sutton is a modern prison with no overcrowding, but that it holds some of the most violent prisoners in the country? It is their behaviour that was the cause of the riot.

The Prime Minister: My hon. Friend makes his point with great clarity and I need not add to it. I agree with him. I shall be seeing the report of what happened last night and I am delighted that it was handled so swiftly and efficiently.

Q3. **Mr. Clelland:** To ask the Prime Minister if he will list his official engagements for Tuesday 21 January. [10388]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Clelland: Will the Prime Minister accept some facts about the national health service? The Royal Victoria infirmary in Newcastle has turned away 23 children in need of intensive care beds in the past three months, including a 20-month-old baby who had to be taken 120 miles north to Edinburgh. If we add to that the case of my elderly constituent who, tragically, died after being driven 40 miles south to Hartlepool because there were no beds available in Gateshead, surely even the Prime Minister can see why the Tories are no longer trusted with the national health service.

The Prime Minister: Of course I cannot respond immediately to the individual cases that the hon. Gentleman raised—if he had wished me to do so, he would doubtless have given me notice of them—since literally hundreds of thousands of people are treated in the national health service every day. The hon. Gentleman gave some facts about the health service; perhaps I can give him some. We now spend £724 for every man, woman and child in the country compared with £444 in 1979. *[Interruption.]* It is nice to see that the mouth of the Humber has returned from Hong Kong.

The hon. Member for Tyne Bridge (Mr. Clelland) will also know that, each and every year since 1979, there has been a significant real-terms increase in resources in the health service. More people are being treated and there are more doctors, more nurses and better and wider treatments. That is a success story and, try as it might, the Labour party—the Labour party is certainly very trying—will not be able to damn the success of the national health service.

BILL PRESENTED

Regulation of Diet Industry

Mrs. Alice Mahon, supported by Mrs. Ann Clwyd, Mrs. Audrey Wise, Ms Dawn Primarolo, Ms Jean Corston, Ms Diane Abbott, Mr. Tony Banks, Mr. Ken Livingstone, Ms Clare Short, Mrs. Helen Jackson, Ms Mildred Gordon and Ms Harriet Harman, presented a Bill to regulate the diet industry; to bring all medicines relating to diets under control; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 28 February, and to be printed [Bill 72].

United Kingdom Membership of the European Union (Referendum)

3.32 pm

Mrs. Teresa Gorman (Billericay): I beg to move,

That leave be given to bring in a Bill to provide for the holding of a referendum on the United Kingdom's membership of the European Union.

The question I propose is whether we should renegotiate our membership, limiting it to trading arrangements, or pursue full integration, probably with a single currency. The Bill does not advocate leaving Europe.

In another place on Friday, quite by coincidence, the noble Lord Pearson, with cross-party support, will propose the repeal of section 2 of the treaty of Rome—which, incidentally, would allow renegotiation to take place.

It is 22 years since the last referendum on this subject, and a great deal of water has gone under the bridge since then. The issues that concern us today were not even mentioned then. Then it was about trade, but today the issues are far more political, and impinge far more on the everyday lives of our constituents. Indeed, at the weekend Mr. Santer was putting forward sweeping proposals for social changes and intervention, which would affect the matters on which the election will be fought—health, education and so on.

Parliament is no longer sovereign as it once was. However the small print of Rome was written, it was not explained in detail to the British people at the time, and now the chickens are coming home to roost.

Everywhere I go in my constituency of Billericay—which now includes a large slice of Basildon, incidentally—in the pubs and clubs, the supermarkets and the high street, people do not complain to me about the health service—they think it is splendid. Nor do they complain about the schools—they are excellent. They are delighted that, for example, more children will be able to go to nursery school. The questions they all ask me are, "What are you going to do about Europe? When are we going to get a referendum?" They see a referendum as the only way in which they can have a say on matters they read about in newspapers and see on television every day.

Hardly a week goes by without some row between us and Europe over new legislation that we apparently did not expect and apparently do not want, so it appears very much as though we are at odds with those who are supposed to be our partners. At my local fish and chip shop, constituents see a large banner saying, "Save British fish". They have to go to the nearest supermarket for their meat, because the local butcher—a shop that had been there for 150 years—was closed down because of all the new regulations, which literally prevented him from using his old chopping block and the knives that his father and grandfather had used. The butcher could not afford the new regulations—*[Interruption.]*

Madam Speaker: Order. The House will come to order and hear the hon. Lady properly. Any hon. Member who wants to oppose the Bill can do so, but there is a time to do so, and it is not while the hon. Lady is speaking.

Mrs. Gorman: Many of the regulations originate in European directives, and they are killing small enterprises. The list goes on and on. My constituents bitterly resent that, but they feel impotent to do anything about it. Most of the time, we seem to be at daggers drawn with people we call our partners. My constituents know no other way of reasserting what they consider to be the rights of the British people except to say, "Can we have a referendum to put our point of view across?" *[Interruption.]*

This is not a party political, but a national, issue. I must tell the hon. Members on the Opposition Benches who are busy chortling that many people have told me that they are normally Labour voters but will vote for me because I stick up for them on the European issue and put their point of view across. Those hon. Gentlemen may be laughing on the other side of their faces when, at the next election, Basildon again declares its results early and returns a Conservative Member of Parliament.

In a recent poll carried out by a national newspaper in my constituency, 64 per cent. of people said that they would totally oppose giving up the pound, and others said that they would like to get out of Europe altogether—my Bill does not advocate that. There has been a massive shift in public opinion.

One constituent, putting it his own way, said, "Who wants pockets full of bottle tops instead of good old British money?" *[Interruption.]* Hon. Members may laugh, but the new currency would mean 15 new pieces of paper and metal, none of which would equate to the current values of coins and notes. People would have to learn a new financial language. When we introduced decimalisation, people had a lot of trouble with that—Chancellors might not have done, but the people did. We will have even more trouble if we go ahead with this scheme.

Sometimes it behoves the people who are barracking or chortling away on the Opposition Benches to remember that these grandiose schemes boil down to their effects on the lives of ordinary people. The utopian ideas of Brussels sometimes end up as Essex man's bankruptcy petition. The idea that a single currency is the only way in which European trade can proceed is totally absurd. I hope that we can gain a commitment that we will not go ahead with that silly idea.

The views of most hon. Members are well known, especially to you, Madam Speaker, because you have to call us in the few European debates we have; but we do not know what the bulk of our 58 million constituents think about Europe these days. We are in the run-up to a general election and all parties are setting out their stalls, but there are very few discussions about Europe, which is the issue that I know that my constituents want me to bring to the attention of the House.

We cannot run away from or keep a lid on the issue of Europe. A referendum may not be ideal, but it is the only way I know of finding out what people want and giving them that outlet. When all the parties have similar views on Europe, Dicey tells us that extremist parties arise. He says that, to solve the problem, we should have a referendum, and that is what I am calling for today.

Madam Speaker: I call Mr. Denis MacShane to oppose.

3.40 pm

Mr. Denis MacShane (Rotherham): Thank you, Madam Deputy Speaker. [HON. MEMBERS: "Now you've had it."] Forgive me, Madam Speaker.

I do not think that, in pure terms, the hon. Member for Billericay (Mrs. Gorman) will find much opposition to her Bill, because for some time it has been the policy of the Labour party and of the official Conservative party to put to the people the question of continued membership of the European Union or the specific question of a single currency. [HON. MEMBERS: "That is not the same thing."] It is not the same thing at all, but were that simply the technical debate before us, the Bill would not be worth opposing.

It is a paradox that the hon. Lady, in defending the sovereignty of Parliament, is proposing to remove from Parliament its sovereignty to decide a great question. It is also perhaps a paradox that she, who has often gone through the Division Lobbies in her long years as the hon. Member for Billericay to remove from many British people—from local authorities, civil society organisations, trade unions and others—the right to decide for themselves in various areas of their lives and activities, should now complain that Britain has to share some of its power with our partner nations in Europe.

The hon. Lady is, however, an adornment to the House, and I think that it is fair to say that we all love her—[HON. MEMBERS: "No."]—but she is about to hear the iron maiden of truth clamping around her farrago of fantasy and misleading information. She may be the chirping chimpanzee presenting the Bill, but behind her are organ grinders with a deeper purpose.

The motion concerns not only a technical debate on a referendum: it is the opening shot of a campaign to get Britain out of Europe. I wish that every business man and every ally of our country was here today, so that they could understand the deep, persistent and unbridgeable divisions in the Conservative party. At home and abroad, the Conservative party is seen as profoundly anti-European.

I am not interested in Tory divisions. We shall see whether the hon. Member for Stafford (Mr. Cash) and the right hon. Members for Wokingham (Mr. Redwood) and for Kingston upon Thames (Mr. Lamont), all of whom are in the withdrawalist camp, come to vote today, and whether members of the Cabinet who are busy issuing anti-European manifestos turn up to join them.

In the few minutes left, I want to put a positive case for Europe, because I believe that continued British membership of the European Union is vital for our trade and security, and for consolidating democracy. As a great trading country, we sell more to France than to all the Commonwealth countries put together. We sell more to the Netherlands than to Korea, Taiwan, Singapore and China put together. Every pound of inward investment into the United Kingdom, such as the Nissan jobs announced yesterday, comes because we are part of the world's biggest trading community.

To the east of the Community, we have an enormous new opportunity as countries such as Poland, the Czech Republic, Slovenia and Hungary post east Asian levels of growth. They are clamouring to join the Europe from which the hon. Member for Billericay, and her referendum supporters such as James Goldsmith, wish us to become semi-detached.

It is no coincidence that the leaders of the new democracies in eastern Europe, as has been said by Gyula Horn, the Prime Minister of Hungary, are prepared to alter their judicial, legal and social norms to become part of the EU. They understand that pooling sovereignty and sharing power are essential prerequisites for the new international global economic order. We are doing that through the World Trade Organisation, and it is sheer fantasy to imagine that we can start to withdraw from the EU and have an à la carte, pick-and-choose Europe. We may pick the things we want; the rest of Europe will pick what they want, or do not want from us.

Britain has always been an open, free-trading, welcoming nation, and we cannot turn from that path. The hon. Member for Billericay and I had a discussion on the BBC yesterday. She asked whether the British people really wanted to take orders from people with foreign-sounding names. She should be careful about that, because among the Cabinet, among the fathers and grandfathers of the Cabinet, and among Opposition Members, there are plenty of foreign names. The best of the British tradition has been when we have been open to every possible foreign influence.

The problem is only in Britain. As hon. Members tramp around Europe, as many of us do, we find that of course there is a debate on economic and monetary union and the technical modalities, on reform of the common agricultural policy and on security and immigration policy. However, everyone asks me how Britain can have open borders with Ireland, a sovereign republic with which we have many differences, when we put up so many obstacles to people visiting from France or Germany.

It is only in Parliament that we hear the rising clamour for withdrawal. The hon. Member for Billericay has many friends in the media; much of the press is on her side. People who put the positive case sometimes have difficulty in getting their voices heard. Even some of the pro-European newspapers are like foxes running from covert to covert, trying to find a policy on which to settle.

However, there are many Government and Opposition Members who will not allow the distortions and dishonesties of Goldsmith and his followers to go unchallenged. Our country has seen that tradition before: the tradition of hostility to faraway places of which we know little, and foreign-sounding people we do not like; of isolationism; of appeasing forces operating from some hacienda or bunker that tell us what to do.

I believe that the House, and the country, will not have that. That is why I am not frightened of a referendum or of the forthcoming general election, in which the party that stands clearly for a positive Britain in Europe will win handsomely, and the party that is divided, unsure, isolationist and frightened of Europe will be defeated.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House proceeded to a Division.

SIR TEDDY TAYLOR *and* MR. BILL WALKER *were appointed Tellers for the Ayes but no Member being willing to act as Teller for the Noes,* MADAM SPEAKER *declared that the Ayes had it.*

[Mr. Denis MacShane]

Bill ordered to be brought in by Mrs. Teresa Gorman, Mr. David Trimble, Mr. Tony Benn, Sir Teddy Taylor, Mr. Christopher Gill, Mr. Austin Mitchell, Mr. Edward Leigh, Sir Richard Body, Mr. Rupert Allason, Mr. Graham Riddick, Mr. Richard Shepherd and Mr. John Wilkinson.

UNITED KINGDOM MEMBERSHIP OF THE EUROPEAN UNION (REFERENDUM)

Mrs. Teresa Gorman accordingly presented a Bill to provide for the holding of a referendum on the United Kingdom's membership of the European Union: And the same was read the First time; and ordered to be read a Second time upon Friday 31 January, and to be printed [Bill 73].

Opposition Day

[3RD ALLOTTED DAY]

National Health Service

3.53 pm

Mr. Chris Smith (Islington, South and Finsbury): I beg to move,

That this House expresses its deep concern at the grave situation now evident in the National Health Service in England, Scotland, Wales and Northern Ireland; believes that anxiety about Her Majesty's Government's policy for this situation now transcends party lines; notes with alarm that throughout the United Kingdom beds have been cut, operations are being cancelled, intensive care beds are unavailable, and emergency services are under intolerable pressure; believes that the spiralling costs of the internal market—now totalling an extra £1.5 billion a year—and its diversion of resources away from front-line patient care have created these problems; salutes staff of all kinds and at all levels in the NHS who have worked hard to keep the service going; believes that government policy has left many people in urban and rural communities without the access to health care they need, especially in relation to services for the elderly and for those being discharged from hospital after surgery at an increasingly early stage; deplores the way in which many NHS decisions, especially on the future of hospitals and casualty services, are being taken in a manner that does not give due weight to the views of local people; and calls upon Her Majesty's Government to set about restoring the NHS as a public service that puts patients first.

The starting point for the debate must be that the national health service is in a serious crisis. It is not just the Labour party which is saying that, but the British Medical Association, the Royal College of Nursing and the report of the King's Fund on mental health services in London. The figures that we published this morning, to which I shall refer later and which were the subject of discussion in relation to the question on paediatric intensive care at Prime Minister's Question Time, also show it.

Mr. Michael Fabricant (Mid–Staffordshire): I am grateful to the hon. Gentleman for giving way to me so early in the debate. On the subject of crisis, did he see the ITN news last night, when a member of Unison—a hospital worker—having heard the speech of the right hon. Member for Dunfermline, East (Mr. Brown), said that if Labour were elected there would be another winter of discontent and the national health service would be in crisis?

Mr. Smith: I like to think that we should be discussing, not one individual's views of what might happen in a year's time, but what is happening here and now. In wanting to address those issues, we share the Secretary of State's views.

A rather plaintive letter from the NHS executive of the South and West region, dated 28 November and sent out to all health authority chief executives, begins as follows:

"The Secretary of State has asked for regular fortnightly briefing on winter pressures. We understand that he wishes to have a full understanding of the pressures the acute services are under during the winter."

The Secretary of State wants information, so let us give him some. Let us tell him, for example, about the waits being experienced in casualty units up and down the country. Let us tell him about Geoffrey Coppin, a stroke victim who spent two and a half days on a trolley in St. Helier hospital. His daughter had to go out and buy pillows at Woolworths to make him comfortable. Let us tell the Secretary of State about Stanley Coombs, a 69-year-old man from Mitcham with chronic lung disease who had a 20-hour wait in casualty at St. George's hospital in Tooting. Those are not isolated examples: they occur time after time around the country.

Let us tell the Secretary of State about those people who, owing to long casualty waits, eventually feel forced to opt for private medical treatment to shorten their wait. Let us tell him about Mary Vaughan, an elderly pneumonia sufferer. After she had spent 21 hours on a trolley in St. Helier hospital, her son paid for a private bed for her at St. Anthony's hospital, Cheam. Mildred Brown, a 77-year-old with a broken ankle, had an eight-hour wait at Wythenshawe hospital and finally went to the private Alexandra hospital in Cheadle. Why should people who have paid into the national service all their working life now have to use their last pennies to pay for private care?

Let us tell the Secretary of State about the new experience of people who are waiting not just on hospital trolleys in casualty departments, but on ambulance trolleys. At the end of December, patients at Llandough hospital near Penarth in south Wales had to wait 45 minutes on ambulance trolleys before being admitted because accident and emergency staff were swamped. As a result, ambulance crews had calls backing up because they were tied up at the hospital waiting for trolleys to become free.

Let us tell the Secretary of State about the patients being discharged too early—the patients being sent out from Bristol royal infirmary in the middle of the night to make way for emergencies that the hospital could not accommodate. Let us tell him about the search for intensive care beds around the country. A child was taken to Sunderland general hospital with breathing difficulties, but because no intensive care beds were available in Tyne and Wear he had to be driven 120 miles to Scotland to find a place to be treated. Edna Harrison was treated at St. James's hospital Leeds after suffering a heart attack. She was unable to be admitted because all 13 intensive care beds were taken. She was then taken 60 miles by ambulance to Hull after two hospitals were unable to find her a bed. Those are examples of the search around the country for beds in accident and emergency or intensive care units.

Let us tell the right hon. Gentleman about cancelled operations—about Queenie Harrild, the 69-year-old heart operation patient from Lewisham who died after her operation was cancelled four times in 11 days, or about the 3,000 non-urgent operations cancelled or postponed at the Royal Devon and Exeter hospital, including in some cases patients in severe pain. Four major hospitals in Wales are now closed to non-emergency cases. In Nottingham, the Queen's medical centre has said that only emergency and life-threatening cases will be admitted until further notice. The North Staffordshire Hospital NHS trust has said that all elective surgery has been cancelled until further notice.

That is the reality of what is happening up and down the country, affecting patients and hospitals. For the Secretary of State and the Government to claim that everything is hunky-dory is to fly in the face of the real experience of real people and real patients.

Mr. Charles Hendry (High Peak): Perhaps I may give the hon. Gentleman another example—that of my father, who was dying of cancer when the last Labour Government were in power. It was not a doctor who decided what he could be fed when in hospital, but a trade union official who decided that he could not be given soup, which he could swallow, but that he would have to be given hard-boiled eggs, which he could not swallow. He died. That is one of the reasons why people like me will never believe that the health service can be safe in Labour's hands.

Mr. Smith: Any such imposition by anyone on any patient is completely unacceptable and no one would argue to the contrary. We argue that the current state of the health service shows that it is not in good hands. The evidence of what is happening to patients clearly demonstrates that. The Secretary of State says that people have long memories, and that is true: they know what the Government have done to the national health service and they will remember it when they come to the ballot box.

My hon. Friend the Member for Dulwich (Ms Jowell) painstakingly carried out a survey on the state of paediatric intensive care. We talked to hospital after hospital and established the precise figures in each case. The Government have said that the figures are complete nonsense and the Prime Minister airily dismissed them at Prime Minister's Question Time, but they are not complete nonsense: we have a recording of every telephone conversation with every one of the 19 hospitals that provided information and we know precisely how many children each of those hospitals has had to turn away.

The Secretary of State for Health (Mr. Stephen Dorrell): The hon. Gentleman does not accept the words of my right hon. Friend the Prime Minister, but does he disagree with the chairman of the British Paediatric Intensive Care Society, Dr. David Hallworth? My right hon. Friend quoted Dr. Hallworth, who said:

"Figures in isolation are pretty meaningless."

Mr. Smith: I disagree with the application of that point to Labour's figures.

Mr. Dorrell: Will the hon. Gentleman give way?

Mr. Smith: In an act of unusual generosity, I will give way to the Secretary of State again.

Mr. Dorrell: The hon. Gentleman has made it clear that he rejects the advice of the chairman of the British Paediatric Intensive Care Society—a man who devotes his life to providing the sort of care that the hon. Gentleman is talking about. Will the hon. Gentleman tell the House whose advice he does take?

Mr. Smith: The advice I certainly do not take is that of the Secretary of State, who obviously did not hear what

[Mr. Smith]

I said. I said that I did not agree with the application of that remark to the figures that Labour has produced. The figures were accurate and painstakingly collected—

Mr. Dorrell: They tell us nothing.

Mr. Smith: They actually tell us an awful lot. They tell us that children referred to paediatric intensive care units near where they live and where they can get immediate treatment are being told, by hospital after hospital, that they cannot be seen there. Quite possibly they get a bed somewhere else eventually—100 or 200 miles away—but that is not an adequate response to the needs of very sick children.

Mr. Dorrell: Will the hon. Gentleman confirm that no child who needed intensive care and was referred to the emergency bed service was denied intensive care? Will he also tell the House, if that is not the right standard, what standard he would apply to the service?

Mr. Smith: The Secretary of State has quoted one paediatric intensive care consultant to me. I will quote another to him. Dr. Mark Darowski, paediatric intensive care consultant at Leeds general infirmary, says:

"Mr. Dorrell has not learnt the lessons of last winter".

He told the *Yorkshire Evening Post* on 4 January:

"It is just luck that we have not had another Nicholas Geldard. On New Year's eve there was one paediatric intensive care bed available in the whole of the North of England. We've been operating at 100 per cent. and only luck has prevented the system crashing."

It is all very well the Secretary of State claiming that there have been only 40 referrals to the intensive bed central monitoring unit over this period—nothing like the figures that the Labour party has produced. He ignores the fact that many referrals are made outside the centralised system—

Mr. Dorrell: Successfully.

Mr. Smith: I do not call it success when children have to be carted from one end of the country to the other to find intensive care beds.

Mr. Hugh Bayley (York): I remind the House that Dr. Mark Darowski was the doctor who admitted Nicholas Geldard to Leeds general infirmary and who had the unpleasant task of telling the child's parents that he had died on his way over the Pennines through a snowstorm. A year ago Dr. Darowski wrote to me drawing my attention to the fact that the regional health authority, just before it was abolished, recommended that the Northern and Yorkshire region needed seven additional paediatric intensive care beds to meet patient demand. Since then, just one has been provided. Surely the Secretary of State must explain how the promise that he gave the House in the spring of last year is to be kept.

Mr. Smith: I have the Secretary of State's words of 6 March 1996 in front of me. He said:

"There is no doubt about the need now to deliver a proper level of paediatric intensive bed space. It will be done".—[*Official Report*, 6 March 1996; Vol. 273, c. 360.]

Certainly, the Secretary of State organised a report which was published and put in the Library of the House a couple of months after his statement. About 20 more beds were provided around the country—

Mr. Dorrell: Thirty, actually.

Mr. Smith: The latest Library figure was 20. In any event, it is welcome news that more beds have been provided, but it is clear from what happened this winter that we still do not have a proper service. It would behove the Government rather more, instead of trying to bluster their way out of the problem, to admit that the service is not yet adequate and tell us how they intend to make it so.

One of the problems is that the Government do not know what is happening in relation to many aspects of health care. It is interesting that they can now give us precise figures for paediatric intensive care beds. When my hon. Friend the Member for Dulwich asked, in a parliamentary question on 12 December last year, how many paediatric intensive care beds there were in this country, the Secretary of State replied that the information was not held centrally. He can tell us how many extra beds the Government have created since his statement of 6 March last year, so perhaps he can now say that the information is held centrally. It is important that it should be held centrally for the proper planning of serious emergency services. I shall return to that point in a moment because it is not the only area in which the Government do not know what is happening.

It may be because the Government do not know what is happening within the health service that they blithely claim that everything is going wonderfully well. I was struck at Prime Minister's Question Time when, in response to an Opposition question about the Government's handling of the national health service, the Prime Minister's final remark was that this was a success story. How can it be a success story when patients have to wait on hospital trolleys or ambulance trolleys, operations are cancelled, beds are closed, accident and emergency services are in crisis and children are being sent halfway across the country for paediatric intensive care? I do not call that a success story.

The Secretary of State told the "Today" programme this morning that the NHS is improving year by year. I do not call it improvement. In the real world, people who work in the health service are struggling in the face of ferocious odds to preserve a decent service, provision for ordinary people is collapsing, operations are being cancelled in hospital after hospital and in many parts of the country it is now impossible to get elective general surgery before the next financial year.

Mrs. Alice Mahon (Halifax): This morning I contacted hospitals in Leeds to find out why a constituent of mine who has been waiting 14 months for heart bypass surgery had been sent a letter saying that he could not have the surgery in the foreseeable future, but that if he went to Leicester he could have it in two or three months' time. I understand that all Calderdale patients waiting for heart bypass surgery are in exactly the same position. That is the reality of Conservative health care.

Mr. Smith: That is, indeed, the reality of what is now happening. It is even worse because not only are

distinctions made between people in different areas, depending on their hospital or health authority, but distinctions are also made between availability of and access to treatment, depending on the general practitioner. GP fundholders' patients who happen to come under the aegis of Lincoln county hospital can have their out-patient appointments within the following month, but patients of a non-fundholding GP cannot have an out-patient appointment until the next financial year. Not only are people told that they must wait months for operations or out-patient appointments, but they are treated differently even though they have the same medical condition. The health service was supposed to treat people according to need, not according to where they happen to live or the type of GP that they happen to have.

Mr. Stuart Randall (Kingston upon Hull, West): Is my hon. Friend aware that at Hull royal infirmary the unit which deals with coronary cases is no longer making forward appointments? I am advised that that is because the beds are being used for orthopaedic and medical cases.

Mr. Smith: My hon. Friend gives me information of which I was not aware, but it adds to the overall picture of the condition of the NHS.

Perhaps the Secretary of State does not realise what is going on, as he has had other things on his mind. One day during the Christmas and new year recess, he popped up on our television screens as the Conservative spokesman on the family. A couple of days later, he popped up on the radio as the Conservative spokesman on the constitution. A few days after that, he decided to give us his considered views on Europe, which do not appear to have done him much good with either wing of his party. While all that frenetic activity was going on, it is small wonder that the NHS was falling to pieces without the Secretary of State noticing.

Mr. Simon Hughes (Southwark and Bermondsey): The hon. Gentleman knows that I share his view that much in the health service is not going right. It is difficult to take an objective view of the aspects that have or have not improved; many aspects have improved. Does he object to the idea that I proposed to him—that we should try to separate the argument from the facts, and that we take out of the political arena an assessment of what the NHS has by way of beds and hospital capacity and what it needs? We should get independent people to examine that, so that we can argue on the basis of objective, agreed facts, and not on the basis of the hon. Gentleman's political views, mine or those of the Secretary of State.

Mr. Smith: I hesitate to point out to the hon. Gentleman that the last time that a supposedly objective examination was conducted, it was carried out by a character called Professor Tomlinson in relation to London's hospital provision. I am not sure that a repetition of that exercise would be helpful. However, I sympathise with the hon. Gentleman's suggestion. A proper assessment of provision across the country, conducted as far outside the political football arena as possible, would be a sensible approach. I am not sure that I would go along with him in saying that everything should freeze while that was under way, but I welcome his approach and look forward to further discussions with him.

Mr. Nigel Waterson (Eastbourne): Can the hon. Gentleman confirm that in the dying days of the last Labour Government, which seems a long time ago, as indeed it is, the foundations were laid for the collection and collation of NHS statistics—for example, for finished consultant episodes? How can he therefore take issue with the basis on which the facts are produced?

Mr. Smith: I do take issue with the basis upon which many facts are produced. I have no particular quarrel with using a finished consultant episodes accounting mechanism, provided that it is made clear that it does not refer to the number of patients treated. That is the fatal conflation that the Government always make: they take the finished consultant episodes figures and, because they have increased, claim that the number of patients treated has also increased—ignoring the fact that they do not know how many patient readmissions form part of the finished consultant episode figures.

We have insufficient information about the level of NHS readmissions at present. We should have those figures, as they are good indicators of how well or how poorly patient treatments are working. However, that information is not held. The Government should be more accurate in their language, instead of talking breezily about patient numbers when they are really talking about the number of treatment episodes.

Mr. D. N. Campbell-Savours (Workington): I can speak from personal experience as I have been a patient in many hospitals over the years. In some hospitals, the readmissions figure can be as high as 20 per cent. on surgery wards. That is a substantial figure which totally destroys the credibility of any statistics produced in that area.

Mr. Smith: Absolutely. A major problem is that the internal market—to which I shall refer in a moment—places intense pressure on hospitals to get patients through as quickly as possible. Inevitably, that means that patients who enter hospital for a course of treatment are often sent home too early—particularly elderly patients who are unable to recuperate as quickly as younger patients. Such patients often receive no proper support at home and are unable to recover properly. As a result, they end up back in hospital four or five weeks later. That is wonderful for the Government's statistics, because they count that readmission as another patient, but the quality of care provided is not good and the overall cost to the health service is increased. That is one way in which the operation of the internal market acts as a distorting pressure on the system at present.

I said earlier that the Secretary of State does not seem to know what is happening in the health service. His lack of knowledge about the NHS is extremely revealing. My hon. Friend the Member for Dulwich tabled a series of parliamentary questions and received a bonanza of answers on 12 December 1996. They showed that the Secretary of State does not have a lot of basic information about the current nature and form of the health service.

For example, my hon. Friend asked about the number of acute hospitals in each health authority area. That is a fairly simple question. My hon. Friend the Member for

[Mr. Smith]

Bolsover (Mr. Skinner) asked earlier about the number of hospitals that have closed since 1979. Ministers did not know the answer to that question, but perhaps they know how many hospitals the national health service comprises—after all, they are supposed be in charge of the NHS. However, we were told that the information "is not held centrally." When we asked how many community hospitals are in the national health service, the answer was the same. We asked how many ambulances are owned by ambulance services across the country—that is fairly basic information—but we were told that the information is not held centrally. We asked how many acute hospitals have been closed in the past five years—a matter of intense interest to many local communities throughout the country—but again the Government replied that the information is not held centrally.

Given the promises that the Secretary of State made last March on intensive care and on accident and emergency care, we asked how many intensive care units there are in each health authority area. We were told that the information is not held centrally. The Government do not know how many intensive care beds there are in each health authority area, or how many paediatric intensive care units or beds there are. They do not know the number of nurses who have ceased to practise in each of the past six years or the number of trusts that have cancelled elective surgery until the end of the current financial year.

The Government have placed every possible emphasis on the cost of operations in the health service and on how the internal market will sort it out, but they do not know the average cost of a hip replacement operation in England. Given all that the Secretary of State does not know about the health service, it is no surprise that he presides over a health service that is in such a disastrous condition.

The principal problem, of course, lies in the operation of the internal market, which has led to the fragmentation of decision making and directly to the problems in intensive care and accident and emergency services that we have seen in the past few weeks. It means that there cannot be the overall look that we need and which the hon. Member for Southwark and Bermondsey (Mr. Hughes) advocates. It has also led to a loss of beds—a fall of 24 per cent. overall in England since the changes were introduced. The chairman of the British Medical Association council laid the blame for that squarely on the internal market. Hospitals are downsizing their capacity to the minimum, rather like airlines double-booking many of their seats.

The internal market has also led to a distortion of clinical priorities. I will cite just one example—Glenfield Hospital NHS trust, in Leicester, which issued a letter on 7 January to local general practitioners. It is interesting to note that the letter was issued to GPs who are covered by health authority contracting. It was sent only to non-fundholding GPs. Fundholding GPs are exempt from the letter, which begins:

"After several weeks of negotiation, this Trust has reluctantly reached agreement with Leicestershire Health, Southern Derbyshire Health Authority and North Nottinghamshire Health Authority, to restrict services. With immediate effect, for Cardiology and Cardiac Surgery"—

we are talking about serious surgery—

"only emergency patients and those potentially breaching the 12 month Patient's Charter guarantee, will be admitted. This restriction will apply until 31st March 1997."

This action is not being taken because of any wish to do so on the hospital's part. The letter continues, and this is the real sting in the tail:

"It does not reflect this hospital's capacity to treat patients. We have the capacity to perform all the work which GPs could refer to us".

Do we not live in a crazy world? We have a hospital which says that it has the capacity to carry out all the work that GPs in cardiology could refer to it. We know that there are patients who need treatment. Yet because of the procedures and rules of the internal market the hospital must close its doors to those patients. The internal market distorts priorities within the health service.

Mrs. Mahon: I spoke earlier about patients from Calderdale who cannot have their operations performed in Leeds. The letter from Leeds General infirmary reads:

"Your local health authority has found a suitable alternative hospital which is . . . the Glenfield Cardiac Unit in Leicester."

It would seem that patients from Calderdale who cannot get into the Leeds infirmary until after July will be taken to Leicester, where local patients cannot be operated upon because a restriction has been placed on their local hospital. That is mad.

Mr. Smith: My hon. Friend, whose information I did not know, redoubles the force of my argument about the absurdity of the way in which the market system that the Government have imposed on the NHS is distorting the manner in which the NHS operates.

The market system has led also to spiralling bureaucratic costs amounting to £1.5 billion a year. That is the British Medical Association's estimate, not one produced by the Opposition. That is the cost of the bureaucratic procedures of the internal market. That is why our proposals for the replacement of single-practice GP fundholding by locality commissioning, a move from annual contracts to three to five-year agreements, with agreements based on the process of co-operation rather than competition, an end to the system of individual invoicing and reducing to one tenth the number of contracts swimming around in the system, will all help to reduce the bureaucratic costs. The money saved can be diverted into patient care.

Mr. Nigel Forman (Carshalton and Wallington) *rose—*

Mrs. Margaret Ewing (Moray) *rose—*

Mr. Smith: I want to make progress because I have given way on many occasions. I shall, however, give way briefly to the hon. Lady.

Mrs. Ewing: Exactly how much money does the hon. Gentleman expect will come from the savings that he has outlined and how quickly will it move into the system? We have heard a clear statement from an Opposition Treasury spokesperson that there will be no additional funding. It is important that we know what is being promised by the Labour party and the time scale involved.

Mr. Smith: As the hon. Lady knows, we have identified an immediate £100 million which, as a start,

we shall take from the system's bureaucratic costs. I believe that more money will be available by reducing bureaucracy after that start has been made. The early target is £100 million. I believe that that money can be better spent on patient care.

The answer to many of the problems that we are seeing lies, first, in recognising that there is a crisis. It would help if the Government would admit that they are facing some problems. It would help also if they would stop being quite so complacent and smug as the Secretary of State can sometimes be. Secondly, they need to end internal market procedures, with the distortions that they bring to patient care.

Thirdly, we need to bring back strategic thinking and preparation into the health service. Fourthly, we need to end the inequity between patients that we all too often see. Fifthly, we need to divert money from wasteful bureaucracy and transfer it into patient care. That is the way forward.

The chairman of the BMA council put it rather well on 11 October. This is the leading voice of the medical profession, not the Labour party's voice. He said:

"We are facing the most difficult winter in the NHS since the internal market was introduced."

It is not as though the Government were not warned. He continued:

"We need to reform the market, eliminate the perverse effects of competition, restore co-operation and stability to hospital and community health services and begin the task of rebuilding a comprehensive national service where patients' clinical needs come first".

I do not disagree with any of his sentiments.

What Sandy Macara could not say, but the British people can, is that there is a sixth requirement in order to restore and rescue the NHS, and that is a Labour Government. Labour created the national health service—even the Prime Minister had to accept that this afternoon—in the teeth of opposition from the Conservative party, and a Labour Government will rescue and renew it. The Labour party will fulfil its fundamental aim of restoring the NHS so that it is run not as a commercial business flooded with paperwork—as it has become under the present Government—but as a public service that puts patients first.

4.35 pm

The Secretary of State for Health (Mr. Stephen Dorrell): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"notes that the National Health Service is providing high quality care to more patients than ever before; congratulates the dedication and professionalism of the National Health Service's staff during the recent cold weather which has placed exceptional demands upon them; believes that the National Health Service requires a growing budget for patient care and therefore welcomes the Health Service Guarantee given by the Prime Minister to increase spending on the National Health Service in real terms in each of the next five years, including an extra £1.6 billion for patient care in 1997-98; and believes that this guarantee reinforces the Government's consistent record of investment in the National Health Service and its professional staff."

The speech by the hon. Member for Islington, South and Finsbury (Mr. Smith) shows why Labour is about to lose the fifth general election in a row. The hon. Gentleman seems to believe that all that is required of him on these occasions is to parade a few individual cases that are supported by incomplete facts, make a half-researched charge about the Government's record, wave a shroud, repeat the mantra that Labour will abolish the internal market and base metal will be transformed into gold. He thinks that Labour's claims will be vindicated by that process. His predecessor, the hon. Member for Peckham (Ms Harman), never carried conviction when she had the job. We expected more and better of the hon. Gentleman, but we have been disappointed every time he has come to the Dispatch Box, and we were disappointed again this afternoon.

Labour's approach is best summarised by referring to the war of Jennifer's ear, which was the technique that discredited Labour in the run-up to the last election. It did not work: Labour Members were found out then, and they will be found out again. If they want to be taken seriously on health, they should say what they would do about it. So far, they have shown a taste for the politics of the gutter. They play on public emotions and fear, run down the efforts of the dedicated professional staff of the health service and cover the whole concoction with a thin veneer of synthetic concern. They believe that that will suffice in place of a health policy. It is the politics of perpetual opposition, which is clearly what the hon. Gentleman is preparing for.

I shall consider the issues raised by Labour from the Dispatch Box, and I shall begin with paediatric intensive care. In its press release, Labour says:

"Over 400 children turned away".

That is a grotesque misrepresentation of the facts, and it is specifically designed to cause maximum concern and alarm among parents of young children.

The facts about what has actually happened in paediatric intensive care are clear. Last spring, I assured the House that we would increase the total number of places available for paediatric intensive care, and that is what we have done. There were then 249 beds in paediatric intensive care and high-dependency care, and there are now 279 beds—as I said in May there would be by this time this year. I apologise to the hon. Member for Islington, South and Finsbury if he was not provided with those figures. He has my assurance that he will be provided with them if he asks a further parliamentary question. I gave the House an assurance in May that those beds would be provided, and provided they have been. The Government have nothing to conceal on paediatric intensive care.

Mr. John Gunnell (Morley and Leeds, South): Are those beds going to the regions in which they were promised? I do not think so. I do not think that the Leeds paediatric intensive care unit, about which we have had correspondence, has had the increase that was anticipated. When I visited that unit a year ago it had five beds, but it could have accommodated six at a squeeze. The Secretary of State says that it now has six beds, but it had that capacity before; has it the resources to take care of six beds?

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Gentleman's question is becoming far too long for an intervention.

Mr. Dorrell: I published the commitments that the Government had given in May last year. There is a

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published document on the record. If the hon. Gentleman tables a question about the availability of paediatric intensive care and high-dependency care by region, we will provide the information and he can test it against the undertakings that were given at that time. If he again studies the document that I published in May, he should also note the emphasis that I placed on the availability of both bed space and proper retrieval systems, providing ambulances to take children needing intensive care who are in hospitals that cannot provide beds to meet their needs to the hospitals that are best able to meet those needs.

This afternoon, the Leader of the Opposition said from the Dispatch Box that I had given an assurance that every child who needed intensive care would be provided with it in the hospital to which that child reported. I never gave that assurance, and the fact is that no responsible Health Secretary could ever give it. Such an assurance would not be supported by the paediatric intensivists who know how to deliver high-quality care to children in that condition. The service that they want to deliver is based on specialist paediatric intensive care units with proper ambulance services to take children to the units best placed to meet their needs. That is the assurance that I gave the House in May, and it is the assurance that the Government are in the process of delivering.

The doctor whom the Prime Minister quoted at Prime Minister's Question Time is the chairman of the Paediatric Intensive Care Society—the leader of the group of doctors responsible for delivering this service. Let me repeat his words:

"I don't think this should be subject to party political point scoring. To look at something in isolation as they"—

the Labour party—

"are apparently attempting to do is wrong, because it doesn't give the whole picture."

The Opposition motion seeks an all-party approach to some of the key health issues. I accept that, because what I have set out to do in paediatric intensive care is deliver the pledge that I gave the House last spring. I believe that the best measure of the delivery of that pledge is that no child—

Mr. Bayley: Will the Secretary of State give way?

Mr. Dorrell: I will finish this point before I give way to the hon. Gentleman. His Front Benchers allege that his party is interested in paediatric intensive care, and I am replying to their concerns.

Last May, I gave the House an assurance that we would establish a proper basis for the provision of paediatric intensive care. Since 1 December, when we established the computer bed clearance system that I undertook to deliver then, not one child has had a need for intensive care confirmed by a clinician and then not been offered bed space. Indeed, since that date 40 cases have been referred to the emergency bed service, and on each occasion we were able to offer at least two paediatric intensive care units to accept the transfer—not just one, but two. I believe that such a paediatric intensive care service, delivered through the national health service, can be seen to be addressing the real needs of children who require intensive care.

I might have hoped that, if the Labour party was seriously interested in the issue, it would—rather than seeking to make cheap party points—welcome the improvement in the quality of the delivery of the service for which the Government have been responsible over the past 12 months.

Mr. Bayley: This afternoon, the Prime Minister told the House that we should not be unduly concerned about 400 children being turned away from paediatric intensive care, because they were all found intensive care beds elsewhere. I am told by the head of a paediatric intensive care unit that, although of course all those seriously ill children were found intensive care beds elsewhere, they were not all found paediatric intensive care beds. Some were placed in ordinary intensive care beds, which are not at all the same thing and which are not designed to meet the intensive care needs of children. Will the Secretary of State clarify the position, and tell the House whether a paediatric intensive care bed was provided for each of those 400 children?

Mr. Dorrell: I remember, when this issue was the subject of intense debate last spring, being engaged in a studio discussion with Professor Sir Roy Calne, who made the clear point that, in his view, the best way of treating a child who did not have access to paediatric intensive care was to provide that child with a place in an adult intensive care unit.

If what the hon. Gentleman says is true, I still rest my case on the proposition that we have put in place an expansion of paediatric intensive care provision—as we said that we would—and the monitoring system for which the Labour party press release calls. In fact, the gentleman whom Labour spokesmen have been so keen to brush aside in their comments this afternoon is the chairman of precisely the monitoring system called for in the press release. We have put all that in place in order to deliver the commitment to parents of young children that children who need intensive care will be provided with such care by the national health service.

Mr. Chris Mullin (Sunderland, South): Will the Secretary of State give way?

Mr. Dorrell: I will give way once more on this subject; then I will move on.

Mr. Mullin: I think everyone accepts that it is not always possible for a particular intensive care unit to accommodate a patient, but does the right hon. Gentleman agree that the 120 miles that a 20-month-old child in Sunderland was taken by ambulance was too far? It was a hazardous journey, as the child was having difficulty breathing. On the way back, the ambulance broke down; had that happened when the child was on its way to the hospital, the outcome might have been different.

Mr. Dorrell: The hon. Gentleman says that 120 miles was too far, but I am pleased to say that I am told that the child is now at home, out of danger and making a full recovery. It is rather difficult to argue that the distance travelled was too far if the case has a successful outcome. The hon. Gentleman's argument is undermined by what actually happened.

Mr. Chris Smith: Let me pursue the point a little further. Is the Secretary of State saying that every single

one of the 400 paediatric intensive care applicants whom we identified as having been turned away from various units ended up—to his certain knowledge—in a paediatric intensive care bed?

Mr. Dorrell: No, I am certainly not saying that. There are numerous examples of clinicians ringing a paediatric intensive care unit to discuss a case, and then agreeing that intensive care is not needed in that particular case. There are a number of reasons why children are refused admission following telephone conversations of the kind that the Labour party has been counting.

If the Labour party would stop making cheap points and listen to the chairman of the Paediatric Intensive Care Society, the hon. Gentleman would find that the statement on the Press Association wires answers his point very directly. As I have said, there are a number of reasons why cases are not admitted to paediatric intensive care following discussion between clinicians. What I am saying is that if, in the opinion of the clinician caring for a child, that child needs intensive care, I imagine that—failing to find any other bed—the clinician would use the emergency bed service which was established precisely to meet the need he feels he has on behalf of his patient. If we use that test—earlier, I invited the hon. Member for Islington, South and Finsbury to define any other test—40 cases were referred, every one of which was offered at least two options.

Mr. Richard Burden (Birmingham, Northfield): Will the Secretary of State give way?

Mr. Dorrell: I want to deal with other emergency services.

It is true that, since Christmas, the national health service has been under pressure. I do not seek to deny that; it regularly happens during the first few weeks of the year, and it is not difficult to see why the emergency services are affected in that way. There were two weeks of extremely cold weather at the beginning of the year and there has been a high incidence of 'flu. As a result of those developments, some hospitals have admitted emergency cases at roughly double, and in some cases more than double, their normal admission rate for this time of year. The emergency services have been working under considerable pressure and I pay tribute to the doctors, nurses, therapists and managers who kept the service working through that period to ensure that the emergency need was met.

It is not right to seek to create the impression that nothing has been done to meet the peaks of emergency demand that have been experienced over the past few weeks. Plans have been made and acted on to ensure that the health service meets the peaks of emergency demand. This winter, as it does every winter, the NHS has taken the steps that are necessary to meet those emergency peaks. One such step is to delay less urgent cases. If there is a doubling of the emergency admission need at a hospital, the rational response is to delay some less urgent admissions for a week or two. That has certainly been done.

We have also provided short-term extra bed capacity. In Dartford, we provided an extra 33 beds; in Ashford, an extra 40; in St. Helier, an extra 35; in Poole, an extra 18; in Derriford, an extra 11; in Plymouth, an extra 35; in Rotherham, an extra 33; in Doncaster, an extra 38; in Mansfield, an extra 28; in Burton, an extra 16; and in the north-west region we provided a total of 200 extra beds.

Faced with emergency pressures, the health service has acted rationally by deferring less urgent cases and opening short-term ward capacity, as it planned to do when it thought during the summer and autumn about winter pressures and about how to meet the peaks of demand that are experienced at this time of year. Some other responses have been set out by the National Association of Health Authorities and Trusts in the press release issued this morning which deals with the winter emergency in the health service.

I had hoped that, as that was the subject of the Opposition debate, they might refer to what health authorities and trusts have done to meet the winter peak of emergency pressure. There is a page and a half of specific changes that have been made by health authority and trust managers to meet those peaks. The Opposition have not referred to that report by NAHAT, because, although the health authorities have been under pressure, the report concludes:

"Undoubtedly, despite the problems, the service generally has been maintained".

Faced with emergency peaks, the NHS has taken action to respond and, overwhelmingly, the story is of the service meeting the emergency need that has been placed upon it.

Mr. Burden: The Secretary of State says that all the right preparations were made. If that is so, why did his Department get into such a pickle over 'flu vaccine? Apparently it did not order enough vaccine and issued instructions to hospitals to be careful about which members of staff it was given to, to ensure that enough was available for patients and old people. Is not the result that when 'flu increased—as it is likely to do in winter—more staff than necessary went down with it and there was more pressure on staff numbers and patient care suffered? Why were there no preparations for that? It should have been easy for anybody to predict what would happen during the winter months.

Mr. Dorrell: The 'flu vaccination programme has been running for many years and, rationally, focuses on those who are at risk. Of course, we all run the risk of experiencing a bout of 'flu, but for most of us there is no serious health risk associated with it. For the elderly and others for whom a serious health risk is associated, 'flu vaccination is available. The health service has pursued that policy for many years.

Mr. Simon Hughes: I welcome the steps that have been taken since March to improve paediatric and general intensive care. On the best current information, what is the Secretary of State's assessment of whether there are enough paediatric intensive care beds to ensure that no parent runs the risk of his child not being admitted, which is what we all wish? Are there enough intensive care beds throughout the country? If the answer to the second question is yes, something is wrong when people die in hospitals such as Guy's in my constituency after being told that there is no intensive care bed there. The right hon. Gentleman's answer would enable us to judge whether we have arrived or whether we are still on the way to providing the service that the NHS should supply.

Mr. Dorrell: The problem with the hon. Gentleman's question is that it implies that there is a final answer to

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these problems, and that is not the case. He asked whether we have arrived. Last spring, I took the best advice available on the extra intensive care places that were needed to deliver the service that I wanted. I also set up a process for continual assessment. The gentleman who has been quoted so much in the debate is responsible for the special committee that is analysing the current situation and for producing a report that will allow us to project the question further and see what, if anything, needs to happen next.

Our analysis last spring led to the conclusions that I announced at that time. They were widely welcomed in the field and they have been delivered. The Government have made clear their commitment to an expansion of the adult intensive care service. That is why I made two announcements following the Budget. First, I announced a targeted fund to support the growth of intensive care facilities, and especially such facilities for adults, in the next financial year. Secondly, just after Christmas I announced a £4 million fund to bring forward that expansion of intensive care into the current financial year. I announced the distribution of the money and said that it would be used to deliver almost 100 extra adult intensive and high-dependency beds in the last quarter of this financial year. The process is one of growth and assessment of need, but we can never reach the final destination, which is what the hon. Member for Southwark and Bermondsey (Mr. Hughes) implies in his question.

Mental health is a key part of the national health service. The hon. Member for Stockport (Ms Coffey), who is no longer in her place, said that for too long, under Governments of every political complexion, mental health has been the Cinderella service of the NHS. But the Government have raised the priority of mental health and we have made clear our determination to improve the quality of the mental health care that is delivered by the NHS. We have not merely accepted the central recommendation of today's King's Fund report, but have announced our intention to implement it as soon as that is possible, on 1 April.

From that date, the NHS cash distribution formula will reflect the differing needs of different parts of the country for community health services. That central recommendation of the report has been implemented and will lead to increased resources being targeted at mental health problems, especially in inner London. That is the latest of a series of initiatives over the past few years, the effect of which has been to strengthen the commitment and raise the priority that the health service attaches to mental health.

The mental illness specific grant, introduced six years ago, is now supporting about £100 million of extra expenditure by social service departments on mental illness provision. The national health service challenge fund, which I introduced for the first time in the current financial year, has been extended into next year and will then be supporting £25 million of new expenditure by the NHS.

In this year's Budget, I introduced a special fund to improve the provision for mentally disordered offenders, which is a particular problem in inner London, particularly east London and south-east London. That is a targeted fund addressing one of the specific needs identified by the King's Fund report. As is now widely known, within the next few weeks the Government will introduce a Green Paper canvassing options for the strengthening of the management of the mental health service.

I have never made any secret of my recognition of the fact that, under Governments of all political complexions, mental health services have not been accorded the priority that we should have seen over the past few years. That is a weakness that the Government have acted to remedy, and I had hoped that the hon. Member for Islington, South and Finsbury would welcome that.

The Labour party's charges on the health service do not add up, but there is something more serious than that about the speech of the hon. Member for Islington, South and Finsbury: as everybody knows, this Parliament does not have much longer to run and, when the election comes, the electorate will ask both major parties and the Liberal Democrats about their policies. Behind all the bluster and cases such as Jennifer's ear and the updated version of that, they will want to know the health policy that the Labour party is offering to the people of this country. When that is the question asked, we are faced with a gaping void.

The first question must be about money. Let me remind the House of the Government's record on financial support for the health service. Since 1979, there has been an increase of roughly three quarters in the real budget available to the NHS. That represents 3 per cent. real-terms growth on average every year over the past 18 years. That is the Conservative's record of commitment to the NHS. I remind the House again of the Prime Minister's pledge to our party conference to continue real-terms growth year on year on year through the five years of the next Parliament.

We then come to what the Labour party offers in reply. The editorial of *The Guardian* said that the Labour party

"needs to match the Tory spending promise. Honouring next year's settlement is meaningless—Labour can hardly take away money already promised. What it must do is match the Tory five-year promise: real increases, year on year on year."

That is the challenge that comes from a newspaper that Labour must be hoping will support it in the general election campaign. The same challenge is posed by Conservative Members and Liberal Democrats and all around the community. They want to know whether the Labour party will set out clearly its commitment to a real, growing national health service. The Labour party never answers that question. It dodges and fudges and finds a formula to get around it, but will it answer it? Will it hell. That is the question that will be asked by every elector in every public meeting attended by the hon. Member for Islington, South and Finsbury. They will be asking him why he will not match the Tory party pledge for a real growth in the national health service.

Mr. Chris Smith: It would help if the right hon. Gentleman and his Government had not already broken that pledge. The Red Book shows that they have.

Mr. Dorrell: The hon. Gentleman keeps saying that, but it is absolute nonsense. The Red Book sets out clearly—I can give the hon. Gentleman the correct reference—a budget that represents real growth year by year, throughout the three years of that spending

programme. Furthermore, I can give a commitment that there will be real growth of the health service budget through not only the three years of that spending programme but the remaining years of the next Parliament. That is the commitment that we have given and delivered through 18 years. We give the same commitment for the five years of the next Parliament and the Labour party will not match it.

Ms Jean Corston (Bristol, East) *rose—*

Mr. Dorrell: I will give way when I have finished dealing with the hon. Member for Islington, South and Finsbury on funding.

When Colin Brown was writing in one of the health service magazines recently, he said that the Labour party

"should fight again to keep the Tory promise alive for future years so that he"—

the hon. Member for Islington, South and Finsbury—

"can promise that every year, year on year, Labour will increase spending on the national health service in real terms. I bet he can't."

Well Colin, no bets, because that is a pledge that the right hon. Member for Dunfermline, East (Mr. Brown) will not allow the Labour party to make.

Ms Corston: Does the Secretary of State accept that the people of Bristol will judge the Government on their record, not just on the rhetoric of Front-Bench spokesmen? On the night of 5 January, 10 patients at Bristol royal infirmary were asked to get out of their beds after 10 o'clock at night because their beds were needed for other patients who were waiting on trolleys. One of them was a man in his 80s. The patients were sent home in taxis or relatives were asked to collect them, sometimes as late as 2 am when the temperature was minus 2 deg. That has received widespread publicity in Bristol and has caused a great deal of anger. Is the right hon. Gentleman surprised that people do not believe him when he denies that the health service is in crisis?

Mr. Dorrell: It is not me they will not believe; it is the Labour party. The hon. Lady is trying to make me return to discussing individual cases. I will not do that. The challenge for the Labour party is to demonstrate how it will deliver a health service that matches the Government's pledge.

It is not only a matter of total spending levels. There is worse to come when one thinks about the implications for the health service of the commitments that Labour has given. As I said at Question Time, the Labour party is committed to abolishing compulsory competitive tendering in the NHS. Such tendering is currently estimated to save £90 million on the health budget. Within the budget, which will not be growing because the right hon. Member for Dunfermline, East will not allow it, the Labour party has to earmark £90 million to pay off its trade union paymasters through the abolition of compulsory competitive tendering.

The Labour party is also committed to the introduction of a minimum wage. When the right hon. Member for Livingston (Mr. Cook) held the health brief, he was honest enough to admit that that had a cost attached to it. He put that cost at about £500 million. I look forward to hearing the up-to-date estimate from the hon. Member for Islington, South and Finsbury. The hon. Gentleman was chiding me about not knowing every detail of what goes on in the health service. If he can break off his private conversation with his hon. Friend the Member for Dulwich (Ms Jowell), he might be able to offer the House an estimate of what he believes the minimum wage will cost the health service. Can the hon. Gentleman improve on £500 million? Can he offer any analysis? He must have made an analysis. I can offer him the full resources of my Department and any information that he needs to provide an accurate assessment of the cost of that commitment to the NHS.

The cost of that commitment is an important element in the choice that the electorate have to make. If the hon. Gentleman has not thought of that, I look forward to the correspondence that will enable us to develop a figure that we can then debate. We can then know whether that commitment will be a sensible use of health service money and whether it reflects a sensible priority in the frozen budget that the hon. Gentleman will have to put up with.

An issue that will be of considerable concern to many of my hon. Friends and their constituents is what is to happen to the private finance initiative. The Government have made it clear within their spending plans that they are determined to deliver a major investment programme for the national health service through the PFI. We have already signed up 43 schemes with a total spend of £317 million. A further 28 schemes have been approved with a total value of £309 million. There are 150 schemes being worked up by individual trusts under the PFI. The health service investment programme for the period ahead is £2.1 billion, to be provided by private sector partners through the private finance initiative.

Mr. Toby Jessel (Twickenham): Is my right hon. Friend willing to comment on the private finance initiative in relation to West Middlesex University hospital, which, as he and the Under-Secretary are well aware, is a matter of eager and enthusiastic interest to my hon. Friend the Member for Brentford and Isleworth (Mr. Deva) and to me? We very much hope that the scheme can go ahead lickety-spit without delay. Can he give us any encouragement on that matter, which is important for our constituents, so that the existing, old hospital can be replaced?

Mr. Dorrell: My hon. Friend is right to raise his constituents' concerns about that hospital. He will know that it is one of the many schemes that local managers are preparing to meet real local need with health authority support and that the Government are determined to see carried through to projects that modernise the capital stock of the health service. I can give him every encouragement that the Government are determined to carry that through.

The question whose answer my hon. Friend and his constituents will want to hear from the hon. Member for Islington, South and Finsbury is: what would be the implications of a Labour Government for that investment programme, which is valued at a lot more than £2 billion to the future of the national health service? Will the hon. Gentleman carry on with the private finance initiative, in which case he will have to eat mountains of words—both his own and those of his hon. Friends—or will he honour those words and scrap the schemes, so that they too have to be financed out of the frozen budget that the right hon. Member for Dunfermline, East will not let him increase?

[Mr. Dorrell]

I know what is being said to the electorate in my home town of Worcester on that subject—once again, by the right hon. Member for Livingston. The hon. Member for Islington, South and Finsbury ought to have a word with the right hon. Member for Livingston, as when the latter travels around the country he appears to be rather too honest for his hon. Friend's good.

When the right hon. Member for Livingston recently visited Worcester, he made it crystal clear that, if the Worcester scheme went ahead before election day, as I know the citizens of Worcester hope, Labour would honour it; but if the contract was not signed by election day, it would go out the window. Bad luck to the citizens of Worcester. For them, the slogans are, "Vote Labour. Ditch your local hospital scheme" and "Vote Labour. Cancel your hospital project". Those are the slogans on which the hon. Member for Islington, South and Finsbury will go to the country, because he has no public capital—the right hon. Member for Dunfermline, East will not provide it—and he is not committed to the future of the private finance initiative, so he will not get it from that source either.

Every scheme that is not signed up before election day will be out the window, because the right hon. Member for Dunfermline, East can offer no hope that the schemes will go ahead. It is a good vote-winning message for the Tory party: "Vote Labour. Ditch your local hospital".

Mr. Gunnell: The Secretary of State has told us about the 43 schemes totalling £317 million. Can he tell me in how many of those schemes work has started, which scheme is most advanced and how much money has been spent on it?

Mr. Dorrell: Thirty-two have been finished.

The final question is one that Labour has invented for itself. It goes to the heart of the structure of the modern national health service. When we introduced local management, the Opposition fought us every inch of the way. The present Opposition Chief Whip said that Labour was

"implacably opposed to the provisions for hospital trusts outlined in the White Paper."—[*Official Report*, 11 December 1989; Vol. 163, c. 696.]

The present Labour spokesman on education said, "We will abolish trusts."

Mr. Chris Smith: Before we move too rapidly away from the private finance initiative, will the Secretary of State confirm one or two things? First, he told the House more than a year ago that every month from then on he would announce a major new hospital scheme under the PFI. Will he admit that no such hospital has been confirmed in that intervening period? Secondly, will he confirm that in the case of the Norfolk and Norwich hospital, which was announced by the Chancellor of the Exchequer in the Budget and was the only major hospital scheme supposedly signed up under the PFI, although the contract with the contractors has been signed, the finance has not yet been finalised? Will the right hon. Gentleman also draw a conclusion from that about how much trust the people of Worcester or anywhere else can put in this Government to come up with actual bricks and mortar, rather than windy rhetoric about the hospitals that they are going to get?

Mr. Dorrell: As a citizen of Worcester, I was eager to give the hon. Gentleman the opportunity to clarify Labour's policy about the projects that rely on the continued commitment of the Government to the PFI. The citizens of Worcester need have no doubt about this Government's commitment. We are determined to deliver hospital projects through the PFI. What the citizens of Worcester—myself among them—want to hear from the hon. Gentleman is whether he is committed to those projects or whether all the £2 billion plus of projects being carried forward under the PFI would be ditched if there were a Labour Government. If that is the Labour party position, the hon. Gentleman owes it to the electorate to make it clear. Will the schemes go ahead under the PFI? Will the hon. Gentleman produce the money from the right hon. Member for Dunfermline, East, or are we talking about taking £2 billion out of patient care to allow those hospitals to go ahead? Or—by far the most likely option—are we talking about schemes that will go out the window if the country is misguided enough to elect a Labour Government?

Sir Raymond Whitney (Wycombe): In pursuance of that question, to which my right hon. Friend has conspicuously had no answer from the Opposition, will he remind the House that, over five years, the last Labour Government cut capital spending on the health service by 28 per cent? Does that not give us a clue to the answer to the important questions that my right hon. Friend poses?

Mr. Dorrell: My hon. Friend is right. It was not merely the capital budget that the last Labour Government cut, however. When nurses are considering the prospects under a Labour Government, they might remind themselves that nurses' pay fell in real terms by 3 per cent. and doctors' pay by roughly a quarter under the last Labour Government. That is what the right hon. Member for Dunfermline, East has got lined up for the hon. Member for Islington, South and Finsbury. The right hon. Gentleman is refusing to provide him with any money for the national health service.

Mr. Gerry Steinberg (City of Durham) *rose—*

Mr. Dorrell: I have given way a great deal and I think that the House will want me to get through my final point.

The final question is one that Labour has invented for itself. Labour fought local management and trust management in the health service. Now the Opposition say that they are in favour. At the same time that they fought the introduction of local management of hospitals, they were also fighting the introduction of the purchaser-provider arrangement. The present shadow education spokesman said in 1993, which is not that long ago:

"I am vehemently against the notion, currently in vogue, of splitting administrative responsibility for health from delivery of care—divorcing regulation from provision."

That was the position of the Labour Front-Bench spokesman a little more than three years ago. The hon. Member for Islington, South and Finsbury has changed that and I give him credit for it. He is now in favour of

the purchaser-provider split—the fundamental change that was introduced in health service administration in 1991. He cannot persuade his party that he is in favour of it, however, so he has invented a new distinction: he distinguishes the purchaser-provider split from the internal market. We have the ridiculous spectacle of the hon. Gentleman saying that he is in favour of the purchaser-provider split, but against the internal market. Until the hon. Gentleman discovered that distinction, the rest of the world thought that those two phrases meant exactly the same thing. The hon. Gentleman has not begun to explain how he has discovered a difference between those two phrases which have precisely the same meaning. It is a distinction without a difference that makes the hon. Gentleman look totally ridiculous.

Labour is in a state of total confusion. Every time the hon. Member for Islington, South and Finsbury speaks about health, he reveals new depths of his own ignorance. With every passing day, it is becoming clearer that the hon. Gentleman is determined to continue to act like the Opposition spokesman he is destined to remain.

The day of reckoning for the Opposition is drawing near. When the claims that they enjoy making are put under the spotlight, they melt like morning dew, and all that is left is a squalid determination to make political capital out of human misery. It is a sad commentary on the depths to which a once great party has sunk, and when polling day comes, the electorate will treat it with the contempt that it richly deserves.

5.19 pm

Mr. Richard Burden (Birmingham, Northfield): I am pleased that the Secretary of State finished by talking about the private finance initiative. Such matters are part of the debate and I want to discuss them.

The title of the White Paper launched shortly before the Christmas recess, "Choice and Opportunity", was rather interesting. My constituents, and people throughout the country, would appreciate a little more choice and opportunity in the national health service than the Government have given them over the past 17 or 18 years.

On the previous two occasions on which I spoke on national health service issues in the Chamber, I mentioned the proposed primary health care centre in my constituency. It was promised on several occasions many years ago by the then regional health authority—now swept away by the Government—and every time that I speak on health service issues, I ask the Government when it will be built.

The delays have arisen because of precisely those matters on which my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) was questioning the Secretary of State: the operation of the internal market, organisational structures in the health service that simply do not work and, most recently, the private finance initiative of which the Secretary of State has been singing the praises today.

The latest but one phase was when the plan to build the centre was forced to go through the private finance initiative. Some time ago, I asked the Secretary of State and the Minister what were the administrative costs associated with processing that health centre, which had not yet been built, through the private finance initiative. The answer was £50,000.

When I asked the Minister what the administrative costs—supposedly associated with a value-for-money exercise—consisted of, I received the usual answer about the information not being held centrally, or something to the same effect. I was therefore referred to the trust, which told me that the £50,000 was spent on consultants' fees. Was the £50,000 well spent? Clearly not, because now we have been told that the project will go ahead with public money, because the private finance initiative did not work.

As a result of that merry-go-round, not only has something that was promised to local people years ago been delayed time and again, but public money that could have been spent on patient care has been put into the pockets of consultants, even though the project was never appropriate for the much vaunted private finance initiative.

That is the reality of the scheme by which the Secretary of State sets so much store. He challenges us on whether we intend to go ahead with the PFI projects, but I would like to know whether they would go ahead in the very unlikely event of the Government being re-elected. The plain fact is that projects promised under PFI do not get confirmed: not one has started in bricks and mortar.

I want to give the Secretary of State another example of how bureaucracy has gone mad in the health service under the Conservatives and of how the PFI is operating. In Birmingham, there used to be several health authorities. Later, we had the North Birmingham and the South Birmingham health authorities, which recently merged, with the family health services authority, into a single authority for Birmingham.

There was a problem with premises, because each of the former authorities had its own headquarters. It clearly made sense, in the interests of patient care and of ensuring that NHS resources were spent appropriately, to rationalise the buildings and save money. The health authority considered the most cost-effective and economical way of providing a single headquarters, and found an appropriate set of offices that was competitively priced and would enable it to get rid of the expensive former premises. In one of its buildings, owned by someone else, it had been given notice to quit, and in another it had installed some tenants to bring in some revenue; and it proposed that the third building could be sold. It was a rounded plan that made economic sense.

The authority sent a costed business case to the Department of Health for moving into the new rented offices. After several weeks, or even months, it received an incredible letter saying that its plan to save money had to be processed through the private finance initiative.

The contents of the letter sound like something straight out of a "Yes, Minister" script. It says:

"1. Thank you for the opportunity to review the above business case. I apologise for the length of time taken in its completion.

2. It is not clear whether the case is an OBC or an FBC. This makes it difficult to decide on the criteria against which it should be assessed. In summary, a number of issues have been raised about the failure to develop the case along the lines set out in PFI in Government Accommodation, economic appraisal issues and more general business case issues (such as failure to consider project risks and project management arrangements). These points are developed below.

3. The status of the document needs to be clarified. Is it an Outline Business Case or is it a Full Business Case? The purpose and requirements of both documents are different.

4. The former establishes the need for the investment and identifies a preferred option (assumed at this stage to be a publicly funded option), whilst the latter evaluates methods for funding the preferred option (based on the results of the PFI procurement process). I presume this is submitted as an OBC. Apart from this difference, an FBC would also address issues centred on the management of the project (ie Benefit Realisation Plan, In-Project and Post-Project Evaluation Plan, Risk Management Plan and Contract Management Plan)."

The letter goes on and on in that vein. It is comical to read, but it is the outcome of that bureaucratic madness. The letter was dated 27 November 1996.

The end result is that the problem of the Birmingham health authority's accommodation is still unresolved. The only reason why it will not be sorted out is the crazy, bureaucratic rules laid down by the Department of Health. If the problem is not sorted out, the health authority will have to move out of the building that it occupies because it has been given notice to quit and does not own the building. It will have to move back to the place that it has sub-let and get rid of the tenants, thereby losing income for the NHS. It will have to pay more in rent than the cost that would have had to be paid had the Department accepted its original suggestion. That is the reality of the bureaucratic nightmare of the Government's way of running the NHS.

One health authority, admittedly a big one, and one set of buildings—how did we get to this stage? Because the health authority was unable to pursue a simple transaction, the health service will have to pay more—money that should be going into patient care. The PFI is not a miraculous way of finding new investment for hospitals, as Ministers and Conservative Members claim. It is an incredibly expensive bureaucratic morass with unclear rules that has not yet produced one hospital, health centre or health service establishment. I am all in favour of attracting private finance to public projects and of proper partnerships, but they must work, they must be clear and they must be designed to do the job. They must not delay things and cost more money.

Earlier, I mentioned primary care. I shall give credit to the Secretary of State for making some attempt to address that in his White Paper, some points of which are worthy of support. It was interesting that he made little reference to the matter in his speech. I am still waiting for an answer to a question that has been put to the Government several times. How do they think that the provisions in the White Paper will work?

The White Paper suggests that general practitioners need not necessarily retain their traditional role of independent contractors in the NHS. They could become employees of other bodies, which would be the contractors to the NHS rather than individual GPs or groups of GPs. It has been acknowledged that GPs could therefore become employees of trusts. There is no problem with that if the trust concerned is a community trust involved in the provision of primary care. However, the Secretary of State has not satisfactorily dealt with the case of acute trusts that wished to employ GPs. A body whose main operation is the provision of secondary care would employ family doctors, whose job is to provide primary care.

The Minister for Health (Mr. Gerald Malone): Let me set the hon. Gentleman's mind at rest. General practitioners are not in the NHS; they are independent contractors. We foresee that they may be able to organise themselves in a different way, either through another body or by coming together to provide services or most likely, as he said, through a community health trust. He asked about acute trusts. The answer, in respect not only of acute trusts but of any other organisation where a conflict of interest might arise in the proposals made, is that the conflict of interest would be recognised and we would not expect such an application to be honoured. Clearly, if there were such conflicts, they would not be desirable.

Mr. Burden: I am grateful for that answer. I shall give way again if the Minister can clarify the matter further. Groups of GPs getting together to provide expanded primary care services is potentially a good development. Labour has been pioneering such developments in talking about local commissioning teams, and local pilot teams have been working. In Birmingham, there are proposals to develop such services. Such a pattern of service would fit more easily with the locality commissioning suggested by the Opposition than grafting it on to the internal market that Conservative Members have imposed on the NHS.

I must press the Minister further on conflicts of interest. I am pleased that he says that if there is a conflict of interest, he would not expect the application to be honoured. Is he saying that acute trusts would not be allowed to employ GPs?

Mr. Malone *indicated dissent.*

Mr. Burden: If he is not saying that, the Minister is heading down the road of conflicts of interest.

Mr. Malone: I shall say what I said again, because it was perfectly clear. There could be applications where conflicts of interest might arise. If they did, they would be addressed at the time in the light of the individual application. I am not going to rule out an acute trust making proposals. I cannot predict whether there would be conflicts of interest. If there were, they would prevent the proposal from reaching fruition.

Mr. Burden: I am afraid that that is not good enough. It might be just about tolerable if an acute trust employed GPs in its own area, because the pattern of referrals in a given area tends to be static and predictable. Where they can, GPs like to refer patients locally. What if an acute trust tried to contract out of area? That is where conflicts of interest would develop. Such a system could already be in place through the mechanism to which the Minister referred.

What if private health care organisations such as PPP and BUPA wanted to set up a nice little local health centre to employ GPs? GPs would tell the Minister, if he asked them, that there can be pressure on them to refer patients to places that they do not necessarily believe will provide the best clinical services but which are often euphemistically described as the preferred providers. Private patients, perhaps those in insurance schemes, are already affected by such pressure. Currently, GPs can insist that referrals go to the place that they consider to be the most appropriate clinically.

If we move down the road that the Government want to go down, what barrier will there be against a private health insurance firm buying up a local health centre and

employing GPs and against the employer putting pressure on its employees—the GPs—to refer patients to places that are not the most clinically appropriate in the judgment of GPs but that are the preferred providers in the interests of the employer? Those issues need to be addressed. I raise the matter today because when the Secretary of State talks of ensuring that there is a primary care-led NHS, I believe that that is what he wants.

The Secretary of State needs to square a circle in order to achieve his goal, but he cannot do that unless he fundamentally challenges the assumptions according to which the Government have operated the NHS. In answer to my hon. Friend the Member for Islington, South and Finsbury, he said that no one had ever recognised the difference between the internal market and the separation of the commissioning of health care from the provision of it. I must tell him that most other people have always recognised that difference.

Let me tell the right hon. Gentleman precisely what is the difference—I find it sad that he does not know. If he merely believes that the split between those who plan health services and those who provide them is equivalent to an individual contracting relationship, governed by a financial transaction, he has a problem in ensuring that the NHS keeps to the principles on which it was founded. Those principles are meant to guarantee the provision of health care, free at the point at which it is needed and to ensure equity in its provision. If the relationship between the provision and commissioning of health care is purely governed by a financial transaction, those principles cannot be adhered to. That failure is at the root of the problems of the system that the Government have imposed on the NHS.

A new Government will fundamentally change that relationship. We shall get away from a system under which hospital is set against hospital and, increasingly, area is set against area; patient is set against patient; and GP is set against GP. We want to establish a co-operative framework for NHS planning and provision, which allows decisions to be made at the lowest possible level by those who are best able to make them.

The NHS stands or falls by its own recognition of the fact that it is a national service. It must recognise that each branch is dependent on another, be it the doctor who is dependent on the nurse; the nurse who is dependent on ancillary staff; the GP who is dependent on the secondary care centre; or primary care that is dependent on tertiary care. That patchwork of provision, under which decisions are made locally, should be founded on a co-operative ethos, operating in the interests of the patient. That is different from a system in which the market rules, and that is why the Secretary of State is wrong when he says that there is no difference between the internal market and a system for the commissioning of health care. There is a big difference.

Sir Raymond Whitney: Whether the hon. Gentleman realises it or not, he is proposing to take us back to the system of the 1970s with all its inefficiencies, disasters and total failure sensibly to allot resources because people were not aware of the value of those resources. The hon. Gentleman's propositions show that he has a fundamental misunderstanding of the history of the development of the NHS.

Mr. Burden: The hon. Gentleman needs to read the policy document that my colleagues on the Front Bench have issued about how the NHS will develop under a Labour Government. He will discover that it does not talk about turning the clock back. I agree with him that we need to learn from experience and learn certain lessons about NHS provision. We can learn some lessons from past over-centralisation, but the hon. Gentleman's constituents will be sad if he has not learnt that trying to run the NHS like some glorified supermarket has not been in the interests of patient care, clinicians, or the services. That is at the root of the internal market that has been imposed by the Government.

The end result of that process, which was outlined ably by my hon. Friend the Member for Islington, South and Finsbury, has been the crisis of provision of hospital beds that we have seen this winter. The system has also failed to provide the required number of paediatric intensive care beds. That has happened not by accident but because of a Government who do not understand, or refuse to understand, what a NHS is meant to be, and how it can be run in the interests of patients.

That lack of understanding needs to be changed. In the next few weeks or months, such a change will occur with the election of a different Government.

5.44 pm

Mrs. Marion Roe (Broxbourne): I am as surprised as anyone that the Labour party has called this debate. In doing so, it was surely not unreasonable for those of us on the Conservative Benches to expect, at last, some explanation if not clarification of the Opposition's policies for the national health service. To date, we have had to contend with a mishmash of confusing ideas, coupled with the barest minimum of concrete policy decisions.

The Labour party has had 17 years in which to produce credible ideas of its future vision for the health services. Frankly, so far, the Opposition have failed to do that. Judging by the reaction of the hon. Member for Islington, South and Finsbury (Mr. Smith) to the weekend reports on improving efficiency within the social services, I fear that we might have to wait a long time yet for such ideas.

Once again, we have heard nothing of note from the official Opposition, so once again it has been the Government who have set the pace. I congratulate my right hon. Friend the Secretary of State on continuing to run the agenda.

Since the previous full debate in November on the health service we have had a Budget that has more than met the pledge given by my right hon. Friend the Prime Minister to increase year by year the real level of resources committed to the NHS. We have had the Second Reading in another place of the National Health Service (Primary Care) Bill, when the Government were able to describe and enlarge on their policies for important developments in primary care. Since November, we have also seen the publication of the White Paper, "Delivering the Future", which set out some 70 practical proposals to further the improvement of patient care. A number of other important announcements have been made, for example, the allocation of an extra £25 million which my right hon. Friend the Secretary of State for Health announced on Christmas eve to aid health authorities and NHS trusts with seasonal pressures. I am therefore proud to support a Government who abide by their commitment to the NHS by thought, word and deed.

Debates on the health service are sadly characterised by selective memories—the last one was no exception. When I prepare my speeches, I do not rely on anecdotal

[Mrs. Marion Roe]

evidence, nor do I try to extrapolate a general picture from a single incident. I turn to the people who can give me an accurate report on the situation. I asked the Queen Elizabeth II hospital, which serves my constituency so admirably, to tell me how it coped in the past few weeks, based on its experiences.

As many hon. Members have already said, the especially cold weather and the 'flu-like illness that took hold over Christmas increased hospital admissions. That happened on top of the already high base line of emergency admissions which, in common with other hospitals in the area, the QE II is experiencing.

The week after Christmas was characterised by an even greater surge of emergency admissions than the typical seasonal influx that traditionally occurs from Boxing day onwards. The hospital saw many people and admitted some 50 patients compared with the average weekly figure for the year of 28 admissions. I would like to emphasise that during that incredibly busy period all elective cancer patient cases continued to be brought. Despite the exceptional number of patients who arrived at the hospital, all were admitted and treated.

Mr. Thomas Graham (Renfrew, West and Inverclyde) *rose—*

Mrs. Roe: Forgive me, Madam Deputy Speaker, but I will not give way to the hon. Gentleman, who has not been present for the debate. I intend to proceed to put my case on the record.

I repeat that despite the exceptional number of patients who arrived at the hospital, all were admitted and treated. That was achieved first and foremost by the dedication and exceptional commitment of the staff. I pay tribute to them for the personal efforts that were sometimes made over and above the call of duty—that is typical of NHS staff. The situation was complicated by the added pressure of a third of the nurses, who would normally be working, being off ill themselves.

Mr. Graham: Will the hon. Lady give way?

Mrs. Roe: No, I shall not give way to the hon. Gentleman, who has not been listening to the debate. I regard it as discourteous to enter the Chamber and start intervening in the middle of the debate. *[Interruption.]*

Madam Deputy Speaker: Order. The hon. Member for Renfrew, West and Inverclyde (Mr. Graham) will not endear himself to the Chair if he persists in making seated interventions.

Mrs. Roe: Many staff were on 24-hour call and more than 100 people—nurses on holiday, staff from other trusts and members of the public—rang in to offer help after an appeal was made on the local radio for nurses to return from holiday to assist. Such was the response that services were maintained despite incredible pressures.

The second reason the hospital was able to cope was the quality of the management. In that period of extreme difficulty, thanks to the powers invested in them by the Government, the managers were able to adopt a flexible and practical approach so that they could tailor their response to the situation, often on a daily basis. The matron, as co-ordinator across the hospital, worked closely with the chief executive on key decisions that had to be made throughout each 24 hours to keep the hospital capable of managing the high volume of patients. The hospital's success depended on good team work.

A team of directorate service managers and the hospital social work team managers met daily to review the situation and to make contingency plans for the next 24 hours. The hospital social workers assessed the patients daily to identify those who would need social care support to be discharged home. As a result, bed blocking was less of an issue. Arrangements were speedily put into place through utilising vacancies that appeared in social care contracts when the social services users had been admitted to hospital. In that way, beds were freed, enabling the hospital to fulfil its prime function of treating sick and injured people. Careful forward planning had already alleviated the hospital's bed blocking problem; whereas last winter the hospital experienced 40 to 50 bed blockers, this winter it experienced its lowest number yet, with 24 bed blockers going through the system.

Team work was also vital in other areas; the ambulance service was a key factor. The director of operations for the Bedfordshire and Hertfordshire ambulance service kept constant contact with the accident and emergency department. In particular, he would give early warning of the surges in patient flows as requests came in from general practitioners and the public for ambulance support. One such example was the notification on 3 January of 19 patients who were to come in two hours. That information was used to introduce contingency plans to deal with the high level of expected admissions. The staff in the accident and emergency department also played their part in effecting the smooth treatment and flow of patients.

The majority of patients were admitted for acute medical conditions. To ensure that appropriate treatment was given as soon as possible and that discharges occurred promptly, all the consultants in the medical team carried out daily ward rounds. With delays cut to the minimum, more treatment could be given to others.

Some contingency measures were taken, such as reopening the ophthalmic unit to provide extra beds; the children's area in the accident and emergency department was temporarily converted into a ward for adults. Children's admissions were then dealt with directly on the paediatric ward. When two emergency admissions were assessed as requiring intensive care, as all the intensive care units were full, the patients were transferred immediately to other units via the emergency intensive bed register. The matron of the Queen Elizabeth II hospital referred to the register as a "godsend" and "smashing" as it saved valuable time and energy by preventing unnecessary ringing round. The arrangements worked both ways: the hospital was able to take a patient from the register into intensive care when a space was available.

It would be unrealistic to think that the efforts that were made to meet a period of great demand could be sustained. However, we are talking about a period of extraordinary pressure in a very short time—and the hospital was able to bear it. The way that the management coped showed the strength of good staff relationships, careful forward planning and strong internal management systems. It showed that the trust had the ability to take

and act on decisions quickly. It showed local decision making and a team pulling together at its best. Above all, it proved the Government's good sense in allowing those who manage the hospital the freedom to do so unhindered by central interference.

Mr. Jessel: On a point of order, Madam Deputy Speaker. There is a power cut at No. 3, Dean's yard which began earlier today. As a result, secretaries to hon. Members who work there have been unable to carry out their work properly; many of them have called it a day and gone home, to the detriment of the constituents of right hon. and hon. Members. Could you, Madam Deputy Speaker, ask the Serjeant at Arms to report as soon as possible on what has happened and why, and to ensure that heat and light are restored by first thing tomorrow morning without fail?

Madam Deputy Speaker: I know a little about the matter and I think that it is more than a power cut. I understand that there was flooding in the building overnight and, as a result, water has got into the electrical system. I know that the Serjeant at Arms is making every effort to ensure that normal working can be resumed. I also know that Madam Speaker is aware of the situation and is keeping a close eye on it. I thank the hon. Gentleman for raising the matter.

5.56 pm

Mr. Simon Hughes (Southwark and Bermondsey): The Serjeant at Arms has many powers, but I am not sure whether he can bring back the power when it goes off.

I welcome today's debate; it is always good to debate the national health service and it is good that the Labour party has chosen it as the subject for the third of its 17 Opposition days in the parliamentary year. At 10 o'clock my colleagues and I will vote for the motion, which has been drafted to win maximum support in the House. I hope that all Opposition Members will support it. If they are true to some of the things that they have said, one or two Conservative Members will also support the motion. If all Opposition Members are present and all Conservative Members are present, there will be a tied vote. I understand that if that were to happen tonight, following the usual precedent, the Government would survive by Madam Speaker's casting vote, although they might not do so on other occasions. It would take a Conservative Member to abstain or to vote with us for us to win—we live in hope.

Mr. Malone: Get on with it.

Mr. Hughes: The Minister has told me to get on with the debate; I am keen to do so, but I want the Government to realise that their hold on the confidence of the House is, at most, very insecure.

The problem is that, although everything in the motion is easily supportable, everything but the last line is criticism of the current position and the last line does not contain a positive proposal. Sadly, yet again, the Labour party, as the Secretary of State rightly said, has been weak on content, weak on performance and poor in attendance. Today is an Opposition day, but there have been more Conservative Members than Labour Members present at all times. [HON. MEMBERS: "That is not true."] It is true: during the Secretary of State's speech, and subsequently, only five, six, seven or eight Labour Members have been present. I have been here all the time and added up the numbers regularly.

Let me take the five points in the motion in turn. First, the Labour party argues that the internal market is the cause of all the problems in the national health service. The internal market, as designed by the Tories, has caused many problems and is the cause of many of the costs and the pressures, but it is not fair to say that it adds to all of the problems of the NHS. Many of the pressures on the NHS are caused by demand that is rising in a way that was not predicted even a few years ago.

I acknowledge that there is bureaucracy that could be got rid of. My colleagues and I have argued that, instead of one-year contracts, there should be at least three-year contracts and I am sure that that would save a lot of time and money. We are opposed to local pay bargaining, because it imposes huge extra costs and distracts professionals from their work. However, even if the British Medical Association is right and expenditure on bureaucracy could be saved by having a redesigned NHS—albeit one that keeps purchasers and providers—and even if that saved the £1.5 billion that the BMA says would be saved, the savings could not be delivered overnight.

The first flaw in Labour's argument is that to give only £100 million over the Government's commitment, but only for the first year, as the hon. Member for Islington, South and Finsbury (Mr. Smith) said, will clearly not begin to answer the public's concerns about the NHS. That is the fundamental flaw and after yesterday's announcement by the right hon. Member for Dunfermline, East (Mr. Brown), I have to say that any hopes that the Labour party will deliver the resources that the NHS needs are scuppered, not only for the first year but for subsequent years.

Whereas it has traditionally been the expectation that the Labour party would put more funds into the NHS, now, for the first time, we face a general election when it is absolutely clear that the Tory party is committed to putting in more resources in the near future than is the Labour party. The Liberal Democrats are committed to putting in even more—we have done the sums and we will do it. After the next election, if no single party has a majority of seats—we have committed ourselves to not keeping the Tories in office—we will use our votes in this place to ensure that the Labour party breaks its spending commitment not to put more money into the NHS and that more money is put in. I believe that the public will back us in that.

Mr. Bayley: The hon. Gentleman is wrong to say that the Labour party will not match the Government's spending pledges on the NHS—*[Interruption.]*—the Labour party has done so. I read with great care his article in *The Guardian* of 9 January in which he set out the Liberal Democrats' health policy, and it included a number of specific spending pledges, which I asked the statisticians in the House of Commons Library to cost. They tell me that their best estimate is that in 1998-99 the package of measures proposed by the Liberal Democrats would cost an additional £650 million and roughly an additional £1 billion in the following year—it depends on the level of NHS inflation. Given that the Liberal

[Mr. Bayley]

Democrats have already committed 1p in the pound on income tax to education and given that his 5p on cigarettes will raise only £175 million—

Madam Deputy Speaker: Order. Hon. Members are aware of my views on interventions—they should be short. The hon. Gentleman should seek to catch my eye and make his points in a speech of his own.

Mr. Hughes: The hon. Gentleman did not quite finish, but I shall say that we have made a commitment. I shall be happy to talk to him outside the Chamber and go through the figures, but our commitment is clear. First, we have made a commitment to keep pace with NHS inflation throughout the life of the next Parliament. The Government have made a commitment only to keep pace with ordinary inflation and the Labour party has a commitment to fund only one year—the first year—at the rate of the increase in ordinary inflation. Secondly, we have committed an additional £550 million a year, which, as the hon. Gentleman rightly said, will be raised from 5p on cigarettes, which will raise £200 million to restore free dental and eye checks, and from tax collection from employers through national insurance, which will raise £350 million.

If NHS inflation starts to rise again, instead of decreasing, we will have to address the question of where the money will come from. However, there is absolutely no doubt—we have checked our figures with the Commons Library, too—that an analysis of the present commitments on the table of the three main parties in the House shows that the Liberal Democrats have committed far more resources than the other parties; the Tories are clearly second and the Labour party clearly third in the league table.

Mr. Forman: Does that mean that the oft-quoted remark of the leader of the Liberal Democrats that his party would simply put 1p on the standard rate of income tax to fund its education commitment is not the Liberals' only public expenditure commitment and that the Liberals are also committed to other forms of tax increase?

Mr. Hughes: I do not want to be distracted from my speech, but we shall commit an extra £2 billion for education and if that has to come from an increase in income tax—1p in the pound raises about £2 billion—we shall do that. It depends on how much is in the kitty, how many people are in work, what is the social security budget and other factors, but we shall do it. We are committed to further tax increases in respect of the health service: first, imposing additional duty on cigarettes and, secondly, closing various employers national insurance loopholes. Those are tax increases for specific groups in society—they are not general. Those two specific additional commitments have been agreed by all Liberal Democrat Members and by my hon. Friend the Member for Gordon (Mr. Bruce), who speaks for us on Treasury matters, and they are supported by my colleagues in Wales and Scotland who recognise the benefits.

I shall now return to my speech and the five points in the motion. Secondly, I pay tribute to the fact that the NHS works because its staff operate extremely well. Throughout the country, they are under great pressure at this time of year and they are doing an extremely good job. I was in the John Radcliffe hospital in Oxford a couple of weeks ago and staff there are coping, although they have had to delay admissions and put off operations so that patients have had to stay in waiting lists. The staff are doing all that they can to manage. This morning, I was at the South Westminster health centre, which is just round the corner in Vincent square and is run by the Riverside Community Health Care NHS trust. It is an excellent health centre and is clearly doing a good job. With one of my colleagues, I went to a large GP surgery in Elephant and Castle, the Princess street group practice, which is doing an excellent job. Queenie Harrild—a constituent of the hon. Member for Lewisham, East (Mrs. Prentice)—died in Guy's hospital a week ago and that tragic case was mentioned by the hon. Member for Islington, South and Finsbury. Her family specifically said that they were critical not of the staff at the hospital, but of the system and the lack of beds.

Thirdly, it is true to say, as Labour says in its motion, that the result of current policy is that

"government policy has left many people in urban and rural communities without the access to health care they need".

In urban areas, that may be a lack of an intensive care bed when and where one is needed. In rural communities, it may be a lack of a dentist anywhere near one's residence or a lack of a community pharmacist. In all cases, there is a risk that an individual might find himself or herself discharged too early. The hon. Member for Bristol, East (Ms Corston) mentioned the outrage felt in Bristol at people being woken up and sent home from hospital in the middle of the night. Of course, that is what happens to less urgent cases, but that should not be the way in which a publicly funded national health service is run.

Mr. Hendry: Will the hon. Gentleman give way?

Mr. Hughes: No, I am conscious that other hon. Members want to speak.

Fourthly, we share the Labour party's view that we need a more democratically accountable NHS. There should be regional health authorities in England, and democratic authorities in Scotland and Wales, to decide on strategic policy. They should decide whether hospitals are needed or not, instead of that being arbitrarily decided by the Secretary of State. At a local level, trusts and health authorities should be more democratic.

Fifthly, we believe that we must restore confidence in the NHS.

We could have tabled no amendment to the motion, or we could have just congratulated the NHS on its successes and paid tribute to the progress that it has made. Certainly, there has been progress both in paediatric intensive care and in intensive care generally. By convention only the Government amendment is selected on such occasions, but I am glad that the two ideas in our amendment were not completely dismissed either by the Secretary of State during questions today or by the shadow health spokesman when I intervened earlier.

First, the public want the NHS to be removed from the party political battleground. I recently appeared on a Granada television programme with spokesmen from the other two main parties, and someone in the audience made precisely that point. Facts, for instance, could be removed from the battleground. We may disagree about funding,

but the facts should be agreed—for instance, about how many intensive care beds there are and how many hospitals have closed.

Today the King's Fund issued a report on mental health. It is a well-respected independent body; perhaps we could agree to let it do this statistical work. Before the end of this Parliament, I would hope that the three major Great Britain parties, the Irish parties and the Scottish and Welsh nationalist parties will agree to allow an independent, respected and recognised body to provide us with the evidence on which to base political decisions.

Earlier today the Secretary of State referred to the report by the National Association of Health Authorities and Trusts, the last paragraph of which reads:

"Undoubtedly, despite the problems, the service generally has been maintained, although some elective treatments are being deferred. But however hard the NHS is working, the initiatives taken do not solve the underlying problems of capacity and demand. It can be expected that comprehensive reviews of current clinical and workload practices will be undertaken by health authorities and trusts. But overriding this is the need for a high-level review of both the current position and the implications for the future provision of services."

That is why we need agreement on the size of supply and demand, whereupon the politicians can sort out, and put to the public, the best way of dealing with the problems.

Of course some more funding will be needed. We calculate that if people's lives are not to be put at risk by the closure of beds, wards or hospitals in any part of the country, the finance-driven closure programmes and any consequent reductions of services must be put on hold. Doing that will cost about £350 million a year—perhaps we could achieve all-party agreement about that.

I hope that the other political parties will respond to my twin proposals, to obtain independent information and to provide the money that will stop the running down of services. It is no good Conservative Members claiming that the Tomlinson report or the other reports commissioned by the Government are independent and objective. The Government ordered the reports; their authors reported back to the Government. The Nolan commission is more along the lines of what I have in mind—enjoying the confidence of all Members of the House.

Tomorrow we will debate intensive care, so I do not intend to go into it now—except to comment on the fact that the Secretary of State only partly answered the questions about it. Of course the demand for intensive care will change, but we need to hear from Ministers on the record whether they think that we have enough paediatric intensive care beds and other intensive care beds to meet current needs. I hope that such a statement will be made tomorrow morning in the debate; anything less would be a fudge.

One effect of the pressures on the health service is that many operations are deferred. People sometimes die as a result. The lady I mentioned earlier died of a heart attack which, according to the consultants, she would not have had if a bed in Guy's hospital could have been found for her to use after her heart bypass. Theatre and staff were available, but there was no intensive care bed. Thus someone with more years to live lost her life.

Part of the solution must be to separate elective beds for non-emergency admissions from emergency beds, so as to avoid the problem of those with booked beds being put off while they serve as emergency beds.

Many of us are grateful for the universal recognition today that mental health services have been the Cinderella services of the NHS. Those who lose out most are the people with conditions that are not quite acute but are nevertheless immense. I am told wherever I go that only those who present with the most severe mental illnesses are treated, and that people whose needs are slightly less urgent but still serious do not get the service they require. Hence the need to go on building up these services. A mental illness is an illness like any other; those who suffer from mental illness deserve the NHS just as much. Yet they are often treated as lesser beings. Mental illness can come to any one of us. That is why we should ensure that those who suffer from it are given as much chance to recover as people with physical illnesses.

Another problem arises because health authorities and trusts are eating into next year's budgets to pay for this year's, and this year they ate into last year's. I do not know whether the Government can raid the coffers before the general election; I do know that there is always a contingency fund and that, as the election draws nearer, it is eyed ever more keenly. I hope that the Secretary of State and Ministers at the Department will be able to persuade the Chancellor that as little as £200 million, if released this year, would remove some of the pressures and prevent the perpetual delays in treatment that afflict the service.

When the election comes, it will not be about whether we should have a national health service—all the parties are signed up and committed to one. The debates will be about whether to fund it properly. I therefore end where I began. The job of politicians is to be honest with the public. The NHS will be the brilliant jewel of our welfare state only if we inject it with the necessary amount of public money. That is what will divide the parties at the election. My colleagues and I believe that if we fund health and education properly, we shall have a society that is both well and well equipped. Only that will make us the sort of successful nation that our people want us to be.

6.17 pm

Sir Raymond Whitney (Wycombe): I agree with a great deal of what the hon. Member for Southwark and Bermondsey (Mr. Hughes) said, especially with his plea for a more sensible debate about how to go on developing and improving the national health service—a debate that will be possible only by removing the political animus from the subject. Unfortunately, the Labour party is incapable of that.

We have heard two depressing examples this afternoon; and at Prime Minister's Question Time there were two more examples of it from the Leader of the Opposition. He made the same tired old claim that "we"—the Labour party—created and built the national health service. To make such a claim shows either total disingenuousness—I must be careful of my language in this Chamber—or total ignorance. I shall do the right hon. Gentleman a favour by suggesting that his claim is based on ignorance. That is not true of the whole party—some Labour Members know perfectly well who created the health service.

I shall take a moment or two to remind those who may conveniently have forgotten that the first step in the creation of the national health service, which took some 40 years—we may lament why it took so long—was taken

[Sir Raymond Whitney]

by a Liberal, Lloyd George, in 1911. It originated with the National Insurance Act 1911. That legislation created sickness benefit, which became known as the medical benefit scheme, and was the kernel of what became the national health service.

Who opposed that measure at the time? It was the British Medical Association. We should remind ourselves of that fact each time we hear from the current Jeremiah of the BMA—over the past year or two it has been Dr. Marks. But there has always been a Dr. Marks at the BMA, opposing virtually every change for the better in the national health service.

In 1918, before the end of the war, the Liberal and Conservative coalition Government launched the Department of Health. It therefore had nothing to do with the Labour party, but was created by the other two parties. I offer that little history lesson because we do not want to hear yet again the nonsense that the Labour party created the national health service.

In the 1920s, Neville Chamberlain, who subsequently became the leader of the Conservative party and the Prime Minister, called for a national hospital service to fuse voluntary and public hospitals, many of which were of an extremely high standard. It could not make much progress because of the economic conditions between the wars, but, in 1938, all those national hospitals were brought together in the emergency medical service. Who did that? It was not the Labour party but the Conservative Government, so that was a Conservative creation.

In 1944, a White Paper laid the basis of what we now know as the national health service. The wartime coalition Government, in which the Labour party participated, had a Conservative Health Minister, Henry Willink, who introduced that White Paper. So let us hear no more nonsense about the health service being the Labour party's creation—*[Interruption.]* If the hon. Member for Nottingham, East (Mr. Heppell) would like to intervene on this history lesson, I am happy to give him that opportunity.

Mr. John Heppell (Nottingham, East): The hon. Gentleman's account is a little misleading. It would be better if he told us how the Conservatives voted when the national health service was proposed. If he is telling the truth, he will have to say that they voted against the NHS at every stage in this Chamber.

Sir Raymond Whitney: I am happy to come to that. The hon. Gentleman slightly pre-empted me.

Everyone greeted the creation of the White Paper except, again, the BMA and the *British Medical Journal*. The 1944 White Paper was strongly endorsed at the Labour party conference of that year in Blackpool. I now come to the point raised by the hon. Member for Nottingham, East. No one was arguing against a comprehensive health service, free at the point of delivery. That was not the debate, and if the hon. Gentleman thinks that it was, he is dead wrong. The debate was whether to have a centralised organisation that would become overly bureaucratic or a regionally based organisation. The then Herbert Morrison, who may be familiar to some Labour Members, was very much in favour of the local concept. At the very last minute, Bevan persuaded the Labour Government to go for the centralised version—the one opposed by the Conservative party—and, when Morrison told Bevan that it would become a bureaucratic nightmare, Bevan said, "No, we can find ways round it." Sadly, it has taken us many years—we are not yet out of the wood—to find a way to resolve the problems of a centralised health service. We all know that.

Let me continue with the "Labour party's national health service". Who first introduced prescription charges? There are no prizes for the answer—it was the Labour party. Who, in the 1970s, cut hospital building by 28 per cent. in real terms over four years? It was the Labour party. Who cut nurses' pay in real terms? It was the Labour party. For three years out of four, the pay rises granted to nurses during the period of Labour government were below the rise in the cost of living.

In 1977-78, there was a real cut in spending of 2.7 per cent. That is the Labour party's reputation and record, and Labour Members and the country should never forget it.

Mr. Hendry: Will my hon. Friend confirm that the Labour party's approach of seeking to cut the health service goes back a little further? The first financial crisis in the health service was in 1949—a year after it was started—when the then Labour Cabinet said that, as the health service had been in operation for a year, the population should be healthier, so the money going into the health service could be cut.

Sir Raymond Whitney: My hon. Friend is right. However, in the 10th anniversary debate of the founding of the national health service in 1958, when happily there was a Conservative Administration, the Conservative Minister for Health, Derek Walker-Smith, said that, if we spent just a little more, the nation would get healthier, and we could then spend less. With the wisdom of hindsight, it now seems incredible that our distinguished and intelligent predecessors should ever have thought that.

We now know the reality, which is what we must all wrestle with. As the hon. Member for Southwark and Bermondsey rightly said, if only we could wrestle with it in a calm and intelligent way instead of with the party clap-trap that we hear all the time about it being the Labour party's national health service, we might make some progress.

We all know the factors: the rise in demand; an aging population; improvements in, but increasing costs of, medical techniques; and the rising aspirations, quite rightly, of our people. All those factors add up to a huge challenge, to which we are rising and have risen during the period of Conservative government, and of which we should be extremely proud.

Just imagine if, in 1979, we had gone to the electorate and said, "Over the next 18 years, we shall increase real-terms spending on the health service year on year by 3 per cent." Who would have believed us? What would the Labour party of the day have said? However, that is what we have done. Had we said that to the BMA, it would have said that all the problems would be solved. Every year, BMA spokesmen say, "Just a little bit more—2 per cent., £2 billion or £10 billion more—and we shall all be OK." Had we offered them a 3 per cent. annual increase in real terms for 18 years, they would have said, "This is utopia; this is heaven." Everyone would have been happy.

We did not say that, but that is what we have achieved. We now have more than 20,000 more doctors, who are paid 33 per cent. more in real terms. We have 55,000 more nurses, who are paid nearly 70 per cent. more in real terms. That is a great record, and we are proud of it.

It is not a matter just of employing more doctors and nurses and paying them more, however, but of treating more patients with better, more advanced treatment, and that is what is being achieved. Our constituents know that, although they are still fooled by the Jennifer's ear war which the Labour party persists in waging. Labour Members have learnt nothing since 1992 in that regard. We get the same old tired vacuity.

If I speak to my constituents, they say that they hear about the terrible problems in the NHS. When I ask them about their personal experience, they say, "My general practitioner is fine." There are GPs of a high standard in my constituency, I am happy to say, and many of them are in budget-holding practices, with all the benefits that that brings. My constituents tell me about Aunty Mabel, who was in Wycombe general hospital a few weeks ago, where the treatment was wonderful. That is what we all hear, time and again.

Despite all the challenges and the Labour party hypocrisy, we have a great national health service, which is getting better. That is partly a tribute to the healthy economy that we have created, which has enabled us to put in substantial resources, but it is an even greater tribute to the contribution made by all those who work in the NHS, who are daily denigrated by the Labour party. It is time for that to stop.

6.30 pm

Mr. John Gunnell (Morley and Leeds, South): A week ago, I was one of those who raised on a point of order the failure of the NHS to meet the extra demand generated by the extremely cold weather over the Christmas and new year period.

That failure was highlighted for me by the death of a constituent of my neighbour, my hon. Friend the Member for Leeds, East (Mr. Mudie). In dire emergency, that constituent had to travel to Hull for treatment, despite the fact that she lived within one mile of a major hospital and within two miles of each of the major hospitals in Leeds. We have become used to Leeds hospitals receiving emergency cases from as far away as Kent, so people in Leeds were surprised to find that our hospitals could not deal with an emergency on their doorstep.

I raised the point because I thought that the number of incidents and the severity of the shortage of treatment would bring the Secretary of State to the House. Surprisingly, it did not even get him to the studio on the day that the House resumed its business.

That anecdote and others that we have heard during the debate demonstrate a widespread failing in the health service, but it is important to look beyond anecdotes, because, with so many people being treated by the health service, we cannot expect every case to work out satisfactorily. There will always be anecdotes about people who did not receive the treatment that they felt they should have had.

We should accept that the reforms introduced into the health service are not all working as smoothly as is claimed by those who introduced them. The public demand changes in our approach to the health service, and I am sure that, after the general election, we will respond to those demands.

The BBC "Panorama" programme just over two weeks ago advanced the thesis that the NHS was being kept afloat in an attempt to see the Government through to the election, that health authorities would be about £150 million in debt by the end of this financial year, and that they were being allowed to overspend by a supposedly fiscally responsible Government in order to create the impression of stability. In effect, that debt will prove to be a deferred cut in NHS spending.

"Panorama" also reported that, in the past five years, £500 million could have been spent on patient care by health authorities, but that, because of short-term political concerns, that was stopped by the Government through the health authority chairmen they had nominated. That charge needs answering.

We must discover why there are severe shortages in the health service. The series of anecdotes is not haphazard, but part of a pattern that reveals deficiencies in the service.

Mr. Forman: I also saw the "Panorama" programme, which I found interesting. Does the hon. Gentleman recall the powerful point it made about the great advantage to patients from the constant provision of new facilities and new hospitals for the health service, as has happened over the past 18 or 20 years or longer? That requires older facilities to be closed down, but it is important that continuity of provision should be maintained.

Mr. Gunnell: The programme suggested that potential savings had not been made, because of reluctance to close down some facilities that had passed their useful life and that did not have the skilled staff to deal with emergencies for which they were supposed to cater.

I agree with the hon. Gentleman, but the fundamental argument of the programme was that the Government were allowing health authorities to run up large debts in order to keep the health service afloat and maintain the impression of stability until the general election. The hon. Gentleman may not agree with that, but I am sure he will agree that that was the main thesis of the programme. The Government must answer the charge.

I hope that we would all agree that deficiencies exist in the NHS. As a result of closures, there is undoubtedly a shortage of beds. The British Medical Association, which is clearly not popular with the hon. Member for Wycombe (Sir R. Whitney), says that the reduction in bed numbers is a key reason for the current NHS crisis.

The Conservatives have cut almost one in four beds since the internal market was introduced. In the North and Yorkshire area, which is my area, there has been an incredible 33 per cent. drop in geriatric beds, a 25 per cent. drop in maternity beds and a 19 per cent. drop in general and acute beds since 1989-90—a 27 per cent. drop overall. We must accept that those figures are accurate and based on a count by the BMA.

In a recent report on the state of the health service, Leeds general infirmary was highlighted by the BMA for bed closures due to lack of money. The infirmary closed 40 beds because it was the focus of criticism last year about the number of patients on trolleys. I drew attention to two relatives from south Leeds who had died as a result of being left too long on trolleys.

[Mr. Gunnell]

I accept that an attempt was made to increase the number of intensive care beds. That attempt was partially successful: we have not had quite the same level of crisis this winter, but that has been achieved at the expense of ordinary services. Those 40 beds and others were cut, resulting in the postponement of operations and delays in admission.

I have been invited to visit a hospital in the next week or two to meet one of the consultants and hear why people must wait so long to see him. The crisis in the NHS is fundamentally a beds crisis. The BMA has warned that, unless the chronic underfunding is tackled, an "emergency-only service" will characterise the NHS in the winter months ahead. Routine surgery, treatment and investigations are already being cancelled or slowed down.

The Sunday Telegraph, which I would not usually expect to support the Labour party's position, recently reported an accident and emergency official who described the entire hospital service as being

"stretched beyond its capacity to cope."

Even the Minister must accept that the health service is under great strain because of a shortage of hospital beds.

I shall not rehearse the argument about intensive care beds. However, the Secretary of State must examine the position in Leeds and in the North and Yorkshire region, as I do not believe that that region has received the number of paediatric intensive care beds that he specifically promised in his statement. That is why I asked him about the situation in that area.

The right hon. Gentleman accepted in correspondence with me that the paediatric intensive care unit at Leeds General infirmary is the most highly skilled facility in the region. It is logical to expand the best unit, but the facility at Leeds General infirmary occupies an enclosed space, and it would have to be relocated within the hospital in order to accommodate more than one additional bed.

We are told that an extra bed has been added to the unit, but the facility is unchanged from when I visited it a year ago. It has space for five beds, and, at a time of real crisis, it can expand to six. That extra bed is shoved in at the expense of the space available to the other beds. It is all very well for the Secretary of State to claim that the unit now has an additional bed, but that bed was always available when needed. The difference is that, previously, it was not counted as an official paediatric intensive care bed, and now it is. I believe that the Secretary of State has failed to fulfil his promise to the North and Yorkshire region, and I shall be interested to hear his comments on the matter.

A shortage of capital funds in the Budget has also caused problems. The Chancellor has revealed a 16 per cent. cut in capital spending, in the expectation that the private finance initiative will make up the difference. The matter was raised previously in debate.

I think that the Government should come clean about the PFI's achievements in terms of completed projects. When I asked the Secretary of State about it, he said that 43 PFI projects had been signed, which were worth a total of £317 million. When I asked how many of those projects had progressed to building work on a hospital site, he said that 32 such projects had been completed. I can only assume that he meant that the signing had been completed in 32 cases and that the projects were ready to go ahead.

I ask the Minister of State: how many projects are under way? I am interested not only in signed contracts but in bricks and mortar. Can those whom the new facilities are intended to serve see something happening? I do not know of a single instance where construction is under way.

It is all very well to assume in the Budget that the PFI will make up a shortfall in expenditure—I hope that the private sector ventures will prove successful and that the projects will go ahead, because the NHS needs them—but we must be sure that the projects have progressed beyond the mere signing of pieces of paper. Parliament enacted the National Health Service (Residual Liabilities) Bill last year to enable the contracts to be signed, and now I want to know what progress has been made. Is the private sector confident about those contracts?

Mr. Steinberg: I asked the same question of the Library, and I was told that no PFI project has begun, and not one brick has been laid on any site. Where the Secretary of State gets his 32 starts from is anyone's guess—in fact, I suspect that he was misleading the House.

Mr. Gunnell: I thank my hon. Friend for his intervention.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. Do I understand that the hon. Member for City of Durham (Mr. Steinberg) is accusing the Secretary of State of misleading the House? If so, I think that he may want to withdraw that remark.

Mr. Steinberg: I did so inadvertently, Mr. Deputy Speaker, and I obviously apologise to the House. However, when information from the Library states that not one brick has been laid on site and the Secretary of State says that 32 projects have been completed, someone somewhere is supplying the wrong information.

Mr. Deputy Speaker: Do I understand that the hon. Gentleman has withdrawn the remark?

Mr. Steinberg: Yes.

Mr. Gunnell: Thank you, Mr. Deputy Speaker. I do not think that the Secretary of State tried to mislead the House. When I asked about completions under the PFI, I think that he thought that I was referring to contracts rather than buildings. Like my hon. Friend, I understand that the projects have yielded no concrete results.

Mr. Steinberg: According to the Library, the schemes' commencement dates have not been announced.

Mr. Gunnell: I must move on rapidly.

Mr. Malone: Perhaps I can assist the hon. Gentleman. I cannot allow the intervention of the hon. Member for City of Durham (Mr. Steinberg) to stand. I shall deal with the matter in some detail in my winding-up speech, but I rise now merely to state that I celebrated the completion

of a PFI scheme involving the internal refurbishment of part of a London hospital about six to eight months ago. The scheme was valued at some £5 million to £6 million.

Mr. Steinberg: What a load of cobblers!

Mr. Malone: The hon. Gentleman may mock—I am sure that those at the hospital will note his comments—but I can vouch for the fact that the PFI principle is delivering within the NHS.

Mr. Gunnell: I thank the Minister for his comments, and I accept that he has seen that project completed. However, I am sure that he does not intend to imply that the Secretary of State meant that 32 such projects have been completed.

I believe that the shortage of capital in the NHS—I hope that my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) has noted it—is causing real concern within the service. There is also clear dissatisfaction with the purchasing system.

On Sunday, the Minister of State responded to claims that 20 per cent. of expenditure on purchasing in the NHS is unnecessary. A group claimed that £8 billion of the £40 billion spent on purchasing in the NHS could be saved. The group did not substantiate its case, and I think that we would need more information if we were to pursue that line. However, it is important to examine the way in which money is spent.

I have written to the Department about the concerns expressed by a company in my constituency—I think that it is the only firm in England that manufactures operating theatre lights—as a result of its experiences of trying to win contracts in the national health service.

As a member of the Select Committee on Public Service, I am a little concerned about the meeting that we had with the Audit Commission. We talked to the Audit Commission. The freedom it has when it examines local government, whereby it can examine almost anything that local government is doing, is not available to it in the national health service. It is not able to investigate hospitals.

I hope that the Minister and my hon. Friends on the Front Bench will consider the use of the Audit Commission in the NHS. If the commission were not restricted in what it can do in individual hospitals and trusts, we might get some useful information from it. Certainly, if purchasing does not, as was alleged, ensure value for money, I would expect the Audit Commission to be able to make a positive contribution. I hope that the Minister will consider that.

My hon. Friend the Member for Islington, South and Finsbury made a point about which we feel very strongly: if so little information is held centrally, as the Department of Health is willing to reveal to us in answers to parliamentary questions, it is no wonder that some of the decisions that are taken are not the best decisions for the service. I am amazed at the number of times we are simply told that the information is not held centrally, even when my hon. Friend the Member for Bolsover (Mr. Skinner) asked how many hospital closures there had been.

Let me give examples of matters that are important for an understanding of the workings of the health service. I have been looking at the Mental Health Act 1983 and the way in which electro-convulsive therapy treatments are given—I have a constituent who is concerned about this—and particularly the way in which they are often given without specific consent. I attempted to find out, through the Department of Health, the extent to which such treatments take place, but was told that the information was not held centrally.

I tried to find out what information the Department collected centrally to determine the performance of the health service in relation to its "Health of the Nation" targets on strokes. It told me that, although it holds a certain amount of information concerning mortality, it was not able to tell me much about the people who experienced strokes and went into hospital, and what treatment was effective in preserving them, perhaps for a later stroke but perhaps for very much longer than that.

If that information is not held centrally, what is? How do Ministers get the information they need to make policy decisions? The health service is now so fragmented that it must be difficult even for Ministers if the Department of Health is not able to give factual data about the state of the nation's health—and, indeed, how far we have progressed towards meeting the "Health of the Nation" targets.

After the general election, a change will come about that will be extremely helpful to the service. In the first instance, in office will be people who always use and rely on the service. That is very important. It makes a difference. The attitude of someone who is able to contract out of the health service and pay for his or her private health care is very different.

I lived in the United States for eight years, where I had to pay for my own health care. The health care that I received there was very good, but that was because I was able to pay for it. We do not want different standards of care according to people's ability to pay. There will be a positive effect from the presence in office of people who recognise that, in times of emergency, they have only the health service on which to rely.

We have within the health service an enormously committed work force. The Government say that we run down those who work in the health service, but that is not true. We have very strong praise for those who work in it. Often, the conditions under which they work do not help their morale. I am thinking, for example, of those who work on temporary contracts. A little while ago, my wife had an operation in the Huddersfield royal infirmary. The treatment that she received was extremely good. I have nothing but praise for those who carried out the service.

Some of the staff on temporary contracts explained their position. They did not know whether, in the next financial year, they would have a contract. The morale of people who work in the health service is affected by such matters. If they cannot live their normal lives because they are uncertain whether they will have a permanent job, that makes it more difficult for them to show commitment to the service. In this instance, however, I found that the people concerned showed extremely good care, and I saw their commitment to the service.

Under a Labour Administration, there would be ways of working to correct the low morale in the service. There would be much greater participation. On local commissioning, we are concerned that more people take part in decision making. I believe that real savings can be

[Mr. Gunnell]

made by reducing bureaucracy. One area where a Labour Government could make savings is the enormous bureaucracy within the service on billing those who receive treatment outside their areas. It is possible to make the savings that we have spoken about without detriment to the service.

We should make use of the services of the Audit Commission to ensure that purchasing is carried out on a value-for-money basis. The Minister was accused on Sunday, by the person with whom he was debating, of wanting to remove from the NHS the very people who are making good decisions. It is important that we have advice, so that any changes we make in the service do not affect patient care.

Tonight's debate has highlighted deficiencies in the service. The Government are unusually complacent about the service for which they are responsible. It has proved to be less than safe in their hands, and I feel confident that the election of a Labour Government will be welcomed throughout the health service. The Government will have to explain why, in every survey, the public believe firmly that the health service will be safer in Labour's hands. It is because they know that it is a service on which we ourselves will rely in emergencies. We believe that the health service is essential for the health and well-being of the nation.

6.58 pm

Dame Jill Knight (Birmingham, Edgbaston): I leave the hon. Member for Morley and Leeds, South (Mr. Gunnell) to dream on.

Undoubtedly, all hon. Members read the Order Paper each day. I am sure that they do so devotedly and thoroughly from start to finish. I am beginning to be glad that the public do not follow our example. If they did and read the motion that is before us, thousands of people would be astonished. We read of the "grave situation" of the national health service, of "anxiety," "alarm" and "intolerable pressure". We are told that many people are

"without the access to health care they need".

What tommy-rot.

I can say without question that anyone who has been in hospital, or been to their doctor, and experienced the level of care that my hon. Friend the Member for Wycombe (Sir R. Whitney) described, would not recognise the terms of the motion. The motion is so far from reality that there is virtually no connection between what it states and the reality of the health service.

It is not an infrequent occurrence for me to receive letters from constituents or to receive visits at my surgery. People write or visit to say, "I want to let you know that I have been in hospital"—it might have been one of a number of hospitals—"and I had the most wonderful care. The most wonderful nurses and doctors looked after me. The treatment I had, the drugs I received and the operation performed were magnificent." Yet those who have not had the misfortune to be ill, or the good fortune to be looked after in an NHS hospital, must think that our hospitals are appalling, especially if they read the rubbish contained in the Opposition motion.

It is true that the press, especially local newspapers, seem to glory in presenting bad news. They will rejoice at someone being left on a trolley. They will not mention, of course, how many patients the same hospital is treating on any given day when someone is in a corridor on a trolley. Newspaper reports portray a service that has no connection with the real service.

Intensive care units were mentioned at Question Time, including Prime Minister's Question Time, and in this debate. If we had so many extra intensive care units available that every patient who suddenly had a need for such a bed could immediately be placed in a unit within 20 minutes of his or her home, we would need a huge increase in the money that is available to spend. If that provision were made available, thousands of intensive beds would be left empty day after day. I can imagine the fuss that would be generated by the newspapers, let alone Her Majesty's Opposition, about the waste involved in all those beds remaining empty in the absence of emergencies, accidents, children having serious heart conditions or whatever. The expense of having an intensive care unit available for everyone who might—not would—have a need for one, having fallen under a bus or out of a window, would be amazing to contemplate.

The same point can be made about ordinary hospital beds. Patients on trolleys in corridors are not there for fun. They are there because every bed in the hospital is full. We never hear, however, about the numbers of patients who are being treated in hospitals. We know—*[Interruption.]* It is no good the hon. Member for Doncaster, North (Mr. Hughes) laughing. God forbid that he should have any responsibility for providing the country with health care as he clearly knows little about it. We cannot possibly keep empty beds available just in case we are faced with a 'flu epidemic. It is clear that Labour Members are living in a dream world. *[Interruption.]* The hon. Member for Doncaster, North laughs and refuses to face the facts. He will hear a few more from me, whether he likes it or not.

I have attended health debates in the House for many years. Whenever Conservative Governments have initiated reforms or improvements, or introduced new ideas, Labour has voted against them. If we are realistic, we must accept that reforms have to be made. We all know—perhaps the hon. Member for Doncaster, North does not, but he would be the only Member in that position—that if we are to give everyone every care that he or she needs at any particular time, we shall have to make more money available. I happen to believe that voters agree with that assertion. I recognise, of course, that they want a good health service and are happy to see that their taxes are spent to provide one.

Many of the reforms that we have introduced, against which Opposition Members voted, were designed to ensure that all moneys spent within the health service were spent wisely. At one time we had no idea how much it cost to keep someone in a hospital bed overnight. We did not have a clue. We also did not know how much it cost to perform operations, ranging from those to remove varicose veins to heart transplants and complicated liver surgery, for example.

Mr. Chris Smith: Will the hon. Lady give way?

Dame Jill Knight: No, the hon. Gentleman must listen for a short while.

We Conservatives ensured that inquiries were made and careful costings undertaken. I do not know whether the hon. Gentleman—

Mr. Smith: Will the hon. Lady give way?

Dame Jill Knight: Let me finish my sentence. When I have done so, he can have his go.

I remember—perhaps my memory is better than the hon. Gentleman's on these matters—that we initiated schemes to enable us to ascertain costs. The Labour Opposition voted against them.

Mr. Smith: The hon. Lady is making much of the supposed fact that we now know the cost of operations. I specifically asked the Secretary of State in a written question in December 1996 to supply the average cost in England of a hip replacement operation. Why, then, did I receive the answer that he did not know?

Dame Jill Knight: The hon. Gentleman cannot deny the truth of what I have said. It may not be possible in every instance to state the cost of a hip replacement operation, but we Conservatives initiated schemes—if the hon. Gentleman was in the House at the time, he would have voted against them—to try to determine costs. I am talking about the principle of needing to know what hospital stays and operations cost. We now know a great deal more—I accept that we do not know everything—about costs. Much time, care and work were expended on finding answers to questions of costs.

Why was that? We had the opportunity for the first time to ask, "Why is it that this hospital can run its operation theatre at a cost of only £X per hour while another hospital is running its theatre three times more expensively?" We were able to say, "This hospital is able to accommodate a patient overnight at a quarter of the cost incurred by the hospital along the road. Why is that?" On that basis, each hospital and each hospital chief executive could examine why one hospital was cheaper than another.

It is no good the hon. Member for Islington, South and Finsbury (Mr. Smith) thinking that what I have described did not happen. He lives in cloud cuckoo land most of the time, but he must understand that without a knowledge of costs, which we most certainly have and have used, we would not be able to make comparisons and introduce savings.

A great deal of money was saved once we could ask cost questions. We found that many areas of hospital care—for example, cleaning, the provision of food and laundering—would be much more cheaply provided on a privatised basis. Labour voted against such schemes. It is hilarious now to hear what Labour is saying about privatisation. Never in 100 million years would it have introduced privatisation. We said, however, that it would be sensible to adopt schemes that would enable us to have more money, and they have provided that. Private firms were employed if they could do those jobs better.

I remember Labour Members jeering at us and accusing us of thinking that it is all a matter of money. You think that it is not at all a matter of money—I beg your pardon, Mr. Deputy Speaker, I am not referring to you. Her Majesty's Opposition may think that money does not come into it, but doctors and nurses have to be paid, new hospitals are being built and they cost money; adaptations to modern methods of treating people must be made and they are expensive.

Labour Members accuse us of trying to save money, every penny of which we have spent on the treatment of patients—our reforms gave us much more money to do that. None of that would have happened were it not for the Conservative party's reforms, all of which the Labour party voted against. Since they were introduced in 1991, our reforms have enabled no fewer than 3,500 more people per day to be treated. What a lot of pain that must alleviate. What a lot of comfort that must give to relatives who are concerned about their sons or daughters.

Her Majesty's Opposition seem to set themselves up as the friend of the health service. If that is so, it is the first time ever.

Mr. Kevin Barron (Rother Valley): The Tory Government voted against it.

Dame Jill Knight: If the hon. Gentleman had listened to an excellent speech by my hon. Friend the Member for Wycombe, he would know a little more than he does about the history of the health service.

The fact of the matter is that more money will be necessary. Although we have made a clear pledge to provide more money, the Labour party has not. When the general election campaign comes—it cannot be far away—people will not believe a word that Labour Members say. The Labour party refuses to promise to spend any more money; it says that it may spend more money but that it will not increase tax. If it will not increase tax, where is the money to come from? Will national insurance contributions or excise duties be increased? Will Labour extend VAT? No. Apparently it will be possible to make much more money available to the health service merely by ending bureaucracy.

I should like to read a quick snip from *The Independent* of 28 November 1996:

> "The big question Mr Smith has to address is resources. It is no good Labour relying on its present formula of sacking managers to create £100 million for the NHS to recycle. The managers have gone. The savings have been made. He should fight Gordon Brown the shadow chancellor for the right, at the very least, to match the Tory cash promise for next year".

No such matching promise has been made. Furthermore, I could not help noticing what a Labour Member said in *The Journal* on 4 December 1996:

> "Labour will match any spending pledges made by the Conservatives".

That was on 4 December, but I am still waiting for Labour to match the spending pledges made by the Conservatives. There is more. He said:

> "we will also cut £100 million from the NHS bureaucracy bill and use it to treat . . . 100,000 patients".

His arithmetic is a little dodgy. Labour has made no spending pledges, and it is perfectly obvious that the electorate will not be told whether there will be more spending and where the money will come from.

The Opposition are always attacking health service managers, but managers are necessary: it would be extraordinary if a hospital could be run without a manager. I am sick and tired of hearing Labour Members attack managers, who to my mind do a very good job.

[Dame Jill Knight]

When we consider the health service in other countries, even those of our European partners, we begin to see how extremely fortunate we are in this country with our excellent health service. In parts of Europe, people have to have their food, linen and blankets brought to them in hospital, and they do not get even the most modest and insignificant nursing care unless they pay for it directly.

Mr. Rhodri Morgan (Cardiff, West): It is called privatisation.

Dame Jill Knight: No, in hospitals run by countries in the European Union.

It is improper for the Labour party to keep attacking the health service and suggesting, quite wrongly, that people are getting a bad health service. The people of this country are not fools: they know perfectly well what the service is like, because they receive health care and they know that it is beyond compare. Her Majesty's Opposition should be ashamed of themselves.

7.16 pm

Mr. Mike Hall (Warrington, South): In opening the debate, the Secretary of State for Health tried to lay the foundations of his argument for the coming general election. He treated us to the view that, when the election is called, the people will side with the Conservative party. I do not believe that, but if he is so sure of his ground, he should go to 10 Downing street and persuade the Prime Minister to call the election and let the people judge for themselves to whom they want to entrust the health service.

It is worth remembering that the health service is in its 49th year. I sincerely believe that it is facing a crisis: I say it no more strongly than that, because I do not want to be accused of scaremongering or shroud waving.

It is important to put the record straight. It is unfortunate that the hon. Member for Wycombe (Sir R. Whitney) is not present, because he treated us to a view of history with which I do not concur. He claimed that, between 1940 and 1945, the national Government endorsed the findings of the Beveridge report. The Beveridge report was rejected by the national Government. The only political party that took forward the principles of the Beveridge report was the Labour party. Those principles were rejected by the Liberal party and the Conservative party. In 1946, when the vote for the creation of the health service took place, that rejection was plain for all to see, because the Conservative party voted against it.

Conservative Members are being disingenuous when they say that they supported the creation of the health service and the concepts in the Beveridge report. The Beveridge report was so controversial that it was disowned by almost everyone, including his own party. The Labour party can be rightly proud of the fact that it used the report as a blueprint for the national health service under the auspices of a Labour Government.

Mr. Hendry: Will the hon. Gentleman give way?

Mr. Hall: No, I shall not give way.

If the Conservative party wants to stick to its claim that the health service is safe in its hands and that it will care for those in need, we should consider how it is dealing with the current crisis in intensive care across the whole country. That is a powerful example of the Government's complacency and shows how they are disintegrating. Last week, the Secretary of State for Health refused to come to the House to answer questions on the crisis in intensive care provision.

If we need confirmation of that complacency, we need only consider the way in which the Prime Minister dealt with the issue at Question Time this afternoon, and the way in which the Secretary of State dealt with it in his opening speech. The Secretary of State refused to recognise that there was any problem with the provision of intensive care, but there are enough examples to prove him wrong. The right hon. Gentleman's strategic intellectual non-intervention does him no credit—although I had some regard for him when, as Chief Secretary to the Treasury, he spoke from the Dispatch Box in a different vein, adopting a far more considered approach.

The Secretary of State should not be surprised that there is a crisis in the health service, because on his desk is a report to Alan Langlands, chief executive of the national health service executive, on emergency care in the north-west region. The report mentions a separate report on intensive care. The report on the north-west region has been published, and was presented to Alan Langlands in September 1996.

I wanted to use the report to strengthen my arguments about the intensive care problems in my town of Warrington, but the north-west regional office refused to give me a copy, saying that it had not been published and was only for internal use. I do not know what the office has to hide, but the document has been published, and should be available to hon. Members. I do not understand why the Department of Health, through its regional office, wants to suppress it; I can conclude only that the information contained in it would be damaging to the Government if quoted in the debate, and would underline my view that Warrington is experiencing a crisis in internal intensive care provision.

To strengthen my argument, therefore, I shall have to refer to the report of which I have a copy, which concerns emergency care in the north-west region. I shall read just one paragraph from the introduction, which is very powerful. It states:

> "Over recent years there has been a steady increasing pressure placed on secondary care services to handle emergency admissions over the winter period. The pressure became so intense at times during 1995/96 that the system was in danger of collapsing."

No wonder the Department did not want me to see the report on intensive care in the north-west, as submitted to the chief executive of the health service.

The report confirmed that there had been dramatic bed losses in my region. We know from Government answers placed in the Library that, since 1989-90, 10,510 beds have been lost in the north-west; furthermore, 1,238 acute beds have been lost since then. It also confirmed that there was a crisis in emergency care provision, and predicted peak demand for such provision in November and December last year, adding that no extra resources would be available to meet that demand. Although the report goes some way to admitting that there is a demand and

talks of managing resources in the health service to meet that demand, it does not go the extra yard in terms of intensive care provision.

The borough of Warrington is served by Warrington's district general hospital. Warrington's population is 200,000 and growing, but the hospital deals with trauma admissions from a wider population in Halton, in the borough of Widnes and Runcorn, and from Leigh. That catchment area contains 350,000 people.

Warrington hospital has three intensive care beds and one high-dependency bed. Last year, the occupancy rate for those beds was 98.9 per cent. If we use the NHS guidelines on the provision of intensive care beds, according to the rule of thumb there should be 2.2 beds per 100,000 people. If that were applied in Warrington, we would have eight intensive care beds, but at best we have only four. North Cheshire health authority funds only three, however; the hospital provides the money for the other one.

The existence of a crisis is underlined by the fact that, in 1996, there were 142 intensive care admissions and 216 high-dependency admissions. The other side of the coin is the refusal of 83 admissions—but that is not the whole picture. Once doctors know that the intensive care unit is full, they do not even apply for places for their patients. There were 18 transfers from the intensive care unit—out of Warrington—but that, too, does not give the true picture, because transfers from other wards or from the accident and emergency unit are not included. Both the refusal rate and the transfer rate should be higher.

The postponement of elective surgery and the cancellation of operations owing to the lack of beds is also a problem in Warrington hospital. Warrington is developing a very good reputation for treatment of the three major cancers, but when operations are cancelled, patients who are desperate for surgery must go through the trauma of having their appointments cancelled and their treatment delayed—although, as we all know, the earlier patients are treated for cancer, the better are their prospects of recovery. The chief executive of the hospital tells me that it is very difficult to quantify the number of patients who are not scheduled for surgery because of the lack of beds.

It is clear that there is not enough intensive care provision in that hospital, as North Cheshire health authority has recognised. Warrington is a net exporter of intensive care, which means that more patients go out of Warrington for treatment than come in from outside. The consequences have been fatal for at least one of my constituents, and probably more. I refer to the tragic case of Mr. Pitcher, who was admitted to Warrington hospital in September for routine bowel surgery. During post-operative care, he suffered a heart attack and needed an intensive care bed, but no bed was available at the hospital. He was taken by ambulance to Fazakerley hospital, 30 miles away. He died.

At the inquest a couple of weeks ago, the coroner was so concerned about the lack of intensive care at Warrington that, in giving his verdict of death by misadventure, he said that he would refer the case to the Secretary of State for Health. The consultant who had dealt with Mr. Pitcher said that taking him to Fazakerley hospital in an ambulance had not been the treatment that he had deserved, and I am certain that the lack of an intensive care bed in Warrington led directly to his untimely death.

Another case involved a lady who lived in the village of Barnton in mid-Cheshire, just outside my constituency. She had a severe respiratory problem. The doctor telephoned all the hospitals in the area looking for an intensive care bed—Countess of Chester hospital, Warrington hospital, Halton general hospital and others—but no bed was available in the north-west. The lady was transferred by ambulance to Rhyl, but was dead on arrival. I am certain that, if an intensive care bed had been available anywhere in Cheshire, she would be alive today.

In another tragic case, a gentleman called Mr. Wilson was found unconscious in the grounds of Winwick hospital, a mental hospital in north Warrington. He was taken to Warrington's accident and emergency unit, but there was no place for him in intensive care. He was transferred to Trafford general hospital. He then contracted pneumonia, and has been in a coma for nine weeks. I cannot say whether he will regain consciousness, but one thing is certain: the journey from Warrington to Trafford did not do him any good. He is now taking up a bed at Trafford, and preventing others from obtaining the intensive care that they need.

My final example concerns a lady recovering from surgery at Warrington hospital. Her case worsened and she needed intensive care, but, as no bed was available, she had to be taken across the Pennines in an ambulance to Leeds, 60 miles away. There have been problems with intensive care provision in Leeds as well.

Those are just four examples of transfers of people who could not be given the treatment that they should expect from hospitals in their areas. It is clear that intensive care provision in Warrington is inadequate to meet local demand. I was encouraged by the Secretary of State's announcement of challenge funding of £4 million to provide 37 intensive care beds and 53 high-dependency beds. The total number is 90 and not the 100 that the Secretary of State claimed in the debate. However, in his case, a 10 per cent. inaccuracy can be forgiven.

North Cheshire health authority put in a bid on behalf of Warrington hospital for an extra high-dependency bed. The Secretary of State said that such beds would be provided where the need was greatest and Warrington had a demonstrable need. However, on 27 December he announced the bad news that Warrington had not been given the extra bed that it required to bring it even halfway towards the provision that we should expect for it.

North Cheshire health authority, the regional authority and the hospital have decided to put together a package to provide one intensive care bed from 1 April. The health authority will provide £100,000, the regional authority will try to find the same amount and the hospital has been asked to find £50,000 for the provision of that bed. It is a step in the right direction, but it is rather like putting a finger in a dyke because, for straightforward reasons, in six months there will be an increase in demand in Warrington that will not be met.

Warrington has been underfunded for as long as I can remember. It is a growing and prosperous new town in north Cheshire whose population has trebled in the past 25 years. It is surrounded by a motorway network consisting of the M6, the M56 and the M62. Because of geographical features, the trauma admissions to Warrington hospital are the highest in the region.

[Mr. Hall]

In the early 1980s, Warrington's two hospitals were merged and, in its so-called wisdom, the health authority decided to use £1 million of revenue to fund part of the capital building at the hospital. That revenue has never been repaid and, on today's figures alone, that is costing the hospital £4 million. Every month the hospital is on red alert. As the Minister will know, that means that its finances are at the absolute limit. It is in danger of overspending every month and its financial position is reported to the regional arm of the executive, yet it has been asked to provide £50,000 towards the provision of intensive care.

The 1997-98 budget for North Cheshire health authority, which is a purchaser, showed the lowest increase in the region and Government constraints mean that any attempts to address the inadequacy of provision in Warrington hospital are resisted.

I am certain that there is a crisis in the health service. I have been told, although I do not know whether it is true, that three weeks ago there was not a spare intensive care bed in the whole of England. If there had been any more admissions for intensive care, the nearest suitable bed would have been in Scotland. Warrington hospital is an example of the crisis in intensive care. Does the Minister of State recognise, even at this late stage, that there is a crisis? If he does, what does he intend to do about it? Does he appreciate the problems that I have outlined in Warrington? If so, what does he intend to do about them? What will he tell me in his winding-up speech so that I can return to my constituents and say that the Secretary of State has taken heed of the problem and is prepared to take steps to ensure that they receive the health service that they deserve?

7.33 pm

Mr. Nigel Forman (Carshalton and Wallington): The House will agree that it is always a tragedy when patients die or become more ill than need be because of misfortune, failures in clinical judgment or organisational failures in the health service. Every hon. Member and every fair-minded person deplores such eventualities, but that is not to say that in a service as large and varied and, if I may say so, as successful as the national health service, it is correct to approach such a serious debate by lacing speeches, whether in the House or outside, with endless repetitions of the six letter word "crisis". If I had £1 or even 10p for every time I have heard Opposition Members or distinguished adornments of the media use that word in relation to the health service, I would be fairly well off. Such speeches are the wrong approach.

I agree with the wise words of the hon. Member for Morley and Leeds, South (Mr. Gunnell), which I hope the House has noted. He said explicitly that it is not sensible for individual anecdotes on this matter to do more than inform policy. Those were not his exact words but my rendering of what he said. Such anecdotes should certainly not determine policy and still less should newspaper headlines be taken as a guide either to the real situation or to what should be done.

I was appalled recently, and not for the first time by such an example, when I saw that the sub-editor of one of my local papers had chosen the headline "Nightmare in Casualty". That is a distortion of the truth, and I say that with some authority, because I keep in close touch with the accident and emergency department of St. Helier hospital in my constituency. It has been mentioned several times in the debate and is a successful and admirable hospital whose staff work hard and show considerable devotion towards their professional tasks.

I agreed with the hon. Member for Southwark and Bermondsey (Mr. Hughes), who said that we should lower the temperature of these debates, at least in relation to the facts and to what we all know the situation to be, and should seriously and quietly consider the best way forward to improve and expand the service in a way that the taxpayers can afford. As my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) said, the debate is not helped by being initiated by a party that is long on fine words. There are 17 lines in the Labour motion, but as my hon. Friend said, only the final one and a half lines contain anything prescriptive, and even then there are no figures or precise recommendations.

I do not know how the electorate can sensibly judge Labour policy on the health service when Opposition Members refuse to commit themselves to what is manifestly necessary in the light of their own speeches—a real increase in expenditure year on year. As many of my hon. Friends and my right hon. Friend the Secretary of State have said, we adhere to that commitment year after year. As far as I know, Labour does not. All that Labour seems to offer is the marginal redirection of money that is now spent on 22,000 administrators towards the employment of 50,000 more nurses. Obviously, such a switch would be welcome if it were the solution to the problem, but it is little more than a token gesture in the hope that this part of the public service will be transformed by such a marginal move. That is plainly not the case and such an attempt at policy is not commensurate with the scale of the challenges that face the national health service.

It is not doing the House and the country much of a service to present a motion that is long on piety and sanctimony but decidedly short on content. The Opposition Front-Bench spokesman, the hon. Member for Islington, South and Finsbury (Mr. Smith), was not much better in that regard. He did not give way to me when I sought to ask him a pertinent question about locality commissioning. Perhaps he would like to answer my question now: on what evidence does he base his view that, if a future Government moved towards what he described as locality commissioning, that would be any less bureaucratic or costly in terms of overheads than the present structure?

Mr. Chris Smith: The answer is simple. It would do away with a layer of bureaucracy at single practice level. It would do away with a purchasing function at health authority level and it would do away with a substantial amount of invoicing work done at hospital level. Therefore, as a result of our proposals, there would be substantial savings in bureaucratic procedures.

Mr. Forman: That is a better attempt than the hon. Gentleman made in his opening speech. There is a reference in the Labour motion to greater local representation in decision making, and I assume that would mean a greater role for local authorities in some of the decisions. It seems that we are likely to get a range of new quangos and committees which will add to the

bureaucratic overheads. It remains to be seen whether the hon. Gentleman will get a chance to put his nostrums into practice.

I am critical not of the Liberal Democrat spokesman in today's debate, but of the Liberal Democrat opponent in my constituency. He does not seem to observe the admonition of his colleagues to deal fairly and squarely with the facts. I am sorry to say that it is an all-too-familiar example of people trading in scares, shroud waving and imaginary problems, which turn out not to exist. For example, in a publication calling itself "The Carshalton and Wallington Chronicle", there is an article headed "NHS Cash Crisis: Huge hardship for patients at St. Helier". The words used in the article are categorically wrong, as I know because I took the trouble to check this morning. The Liberal Democrat candidate says:

"St. Helier hospital is facing a winter crisis due to a lack of money. Twelve beds at St. Helier hospital are standing idle, in a locked ward, because the hospital has over-performed, and recently the Accident and Emergency unit had to close temporarily, due to a lack of resources."

In fact, no beds are standing idle in a locked ward. A decision was taken on 3 January to open—or more correctly to reopen—ward A4 at the hospital. The extra facilities, coupled with the 35 extra beds that have been brought into commission and to which my right hon. Friend the Secretary of State referred, have greatly alleviated the situation at St. Helier. I base that information not just on my contacts with the management, with whom I took the trouble to check this morning, but on my visit to the accident and emergency unit just last week.

I wish that people involved in politics, in all parties, would try to cling to the truth and observe accuracy, because it does no favours for our constituents or the worried families and friends of patients if such shroud waving continues.

It is significant that the Conservative party is the only party in the House that is committed to more public expenditure on the health service in real terms. The Liberal Democrat commitment involves shuffling money around from one heading to another. I listened carefully to the hon. Member for Southwark and Bermondsey (Mr. Hughes) and I intervened on his speech, but I am not convinced that he has squared the line with the leader of his party, who frequently says that the only commitment that his party has to raising taxation is a penny extra on income tax if that were necessary to improve the education service. I remain to be convinced on that.

It is interesting that the pledge made by Ministers and Government spokesmen demonstrates our continuing commitment to the health service. Equally, we must recognise that, as a country, we are not likely to be able to meet all the demands for NHS health care in all its forms without some delays from time to time from those with non-urgent and non-life-threatening conditions. It is much better to talk about the reality than to lead people to believe that everything is possible, when clearly it is not.

When I was thinking about this aspect of my argument earlier today, I recalled the fact that many people, myself included, have often believed that all the problems in the health service could perhaps be solved if Ministers allocated about a 3 per cent. increase each year in real terms to health service expenditure. That argument has been made from time to time by representatives of the British Medical Association, community health councils and others.

When I looked more closely—I checked the figures with the Library this morning—I found, to my surprise, that the NHS budget for England has been increased by 3 per cent. in real terms each year over the entire period of this Government. If a 3 per cent. compound increase had been put into effect for England alone, the figure for 1996-97 would have been about £31.5 billion. I assumed that I would discover the true figure to be less than that. Much to my surprise and pleasure, I discovered that the actual figure for England for the same year and on the same basis was about £33 billion. I had underestimated rather than overestimated the Government's financial commitment to the health service. I want to place that on record, because it shows that I am no mere party hack. I underestimated the achievements of my right hon. and hon. Friends and I commend them on their ability to persuade the Treasury to release money for these desirable purposes.

The figures imply that our record of putting taxpayers' money into this premium service, which all our constituents value, is exemplary. In spite of that, even at the level of finances that we are able to allocate, problems can and do arise. I want to mention one or two problems of which I hope my hon. Friend the Minister will take account in his winding-up speech.

There are realities that the House should recognise and about which it should be a little humble. As my hon. Friend the Member for Birmingham, Edgbaston said, we have a health service of enviable quality and quantity by European or global standards. It is no good for people to talk it down. At St. Helier hospital in my constituency, we find reason to welcome the extra resources from which it will benefit in 1997-98, as a result of not only effective and timely lobbying by me and many of my hon. Friends but the way in which the Secretary of State listened to our arguments and responded clearly and positively to them.

I am delighted that St. Helier will benefit from the district health authority's decision to concentrate its extra resources for elective activity on local hospitals and not go to providers further afield. It will secure relief from the health authority's decision to fund its share of unavoidable costs and service changes in my area. There is no doubt that that will be a great help to the hospital. It is equally reassuring that many of the specialties that were previously thought to be at risk will now become priorities for the extra resources that have been made available following the Secretary of State's decision. Those specialties include arterial surgery, ophthalmology, which essentially means cataract operations, major orthopaedic interventions such as hip replacements, oral surgery and orthodontics. All that is good news and is in stark contrast to dire predictions by the Conservative party's political opponents which are fanned by an excessively sensational media.

In all fairness, I must say that, in spite of those achievements and the considerable relief that they bring to my constituents, there are still some underlying problems which must be mentioned because they are continuing and are independent of whoever happens to be politically responsible for the health service at any time. I shall give three headline examples.

[Mr. Forman]

Having followed these issues closely for a number of years, I believe that in Greater London the planned reduction in hospital capacity and in-patient beds may have been taken too far in light of the Tomlinson report; I say that with some experience, as I was a Minister at the Department for Education when Tomlinson was advising on that. I therefore welcomed the ability of St. Helier hospital to reopen ward A4 on 3 January, largely for haematology and short-stay medical investigations.

We need to revisit the question of the number of beds in the Greater London area. The evidence shows that our area has been expected to remove beds from its capacity levels slightly faster than is prudent or equates with what has had to happen in areas outside London.

The Government, my hon. Friends and local authorities together—it has to be a matter of partnership—need to provide more capacity to care for the chronically sick and elderly patients who come into their care. When I visited St. Helier hospital last week, I could not help but notice that a significant number of the patients brought in through accident and emergency were aged over 75, over 85 or, in some cases, as they explained to me, over 90.

Obviously, health does not go in a linear progression with age. Some people seem young and are sprightly and very healthy at a remarkably old age; others deteriorate more quickly. The fact is, however, that old people need special medical attention. Obviously, if they can be supported and cared for in their own homes, so much the better; that is all well and good. There will be instances, however, as I am sure you would say you agree, Mr. Deputy Speaker, if you could speak from the Chair, when caring for people in their own homes is not the most appropriate approach.

We must be prepared gradually and responsibly to increase the facilities in cottage hospitals, such as the Carshalton War Memorial hospital in my constituency, and in nursing homes—whether in the public or the private sector—and sheltered accommodation so that our elderly can complete their lives in safety, dignity and, if possible, good health.

The added benefit of making such a shift in emphasis would be to release some medical and surgical beds in district general hospitals that are occupied by elderly patients who cannot be discharged because there is nowhere appropriate for them to go at the time such a decision has to be made.

My final example was again brought home to me on my latest visit to the accident and emergency department at St. Helier. It is that the goals of the patients charter, to which we all want the Government to subscribe, will be achieved in full only if we all understand the facts of life in our hospitals today. On my most recent visit, it was brought home to me that major trauma accounts for a small percentage of the total admissions through an accident and emergency department; typically, it is somewhat less than 10 per cent. The vast majority of patients admitted—this connects with something that I said a few moments ago—arrive with medical conditions, some of which may be acute but many of which are chronic and require medical beds, care and treatment in other parts of the hospital. We need to recognise that, because it is the lesson that the professionals instilled in me when I listened to them.

Better results could be achieved with a greater role for primary care and a more proactive role for general practitioners' surgeries, whether fundholders or not, and for health centres, as long as they perform their contractual obligations to provide 24-hour cover for their patients, seven days a week. I am sorry to say that, too often, there are examples of where reliance is only on locums, who are sometimes hard to contact, or of GPs slipping into the easy habit of referring patients to the local accident and emergency department when they should deal with the problems themselves at first hand.

With those three cautionary observations about areas in which further improvements could still be made, my conclusion is that we all have a part to play in improving the national health service. The NHS is something of which we can be proud. Clinical personnel can do so by using their wonderful professional skills to maximum effect. The much maligned bureaucrats can do so by managing what is, by any standard, a vast undertaking—the largest single employer in this country. We politicians and others who take a close interest in these matters, including pressure groups and the media, can best make our contribution by conducting a mature and measured debate, by resisting the temptation to exaggerate and, above all, by making sure that we do not indulge in shroud waving.

7.54 pm

Rev. Martin Smyth (Belfast, South): It is a pleasure to follow the hon. Member for Carshalton and Wallington (Mr. Forman), who gave us some cautionary warnings. I was interested in his reference to the Tomlinson report, for it reminded us in this computer age of the expression, gigo—garbage in, garbage out. Tomlinson admitted later that not all the figures had been given to him correctly. When we deal with statistics, it is important that we get them right or we can come up with the wrong conclusion. I also share the hon. Gentleman's view about a positive approach to the health service.

I took part in the debate on the 40th anniversary of the health service. On that occasion, I sensed some depression and commented that the only encouraging thing was, as the old saying goes, life begins at 40. Nine years on, we are still going on and there have been tremendous changes for the good in the health service.

Some of us remember bed blocking—beds were not occupied because the surgeon in charge did not want anyone else to use them so that he could put his patients in them in due course. Other things went on. We pay tribute to the improvements.

One of the great problems is that of growing expectations, whether of those who want to terminate life, those who want children through infertility treatment, or those who, at 80-odd years of age, want a hip replacement. Other people aged 40, who are having their hip replacements delayed because they are assessed as being too young for the operation, are no longer economically viable.

Expectations have changed and we have to face up to that. It is also true to say that how we view things depends on who is doing the recording. I was interested in the references in the gospels to the woman who had haemorrhaged for some 12 years. Doctor Luke, the "beloved physician", reports that she had spent all her

"living upon physicians, neither could be healed of any".

Mark, who as a layman is a little more stark in his approach, said that she had

"suffered many things of many physicians and had spent all that she had, and was nothing bettered, but rather grew worse".

It all depends on the position of the person who is doing the reporting.

Often, however, the key is finance. I am sorry for those who were beginning to practise in the health service at the time, as the Government and practitioners did not listen to the advice of Enoch Powell—then my colleague, the right hon. Member for South Down—when he reminded them that he who paid the piper called the tune. Sooner or later, people discovered that, if the money was not forthcoming, there were difficulties. In the light of the motion and the statement by the shadow Chancellor of the Exchequer that there is to be no more spending or direct taxation, where will the money to meet the demands of our people's growing expectations come from?

The health boards in Northern Ireland and the health authorities in England and Wales depend largely on allocations from the Department of Health and, ultimately, on the Treasury, for the moneys to be expended. I would have liked to have been able to say that the recent injection of cash to make up deficiencies in capital expenditure and running expenditure allocated to England and Wales included money for Northern Ireland, but it did not.

The pressure is on to reduce expenditure in the health service. Some years ago, expenditure in Northern Ireland was 25 per cent. per capita above that in England and Wales. Now, we are behind both Scotland and Wales. Recently, the gap between us and England has narrowed to 11 per cent. No consideration is given to the different health needs of a people with a different spread of population. We do not have the large conurbations that make it easier to provide certain specialist services.

The Government pledged a year on year increase in Great Britain, but in Northern Ireland we have a year on year decrease of 3 per cent. Thankfully, we managed to convince the Minister that, as we have been squeezed for a long time, 3 per cent. up-front cuts would not be workable this year, and the figure was reduced to 1.5 per cent. However, the cuts remain a factor.

The people of Northern Ireland are not entirely happy with certain strictures that Ministers have been making. There is a parallel with those who are quick to criticise doctors who refuse to treat patients because they smoke or engage in behaviour that causes or aggravates their illness. The doctors say that they will not waste their time and money if the behaviour continues. This year, Ministers have lectured us to the effect that, because of the resurgence of terrorism, there will be cuts in funding for the health service. The Government are apparently prepared to punish the people of Northern Ireland because of the failure of successive Governments to deal with terrorism and with republican activists who seek to destroy the Province.

We must be realistic. Particular problems arise. The division between boards and trusts, purchasers and providers, has been helpful in some ways, but in others it has added problems. The boards pay for emergencies and the GP fundholders purchase elective surgery. The bodies are served by humans and, as with humans everywhere, there are differences of attitude. Some seek to balance the budget—some of us live in a city where we remember the mother in the home having envelopes for groceries, rent, fuel and insurance—but others are spendthrifts.

Some boards and some GP fundholders have been watching carefully how they purchase and how they provide services through the trusts, but some fundholders might spend up front because they rely on the boards to deal with the emergency purchasing and because they have the clout to jump queues for those in their practices who require emergency provision.

Dr. Joe Hendron (Belfast, West): Does the hon. Gentleman accept that in Belfast and many parts of Northern Ireland the boards ring-fence the costs for fundholders' patients but not for non-fundholders' patients? That is particularly true in Belfast, and many patients suffer as a direct result, but it is not the general practitioners' fault. One could argue that it was the boards' fault, but in reality it is the Government's fault.

Rev. Martin Smyth: I take the hon. Gentleman's point. He will also be aware that some practices—including, I suspect, the one with which he has been associated—have sought to join multi-funds and have been held back by the argument that training would not be available. Some are excellent practices with a high reputation for patient care and service provision.

I suspect that this year, as last year, the boards, which have been holding back funds—I am thinking particularly of the Eastern health and social services board—will suddenly discover that they have a fair amount to spend before the end of March and operations will be performed on Saturdays and Sundays while they try to clear the backlog. In the meantime, unnecessary suffering and distress are caused by the lack of a proper flow through the season.

Last week, the *Belfast Telegraph* carried the headline, "Cancer Unit in Crisis". It has been said this evening that perhaps local newspapers carry such headlines more than national newspapers. However, the headline refers to the major cancer service in Northern Ireland. For some time it has wanted another simulator to locate tumours and plan treatments, as the existing machine has broken down.

The problem is not that the staff are not doing their work properly. I know that personally, and the newspaper article quoted a staff member as saying:

"'We are working really hard—I was in yesterday from 7 am and wasn't leaving until after 11 pm.'"

I know of other parts of the health service where people working under pressure have not even taken their statutory holidays, never mind days off in lieu for working extra hours.

The pressure is on, and I wonder why there are delays. Is it because discussion is taking place about where the centre of excellence should be? In the meantime, cancer patients who should be treated as soon as possible—doctors keep telling us that more can be done if treatment is given earlier—are left waiting. Why do we have that problem throughout the country?

I agreed with the arguments made by the hon. Member for Birmingham, Edgbaston (Dame J. Knight) about the pricing of surgery. It is easier now to target and to price. I wonder how right hon. and hon. Members would react if, in a national health service hospital trust, a cardiac surgeon said, "You need an operation; we could do it; but the board has not enough money to purchase it."

[Rev. Martin Smyth]

As I understand it, the cost is primarily to pay for the skills of the surgeons, specialists and nursing staff, although some money will certainly have to be spent on materials and so on. The operating theatre will be the same in any case, because there is only one hospital that does cardiac surgery in Northern Ireland. It is a scandal that we have got into the position where a surgeon employed by the national health service in a trust can say that for the want of £12,000 an urgent operation cannot be performed. We must get beyond that because, apart from anything else, it puts intolerable pressure on people.

I want to issue a word of caution. Amid the resumption of terror, I wonder whether we should consider again the provision of regional services. If there are those who want to desecrate the sanctuary that is a hospital by murdering patients or their visitors, regional services should not be provided there. The hospitals may be local or may be doing the work of a district general hospital, but the people of Northern Ireland should not have to visit for health care places where lives are endangered by terrorist thugs.

8.8 pm

Mr. Charles Hendry (High Peak): My constituents would not recognise the picture of the health service painted by the Opposition, which was a travesty of what is happening on the ground. They would recognise that more patients are being treated more locally in more modern facilities, that waiting lists have been shortened and that they have the most outstanding general practitioners and other health service professionals that they have ever had.

I offer the House a balloon trip across my constituency so that we can look down on some of the health service changes on the ground. As we went over Glossop, we would see how two old hospitals have been transformed and given new lives. One is a centre for the elderly mentally ill; the other a homeward bound unit. In New Mills, a new future is being given to Ollersett View hospital. In Buxton, there is a debate about how the town's three historic hospitals can best meet its health needs into the next century.

A little way across the constituency border, Tameside general hospital has had massive new investment, much of it under the chairmanship of Tony Favell, whom many hon. Members will recall with affection from his time in the House. Stockport's Stepping Hill hospital has also had massive investment. That is the picture of what is happening in hospitals that my constituents appreciate.

If we were to go closer down, we would see what is happening in GPs' surgeries. New surgeries have been built in Glossop, Buxton, New Mills, Chapel-en-le-Frith, Whaley Bridge, Hayfield and Hope. Across the constituency, there is new investment in our health service, and services are being delivered in a way never seen before. That is the Government's record on health: a thriving partnership with GPs, investing for the future and delivering better services.

In case some people think that High Peak is the only place where the improvements are happening, right across the country better health services are being delivered. We are treating 3 million more people than when we came to power 17 years ago, and 1 million more than when the health service reforms started only five years ago. Waiting lists are being reduced: the number of people waiting for more than 12 months has been reduced from more than 200,000 to 15,000. Infant mortality has been halved and life expectancy has been increased by two years. That is a formidable track record of which we can be justly proud.

The most exciting aspect of what is happening in our health service is the way in which we are looking to the future and seeking reform so that proper attention is given to primary care. I welcome that because GPs know what is most needed and important in their localities and because the more that we can do locally, the less need there is for patients to travel long distances to faraway hospitals in communities that they do not know.

In High Peak, we were privileged to receive a visit from the Prime Minister recently. As more than 90 per cent. of my constituents are covered by fundholding practices, I thought it appropriate that he should be taken to see one for himself. As it happened, we took him to the one that had won the fundholding practice of the year award, but it could have been any of the outstanding practices in my constituency. They offer new surgeries and treatments to our community. It is important to recognise that that does not benefit only the patients of fundholding GPs but the community across the board.

In Glossop, the average waiting time for in-patient treatment has dropped from 18 months to three and a half months since fundholding was introduced. For out-patient services such as dermatology, the waiting period has fallen from two years to four weeks; for gynaecology, from more than 11 weeks to four; for ear, nose and throat treatment, from 20 weeks to four. Those dramatic reductions have been brought about by fundholding practices and they help people across the community, not only those who use fundholding doctors.

Fundholding practices have been examining new ideas. Part of a cottage hospital has been brought back into use and turned into a rehabilitation unit. That process was started by my right hon. Friend the Secretary of State five years ago when he was a Health Minister. He stopped the closure of that hospital. Now, thanks to the way in which our GPs and health authority have considered the matter, it has been given new life, enabling people who leave hospital to spend time there to ensure that they are ready to return home.

New services have been introduced. I shall not mention them all but they include locally provided electrocardiography, audiology, dermatology, an additional district nurse, a physiotherapist, an occupational therapist, and new chiropody services. Complementary therapies such as acupuncture and the Alexander treatment are provided by one Glossop surgery. That is the difference that fundholding has made.

The motion states that the Opposition

"believes that government policy has left many people in urban and rural communities without the access to health care they need, especially in relation to services for the elderly and for those being discharged from hospital".

That is sad because a few weeks ago the hon. Member for Stockport (Ms Coffey), as a shadow health spokesman—and unannounced as she did not have the courtesy to follow parliamentary protocol by telling me that she was coming—visited my constituency to see the services. According to the local papers, she said that she was greatly impressed. She should have seen how those services were being improved in a rural area and how they were delivering better services for my constituents.

It is not only fundholding doctors who are making great strides. Last week, I met Dr. Richard Fitton, who has a small practice in Hadfield. He sends all his patients who go to hospital a survey form to find out what was good, bad or needed improvement. If there are problems, he asks them to come and discuss them to assess how they can be addressed. That information is fed back to hospitals so that they can improve services and ensure that problems do not recur. That is the sort of health service that we want—one that is listening, learning and improving. That is why I so passionately believe that GPs should be at the forefront of taking reforms forward.

I thank my hon. Friend the Minister for the way in which he has listened to GPs in his consultation process on improving the health service. He met GPs in Buxton some months ago and took direct action on what he heard. In particular, he enabled them to implement their ideas, which had previously been impossible, on improving out-of-hours cover when surgeries are closed. GPs appreciate that the Government listen to their views.

As we consider how to take things forward, I hope that we will examine how to extend pilot schemes more widely than is currently proposed. We should encourage GPs to think widely about how to improve services. We need a no-holds-barred approach to deciding what to do next. I fear that some health authorities may try to stifle some of those excellent ideas. I want to ensure that there is a right of appeal so that ideas can be heard and developed.

The Government have suggested that through the efficiency index, GPs should improve their efficiency—their level of activity—by 2.75 per cent. One surgery in High Peak has improved not by 2.75 per cent. but by 34 per cent. That massive improvement in activity was the result of becoming a fundholding practice. I hope that my hon. Friend the Minister will examine the formula that has been set by the Department whereby one episode in secondary care equates to 54 in primary care. That is a disincentive for health authorities to reconfigure their services and should be reassessed. He should also reconsider whether there should be a requirement that there should be a GP on the board of every health authority so that we can be certain that the views of GPs will be taken into account as their ideas and policies are developed.

In Buxton, there is an important review of our hospital services that centres on the Devonshire royal hospital, which is one of the most remarkable hospitals in the country. It must be the only hospital in the country that was built not as a hospital, but as riding stables 200 years ago. As time passed, and the landed gentry stopped coming to Buxton in such large numbers, and thus no longer required somewhere to exercise their horses, the building was covered with a dome and was gradually turned into a hospital. In fact, it is the widest dome of any building in Europe outside St. Peter's in Rome—not what one might expect to find on top of the Pennines. It has now become one of the most important centres for the delivery of health care, especially recovery from serious injuries, using the remedial powers of our local spa waters.

Inevitably, the building's running costs are high because of the history of the building and its structure. I welcome the imaginative new approach that has been taken, thanks to Ministers, to find a joint way forward by combining the health aspects of that building with its heritage aspects to see how best we can keep that hospital in operation. Currently talks are going on between NHS Estates and English Heritage. I hope that the Minister will keep a close eye on those discussions to ensure that they come to a fruitful and valuable conclusion.

I have listened to Opposition Members' speeches, and the most important point to remember is that we must look at the reality of our health service. Year on year, the health service provided in High Peak is improving, as it is right across the board. New services and new treatments are being carried out in better facilities. Those services are being provided more locally after a shorter waiting period and are delivered by a wonderfully dedicated and expert staff.

Of course there are difficulties and problems—they are inevitable in a service that treats millions of patients every year. We seek to consider them in detail to see how, in each year, we can learn from the problems that we face and move on to improve the service yet further. The sadness of it is that all that would be ruined by a Labour Government, for all their fine talk about their commitment to the health service. We know from their history that the real funding crises in the health service have occurred under a Labour Government—the only time in its history when funding was cut occurred under a Labour Government.

We also know that there is a real problem now because of the Opposition's complete confusion over policy and the future of fundholding. The motion is fundamentally flawed because the Labour party does not have any proposals to take our health service forward. That motion should be defeated in the interests of patients not only in High Peak but across the country.

The country will soon have to exercise choice on health issues. It will have to choose between a party that is committed to a year-on-year increase in health service funding—the Conservative party—and the Labour party, which is not. People must make a choice between a party that is committed to creating a health service led by patient need—the Conservative party—and a party which is still led too much by producer interests. The choice will be between a party that believes in increasing efficiency, but not at the cost of quality of patient care—the Conservative party—and the Labour party, which has opposed virtually every step that we have taken to improve efficiency.

The health service is in a better condition now than it has been in the 49 years since it started. There is no ground for complacency because a huge amount still needs to be done. The way to show that is by rejecting the motion tonight.

8.22 pm

Mr. John Heppell (Nottingham, East): The hon. Member for High Peak (Mr. Hendry) says that there is no cause for complacency, but I have sat here and listened as every Conservative Member has been complacent. I have listened to a lot of speeches in the House: some have been boring and some have been controversial, but I congratulate the hon. Member for Wycombe (Sir R. Whitney) on managing to combine the two qualities in one speech.

I do not think that the hon. Gentleman was trying to mislead the House, but he did try to rewrite history when he gave us a lesson about how the Tory party set up the

[Mr. John Heppell]

NHS and has been one of its backers since 1918. If I may badly misquote Nye Bevan, one does not need a crystal ball to see what the Tories thought of the NHS—one has only to read *Hansard,* which shows that the Tories not only opposed the establishment of the NHS in principle, but opposed every clause, every line, every dot of the enabling Bill. I do not need any more history lessons from the hon. Gentleman.

Mr. David Willetts (Havant): Will the hon. Gentleman give way?

Mr. Heppell: No, the hon. Gentleman has only just walked into the Chamber.

I do not agree literally with some of my constituents who feel that Parliament is often a pantomime, but we had a good performance from the pantomime dame tonight. All that we have heard about from Conservative Members has been good news. The hon. Member for Carshalton and Wallington (Mr. Forman) gave the game away when he started to say, "Here is the good news." He then cited a great list of operations now being carried out, including those on cataracts. It would be good news indeed if anyone in my constituency had had any such an operation, but not 1,000, not 100 or even 10 people have managed to have any of those operations carried out.

The hon. Gentleman's contribution made me think back to our previous debate on the health service, on 20 November, when my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) revealed that the Tory party had launched a campaign to try to get people together who had good things to say about the NHS because it was worried about the bad stories coming out. It became clear today that all Tory Members have signed up to the good news club. We get no bad news at all from the Tories—only good news: there is no crisis, no problem and nothing to worry about.

It is a shame that that feeling is not shared by my constituents, nor by the National Association of Health Authorities and Trusts nor by the members of those trusts. That is clear from the letter of 9 January, which was sent to all members of trusts and health authorities and states:

"Dear Council Member

Emergency Admissions

NAHAT is receiving many messages of concern from trusts and health authorities about the growing pressure being experienced by the NHS through rising emergency admissions. This has been exacerbated by the current bad weather and restrictions in the provision of personal social services during the Christmas period."

The trusts and the organisation that represents them and also the health authorities recognise that there is a problem, but the Minister and his hon. Friends still do not seem to recognise that.

The crisis in my area did not start at Christmas, as it seems to have done for many others. In the debate on 20 November, I recounted how the chairman of Nottingham health authority had said that the authority faced a deficit of £11 million and that it would be a disaster if it did not manage to overcome it.

Mr. Malone: I am grateful that the hon. Gentleman is now discussing finance, as I assume that his thesis is that his health authority has received insufficient funding. In fact, it was increased by 2.36 per cent. in real terms this year. Is he saying that any reduction in that on an annual basis during the lifetime of the next Parliament would be unacceptable to him, because that is exactly what those on the Opposition Front Bench are proposing?

Mr. Heppell: I do not agree with the Minister that that is what my right hon. and hon. Friends are proposing. The Minister should know that Nottingham health authority has been traditionally underfunded. According to the Government's own formula, it should receive more than 100 per cent. in funding because of its teaching hospitals, but it has never been funded at that level. The Government recognised that and gave it an extra £5 million; according to the Government's formula, it is being funded at 97.6 per cent.—which is still not equivalent to 100 per cent, but at least it is an improvement.

I am worried, however, because the Under-Secretary of State for Health—the hon. Member for Orpington (Mr. Horam)—has acknowledged that the extra allocation is for next year and that this year the authority already faces a £7 million deficit. The problem for me is that nothing has been done to help the authority this year. On 20 November, I stated that Queen's medical centre at Nottingham had had to cancel 350 non-emergency operations for October, November and December because of that funding crisis. Because of the exceptional circumstances at Christmas and the new year, even more operations have now had to be cancelled.

I recognise that there were exceptional circumstances this winter, but I do not completely accept that argument. The Queen's medical centre said that there was a 50 per cent. increase on normal levels for Friday evenings and Saturdays. It should not compare the Friday and Saturday over Christmas with a normal weekend; it should compare those days with Fridays, Saturdays and Christmases in the past, and with days when there has been bad weather. Many of the circumstances are predictable: winter, Christmas and the new year are not exceptional—we know about them. I do not pretend to be a great fan of Michael Fish, but when he forecasts sub-zero temperatures, I do not need Mystic Meg to tell me that if there is ice, some people will slip on it and hurt themselves, and that if they hurt themselves badly they will end up in hospital, which will mean that more hospital beds will be needed. It all seems fairly simple to me. I am sure that people should be better able to plan for that.

My hon. Friend the Member for Morley and Leeds, South (Mr. Gunnell) talked about past problems when people have been left on trolleys for hours. At one stage over Christmas and the new year, the Queen's medical centre in Nottingham ran out of trolleys. It was not just a case of people not having beds: they could not even get trolleys. I took the problem up with the chief nurse, who assured me that it was not a problem as it was only the accident and emergency department that had run out of trolleys and that staff had managed to get spare trolleys from elsewhere in the hospital.

I did not know that there were spare trolleys lying about, and it makes me wonder why the same argument is not used about beds: why cannot all the spare beds that are left lying around in hospitals be used? That never seems to happen. The reason is that there are not so many beds as there used to be. In my own region—the Trent area—there were 11,085 acute beds in 1989-90;

by 1995-96, the figure was down to 10,333. Overall, the total number of beds lost in that short period was 5,197. I accept the arguments for some beds going and I recognise that the different ways in which patients are now treated mean that not so many hospital beds are needed, but if some of those beds had been saved, the problems experienced at Queen's medical centre might not have occurred. Some 3,193 of those beds were general or acute beds; they were not beds that were no longer needed because of care in the community.

I am not so concerned about what happened on those nights when the emergency services almost reached breaking point. I am more concerned that not only were 350 operations cancelled in October, November and December, but there is now a hold on all operations. Although there have been plenty of examples in the local press since Christmas—headlines include

"Ops fall victim to QMC rush"

and

"Ops put on ice at QMC"—

the public have still not been told the complete truth. On 30 December the medical director instructed that only urgent surgical cases and people who had spent more than 18 months on the waiting list would be taken in for treatment, the latter being done to help the Government figures for waiting lengths of more than 18 months, not for medical reasons.

On 6 January that policy was changed again. It was said that the only patients to be admitted for operations were emergency and life-threatening cases. None of the operations and new procedures that the Government say are great and can be done on the NHS is being carried out on my constituents. They were denied operations in October, November and December and they are now to be denied them in January, February and March. For six months of the year, all that my constituents can get is emergency provision. When will that become a crisis? Will it be when they can get only emergency provision for nine, 10 or 11 months of the year? The Government must accept that there is a crisis now.

The problem may seem slight to the Minister. The press release lists conditions such as hernias, which people think are not that special. I will describe some of my constituency cases involving people waiting for treatment. One woman is waiting for a hysterectomy. She was expecting to have the operation on 29 November; now she is not likely to get it until the new financial year. Men may not think that that operation is important, but I bet that there are not many women who take that view.

Another case involves an elderly lady with an arthritic spine; she, too, will have to wait until the new financial year before she can have an operation. Someone with a swollen bladder was taken into the operating theatre and then taken out again; he was sent home two days later and told to ring to find out when a bed would be available for him. By the time he did so, the ban had been imposed and he was told, "Sorry—no operations until the next financial year." If I had a swollen bladder, I would not think that it was trivial. Someone whose knee is in danger of packing in and who has already had two operations on it has now been told, "We'll have to wait until it gets worse: when it goes completely, we'll fit you up with a new knee rather than doing the surgery now."

Those problems are serious. Ministers may say that such operations are merely routine, but they are important for those waiting for them. If Ministers had to rely on the health service as most of my constituents do, rather than having private health insurance, they would ensure that such problems were put right tomorrow.

8.35 pm

Mr. Nigel Waterson (Eastbourne): I am delighted to have the opportunity to participate in the debate, having only recently renounced my Trappist vows as a parliamentary private secretary in the Department of Health.

In discussions and debates on the national health service in this country, we owe it to the Opposition to do them the courtesy of adopting their definition of success. The definition of success that we can rely on is that of the right hon. Member for Livingston (Mr. Cook), who said that the acid test of the success and effectiveness of the NHS in this country was the number of people treated. He speaks from some knowledge and experience as it was his party that cut spending on the NHS in real terms during the last Labour Government in 1977-78. To bring the matter up to the present day, despite all the bluster and the individual case studies about which we have heard today, we have still to hear a commitment from the Opposition Front Bench to match the Government's pledge to increase NHS funding year on year above the rate of inflation.

All that we need to do to see the success of the NHS is to look at the figures. Despite all the arguments about finished consultant episodes—a basis for gathering statistics, the origin of which lay in the last days of the last Labour Government—so long as we use the same yardstick, we can track an increase in the amount of treatment available to individual patients in the NHS. When all the rhetoric and party politics are stripped away, that is what really matters.

We know that more than 3 million more treatments were carried out in 1995 than in 1979—and 1 million more than in 1991, when we introduced the NHS reforms. That means that 3,500 more treatments were carried out each day. Do not those statistics put into stark perspective the individual cases culled from hon. Members' constituency correspondence? The number of hip replacements is up from under 29,000 in 1978-79—and from zero not many years before that, when the operation was not available—to more than 58,000 last year.

Another acid test of whether the NHS is working well is waiting times, about which we hear much less from Opposition Members than we used to. Could that be because since 1987 the number of patients waiting more than a year for hospital treatment has been cut from more than 200,000 to just 15,000? Half of all patients are seen immediately and half of the remainder are seen within five weeks. Nearly 75 per cent. are seen within three months and 98 per cent. within a year.

Another commonly accepted yardstick of the health of a specific nation and of its health service's success is life expectancy. We know that in Russia male life expectancy has decreased in the past few years, but a child born today in this country can expect to live two years longer than a child born in 1979. Over the same period, the proportion of babies dying in the first year of life has fallen by almost a half. By any standards, those are impressive figures.

We have heard about the increase of 55,000 in the number of nurses and midwives and of 22,500 in the number of doctors and dentists. We hear a lot about

[Mr. Nigel Waterson]

so-called bureaucracy in the NHS, but it is worth remembering that, according to recent figures, for every senior manager in the NHS there are no fewer than 77 other people providing direct care to patients.

Of course, measuring the success of the NHS is not only a matter of figures; it also depends on the experiences of individual patients who present to their doctor or their local hospital. As I go around local GPs' surgeries and local hospitals, I think that the experience of patients is much as is reflected in the figures. Record numbers of patients are being treated—some 39,000 were treated last year in Eastbourne hospitals, and that figure is likely to be exceeded this year. Around 40 per cent. of the electorate in my constituency is of retirement age or older and, on average, as happens across the country, the elderly members of the population account for a greater proportion of NHS spending than other age groups, as is absolutely right and proper.

The increasing figures do not happen simply by accident; they are the result of the magnificent efforts of doctors, nurses, ancillary workers and—yes, let it be said—managers. We have increased funding year on year and we have promised to continue to do so. This year's increase for my area was the second largest in the country—some £15.8 million extra in cash terms for the local health authority, which represents a real-terms increase, after inflation, of 2.38 per cent. Even the hon. Member for Southwark and Bermondsey (Mr. Hughes) was good enough to describe such increases as "relatively generous" and he was absolutely right.

A primary care-led NHS is a cornerstone, if not the cornerstone, of Government policy. Primary care is doing well, not only in my constituency, but across the country. By April, some 60 per cent. of patients in this country will be part of a fundholding practice. Only the other day, I visited one such practice in my constituency—that of Dr. John Clarke and his partners—and was present at the unveiling of a new bone scanner to gauge conditions such as osteoporosis. The scanner was installed at that practice, but it will be available for use by other GPs throughout the area. That would have been almost inconceivable in the old NHS and it is a perfect example of the flexibility and high aspirations of the modern NHS under the Conservative Government.

Another exciting development in and around my constituency has been the recent setting up of a pilot total purchasing project, which involves family doctors and all 15 practices in Eastbourne and the surrounding area and covers a staggering 135,000 patients with a total purchasing power of £70 million. It is an incredibly impressive scheme and I believe that it is the largest in the country. The board represents some 70 GPs in nine non-fundholding and six fundholding practices, as well as the health authority and the community health council. I foresee provision in many other parts of the United Kingdom developing in a similar manner and our local total purchasing project will show the way.

We have heard a great deal in the debate about winter pressures. The problem tends to happen every year: it is a combination of influenza, cold weather and illness among medical staff. Like other hon. Members, I keep in touch with the accident and emergency department at my local district general hospital and staff there have been coping well. I spoke recently to the consultant, Mr. Rowland Cottingham, and to the chief executive and they believe that they are coping well, despite the extra pressures. I hope to visit the accident and emergency department again very soon. I should mention in passing that Mr. Cottingham and his colleagues were recently involved in the piloting in my area of the health services accreditation initiative, which was launched only a few days ago as a national programme for the NHS.

Nationally, we have learnt the lessons of previous winters. As mentioned, we have set up the national intensive care bed register and we have pumped an extra £25 million into the system to help it to cope with winter pressures. In my area, arrangements for handling emergency hospital admissions have been agreed between East Sussex, Brighton and Hove and the aim of that co-operation between hospitals in our area is to ensure that hospital beds will always be available for emergency patients. The hospitals have agreed to keep the Sussex ambulance service up to date with how many beds are available and to work together, sharing the pressure, if one hospital is full. Local GPs are also being kept informed. That is a sensible, straightforward way of dealing with the inevitable peaks and troughs of pressure on accident and emergency departments.

Finally, I turn to Opposition policy on the national health service—if policy is not too ambitious a word to describe the ragbag of prejudice and anecdote that we have heard today from Labour Members. The problem facing the hon. Member for Islington, South and Finsbury (Mr. Smith) is this: the right hon. Member for Dunfermline, East (Mr. Brown) has bowled out his middle stump—indeed, he has gone further and broken the hon. Gentleman's cricket bat over his knee. The hon. Gentleman therefore has no way of promising extra money for the NHS—it would appear that that option has gone. Either the right hon. Member for Dunfermline, East means what he says, in which case a Labour Government—if such a thing were ever to happen—would apply Conservative spending plans, or the hon. Member for Islington, South and Finsbury is right to promise extra money for the NHS and his right hon. Friend is wrong. Which is true? We should be told.

The Labour party is now apparently committed to working on the basis of the Conservative Government's spending plans if Labour were to win an election—this at a time when Labour has still not matched nor come close to matching our pledge on NHS spending. The British people do not need to take our word on NHS spending—they need only look at our record to see how, year after year after year, we have increased spending on the NHS in real terms and how the Government have made it a priority. NHS spending has increased by a massive 74 per cent. in real terms since 1979; as we have heard, it now represents spending of £724 for every man, woman and child in this country, whereas the equivalent figure in real terms for 1978-79 was only £444.

The other worry lurking behind what passes for Labour party policy on health is the trade unions. We have heard once or twice today about the winter of discontent. It has been rightly said that a two-year freeze on public spending would be the equivalent of two winters of discontent. Last time, the dead remained unburied, cancer patients had to cross picket lines for treatment, and earlier today my hon. Friend the Member for High Peak (Mr. Hendry) told the moving story of how his father was treated at that time when he was suffering from cancer.

The people to whom I talk on their doorsteps and in my surgeries have nothing but praise for our NHS. Opposition spokesmen have a vested interest in denigrating and running down the NHS and the efforts and commitment of those who work in it. It is a measure of their growing desperation that the picture that they paint of the NHS is wholly unrecognisable, not just to those who work in it but to those who use it. Anyone who has recently used the NHS, or who has a close family member who has, will have nothing but praise for it. I suggest that Opposition spokespersons talk to those people instead of listening to the horror stories that they have been spinning today. The fact is that the NHS is a great British success story, and it deserves the support of us all.

8.50 pm

Mr. Gerry Steinberg (City of Durham): I want to discuss two topics that have resulted from the NHS reforms; and to be very parochial. The first is the new district hospital for Durham; the second is the shortage of hospital beds in Durham.

The project for the new hospital was promised more than 20 years ago. The old area health authority and the North-West Durham health authority had had the lowest capital expenditure in the whole northern region. In the early 1990s, therefore, it was agreed to build a new district general hospital. In February 1992, when the choosing of a site for the new hospital was proving difficult, the then chairman of the North regional health authority, Peter Carr, wrote to me as follows:

"You can be assured that the new hospital will be constructed. The capital funds have been set aside and the Durham project is top of our priority list."

Five years later, we still have no new district general hospital, and I am not confident that we will ever get it.

Since then, the Government have refused to build any new hospital buildings out of public sector funds and have turned to their so-called private finance initiative, which is a complete and utter failure. At the moment, the PFI is nothing but a con trick—a promise of new hospitals which just do not happen.

In 1994, the Minister for Health told me that, since the launch of the PFI in 1992, the NHS had been encouraged to exploit the benefits of collaboration with the private sector. He continued by saying that, increasingly, the private sector is bringing in its innovation, dynamism and experience to the NHS, to improve services and get better value for money. Perhaps the same Minister tonight will tell me where there has been a successful PFI incorporating these conditions: it is certainly not in Durham. I am led to believe that there is not one in the whole country either. Indeed, the Library told me this morning that no building work had started on any scheme, and that there was no date set for any to start.

I was originally told that the preferred bidder and the business case would be finalised by the end of 1994; yet today, at the beginning of 1997, we have not even reached that stage. Is that an example of the success of the private finance initiative?

In 1996, the trust told me that the full business case had been prepared, and that—in conjunction with County Durham health authority—the preferred option would be forwarded to the Treasury for final approval. We are still waiting. The trust continues to claim that this is quicker and more efficient than building in the public sector; and the trust continues to tell us that the hospital will be completed quicker than it could have been by the public sector. What a load of hogwash.

The cost of the PFI process so far has been well over £1 million; this cost has been incurred just by the procedure, nothing else. Meanwhile, the trust's financial position has worsened. More than 50 beds have been closed; theatre sessions have been reduced; targets have been set; and there are limits for certain operations. The trust was told that it had to save £2 million during the current financial year. Those measures are a direct result of financial pressures, but they are also in line with the trust's long-term strategy for the new district general hospital in Durham.

In 1996-97, there is a £2 million loss of revenue. In 1997-98, a further £2 million loss is projected. For 1998-99, another £1 million loss is projected. Even with all these savings, there is still no guarantee of a new hospital being built. An interim rationalisation plan continues in place—the running down of services in the sister hospital at Shotley Bridge, and the transfer of services to Dryburn in Durham.

The situation in October was so grave that I received a letter from the consultant dermatologist, Mr. Ive, and signed by another eight senior consultants at the hospital. It concerned the acute crisis in medical services in north Durham. He said:

"There is a great danger of a collapse of general medicine, including cardiology and heart attacks in North Durham, as a result of a halt being called to a process of site rationalisation, whereby Shotley bridge was going to gradually decant into Dryburn. The situation has gone so far that we are now unable to recruit junior staff to Shotley Bridge beyond February and the Post Graduate Dean would certainly not allow junior staff to work there beyond that time."

What a dreadful situation for the health service in Durham to be in.

I do not blame the hospital trust or County Durham health authority, although both could have acted slightly differently at times. The fault clearly lies with the Government, and with the health reforms that have created this appalling mess. I blame privatisation and the breaking up of the health service.

As for building the new district general hospital, things go from bad to worse. Last September, the director of technical and leisure services for Durham city council contacted me by letter. He informed me that senior members and officers of the council had met representatives of the North Durham Acute Hospitals trust, the health authority and representatives of Consort Healthcare, which is the PFI partner of the authority. He wrote:

"It is apparent that for the hospital to be built and fitted out, the PFI partners wish to raise finances by the utilisation of surplus land on the Dryburn site for a retail development. Senior members are concerned that the City Council will be faced with the proposal for inappropriate development to finance a funding gap to provide a much needed district general hospital. They feel that the citizens of Durham should not be required to make such a choice, nor would they be able to recommend that they do so."

In effect, it was being requested that a supermarket be built in the hospital grounds in one of the most sensitive parts of Durham—a suggestion both stupid and unreasonable. I immediately made my position clear on this issue, and said that I would not support such a supermarket development on the hospital site and would

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not be prepared to have the council or myself blackmailed into accepting the retail development, even if it meant losing the new district general hospital.

The trust was adamant that it was blackmailing no one, but was simply requesting that the land be built on to make extra money to help fit the hospital out. However, the presentation which the hospital trust gave the local authority made it clear that there was an attempt to influence the council's decision on whether to grant planning permission on the basis that the hospital would not be built. It said:

"Funding issues: funding shortfall exists. Not possible to realise full extent of service provision. More existing buildings retained and new buildings left as a shell until cash available. Disposal of surplus land necessary. Complete scheme relies on maximum return on surplus land. Food retail development is only solution for surplus land to bridge the gap."

It was clear that, unless the trust obtained planning permission to build a retail development, our district general hospital was threatened. That is what the PFI means—no new facilities unless the private sector can make a killing.

I shall now deal with the lack of beds in the hospital. In 1995, prior to the cost improvement measures taken in the hospital, there were 670 beds. At one stage before that, there were 900 beds. There are now 580 beds. The original outline business case, which was approved in December 1994, gave the PFI bid a figure of 565 beds. We are now told that the trust has undertaken a fundamental review of bed numbers and the number of beds in the new PFI bid has been cut to 454.

The trust tells us that that is all that is necessary. I neither accept nor believe that. The drastic cut in the number of beds has taken place simply because of the amount of cash available under the PFI bid. If we ever get a hospital, it will not have enough beds. How on earth can a new hospital with 454 beds cope when the present hospital with 580 beds cannot cope?

Morale is so low among consultants in the hospital that many are thinking of leaving. When I discussed the matter with a consultant, he said: "There is a smell of decline." What are we coming to when a consultant says that there is a smell of decline in a hospital? The interim rationalisation programme has made virtually no savings, and straight cuts will have to be made over the next three years. Cuts totalling some £8.6 million—15 per cent. of the budget—are now forecast. That is even higher than originally thought.

If the PFI bid cannot produce more than 450 beds, it is not worthy, and should be looked at again. The brand new state-of-the-art hospital that has been described, with 450 beds, will be unable to cope.

Although I have been receiving complaints from my constituents over the past year or so about the lack of beds, in the space of a week, I have been contacted on two separate occasions about the lack of beds in the hospital.

On one occasion, Mrs. Budd, a constituent of mine, had been on a waiting list for a serious operation. She was twice given a date and, on both occasions—once in October and once in November last year—her operation was cancelled and no further date was offered to her. She was informed that her operation had been cancelled because, although the consultant could do the operation, no intensive care bed was available for her after the operation. I was told this morning that last week she was given another date. Guess what happened—the operation was cancelled again. It is a sad state of affairs when a consultant cannot proceed with an operation because he cannot be sure that an intensive care bed will be available once the patient has had the operation.

A further appalling case was brought to my attention at the beginning of January. Mr. Taylor, an 84-year-old from my constituency, was admitted to hospital for treatment, but, unfortunately, no beds were available. Eventually, he was found a bed, but he tragically died some days later. The coroner was so concerned about this case that in court he advised the man's family to contact their Member of Parliament, because, he said, the case was so serious. The hospital is currently investigating the case.

The twist in the tail is that the chief executive of the trust, Mr. Brian Waite, the most vociferous supporter of the PFI bid, has done a runner. I am told that he has gone to a job with neither promotion prospects nor a wage increase. He has gone to Carlisle. Who would go to Carlisle when he could stay in Durham? I should have thought that Mr. Waite would have wanted to wait for the PFI bid to be completed and see his dream come to fruition. Perhaps he thought that, by the time that happened, he would have retired and might need a bed in a geriatric unit in Durham, which would not be available because all the beds would have been closed. That is probably why he has gone.

Mr. Waite's departure sums up the exact position: had he believed that the PFI would give us a new hospital, he would have waited to see it come to fruition. The fact that he has left tells us clearly what he felt was happening with regard to the future of the bid.

The private finance initiative is a farce, as are the national health service reforms. I suspect that the case in Durham is not unique, and, in the meantime, my constituents wait for a new district general hospital and have a steadily deteriorating service.

9.3 pm

Mr. Piers Merchant (Beckenham): There is often a tendency in the House to generalise to such an extent that the conclusions are almost worthless. Conversely, individual cases are sometimes dealt with so specifically that extrapolation to policy is virtually meaningless.

The hon. Member for Islington, South and Finsbury (Mr. Smith), to whom I listened with great interest, as I always do, is a past master at those two dubious arts. Today he surpassed even his usual ability in that respect. I was astonished at his nerve in citing a handful of sad and undoubtedly unacceptable cases and giving the impression that those illustrated the norm, which they palpably do not.

The hon. Gentleman seems to luxuriate in the idea of crisis. He has a fantasy that the national health service has reached such a point of crisis that it is about to collapse, which is plainly untrue. When he is unable to establish that theory, he insinuates that there is a cover-up and he cannot get all the facts. The only cover-up is the Labour party's policies—or lack of policies—on health.

The hon. Gentleman's speeches in the House are usually of a high standard, but today he rambled, probably because he saw lurking behind him the figures of his

party's Treasury spokesmen. If they exercise such influence on him in opposition, I shudder to think what would happen if he were in government. The effect was that no policies emerged until the end of his speech, when he plucked out of the air two ideas that appear to be policy.

The first was about saving money. The hon. Gentleman claimed that he would be able to save £100 million by cutting bureaucracy. The House needs to know precisely how he will do that. One hundred million pounds is paltry, compared with what my right hon. Friend the Secretary of State has already saved recently in bureaucratic costs: £300 million—three times that. How does the hon. Gentleman square that claim with the supposed policy of his party to restore the regional level of NHS bureaucracy? The regional level was cut out by this Government, saving precisely £100 million.

The hon. Gentleman's second policy seemed to be to do away with the internal market, yet he seems to defend the purchaser-provider split. That is a strange semantic exercise. I fail to see how he will do away with the market but keep the mechanism of the internal market. He owes the House a detailed explanation of how that will operate, what the cost will be and what disruption will be caused to the NHS by another apparently large reorganisation.

We also need to know what the impact of Labour's policy, whatever it may be, will be on the PFI. I listened with considerable interest to the remarks of the hon. Member for City of Durham (Mr. Steinberg) on that, because he described a situation surprisingly similar to that in my constituency, but moving in an entirely different direction.

Will the hon. Member for Islington, South and Finsbury stop all the PFI schemes? How will he explain that to the people in the towns and cities throughout the country who are expecting hospitals to be built because PFI schemes are virtually in place? How will he justify robbing them of their hospitals?

What will the Labour party do about GP fundholding? How will it explain its intentions to the thousands of people who are benefiting because they are on the lists of GP fundholding practices? What will the hon. Gentleman say to them? What is his policy on GP fundholding? What he says in the Chamber contradicts what he told *The Guardian* on 1 November, when he seemed to advance some powerful and rather impressive arguments in favour of GP fundholders.

Dr. Hendron: I am in medical practice and have some experience of such matters. Some fundholders and their patients do very well, but is the hon. Gentleman aware that many non-fundholders who want to become fundholders are now not accepted? Government funding in the north of Ireland has not been ring-fenced for patients of non-fundholders. That is a serious problem—I do not know whether the hon. Gentleman has encountered it.

Mr. Merchant: I am grateful for that information. I am not an expert on Northern Ireland and I was not aware of the situation there. Thousands of my constituents benefit from belonging to GP fundholder practices and I welcome a change in the law that would, I hope, extend the scope of GP fundholding and make it more easily available to other GPs. I hope that that opportunity will be extended to Northern Ireland also.

The Labour party's final policy admission concerns the fundamental question of funding the NHS. I will not labour the point—which has been made effectively in the debate not only by Conservative Members but by the Liberal Democrat spokesman, the hon. Member for Southwark and Bermondsey (Mr. Hughes)—but, if the Labour party is to convince people that it has a credible policy for the health service, it must have a credible policy for funding the health service. That is completely lacking from its policy agenda. The Government have pledged to ensure that funding for the health service increases in real terms every year for the next five years. That is a powerful, and I think very welcome, pledge to the people of this country.

The remainder of my remarks shall concentrate on some local topics affecting my constituents which also illustrate important elements of national policy. I think that we can measure the worth of a policy most effectively by gauging how it affects individuals in a particular area. We should not use single examples or make national generalisations, but look at the impact of policy within a constituency or a health authority area.

My constituents consistently raise three issues with me. The first is waiting lists. That is a good-news story as far as the health service is concerned. Waiting lists are potentially the source of greatest concern to the ordinary person. Therefore, their reduction must be a priority and, when that is achieved, it is a triumph. That is precisely what has happened in my constituency. In the year end at March 1996, not one of my constituents waited for more than 12 months for medical treatment. That is a dramatic improvement on the record of the previous 10 years. I am assured that the results will be just as good this year, give or take a handful of people—we are seven over at present and we were seven under a few weeks ago. I am sure that the yearly average will show a wait of no more than 12 months. I think that that is real and welcome progress.

The results in my constituency match the national figures that have been cited: a reduction since 1987 from 200,000 people waiting 12 months or more for treatment to only 15,000. That is a marked policy achievement that reflects the Government's commitment in that area. Our record funding for the health service of £43 billion and the extra £1.6 billion that will be spent next year are reflected at a local level. I pay tribute to Mark Rees, the chief executive of Bromley hospital, for ensuring that funding is well used at local level. Nationally, 75 per cent. of all patients are treated within three months, which is another excellent achievement.

The second issue is accident and emergency services. It is a difficult area and I do not disguise the fact that the service is not running perfectly in the Bromley area. However, to speak of a crisis or of collapse would be completely to distort reality. The period over Christmas and new year is always difficult owing to a surge in the number of accident and emergency cases. Local staff are working extremely hard to handle the increased work load and they are succeeding admirably. Although there are some unacceptable cases of people waiting too long for treatment—they receive emergency treatment immediately, but must sometimes wait in A and E until beds become available—there is no question of the system collapsing or of the A and E unit being closed. That is because of the forward planning that was done. Bromley hospital has created a new observation ward, into which it could channel some admissions for observation before moving them on to hospital beds when needed.

[Mr. Merchant]

It is important, too, to appreciate why there is a difficulty in that area. It is all very well hon. Members giving examples of problems that have emerged, but unless the reason is understood, little can be done to tackle them. The reason in Bromley is complex and long term and could not be solved overnight. For historical reasons, we have four different hospitals, serving a population of around 250,000, whereas ideally we would have only one.

Because we have four small hospitals, when A and E patients come in, they then have to be observed and stabilised, and, if it is decided to admit them, many have to be transferred to another hospital in the borough. There is no other way of handling the situation, because the hospital with the A and E department is not large enough and cannot be expanded. There is no room; it is right in the centre of the town. Therefore, they have to be moved elsewhere, which brings me to my third and final point.

There is a crying need—it is the only solution to this and a number of other local health problems—for a new acute general hospital. That would solve the problem of transfers and create a much more efficient system. There would not be the complex process of managing beds, wards and specialities in different locations. Patients would not have to be moved around, transported from hospital to hospital. There would be no need for diagnostic transfers. All those problems could be solved with a new acute general hospital. That is a PFI operation.

I return to the speech of the hon. Member for City of Durham. Bromley has been in a similar situation, in that, originally, 20 years ago, the need for a new acute hospital was realised. In 1992, there was a problem with planning over the then chosen site. We have now passed the planning stage, the preferred bidder stage and the interim business plan stage. We are now finalising the final business plan. All that has been achieved in a remarkably swift period, which shows that the PFI can work.

Shortly, a submission will go to the Treasury. I ask my hon. Friend the Minister to do his best to ensure that, when the Treasury considers this case, which I believe it will in February, it does so thoroughly, and that a decision is expedited so that we can see bricks and mortar—the construction of a new hospital—because it is a priority for the people of my area. It will show that the PFI works, and will overcome many of the smaller problems to which I have alluded.

It is because I believe in the national health service, in the provision of free health care for all, across the board, that I also support the PFI. I believe that it will bring a bright new future for health care for my constituents, and will be another strong argument as to why they should support Government policy on health.

9.18 pm

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I shall be as short as possible, Mr. Deputy Speaker. However, I want to draw the attention of the House to the situation that has emerged recently in the Dyfed Powys health authority. Two days before Christmas, the health authority published a strategy document in which it made some swingeing recommendations. I believe that it published the document only two days before Christmas because it wanted to defuse the public reaction that it feared was inevitable. That reaction is now mounting and it needs to be taken seriously.

The review is the outcome of a funding crisis that the health authority has for the moment. That crisis is being passed on to the trusts within the authority's area. The crisis has been caused by factors that I shall not take up now. However, the health authority reveals in its document—this part of it I believe—that it is underfunded because rurality is not considered significantly in the formula. It is a large region—the whole of Dyfed and Powys—and so needs four district general hospitals for a population that would need only two in an urban setting. Those hospitals are needed because of travelling distances.

The document states:

"there is a strong case for additional funding separately from a capitation basis for an area which has the scarcity of population and geographic area of Dyfed Powys."

The authority says in the previous paragraph, however, that it does not think that the Welsh Office will respond. It thinks that the formula will not be changed, and that even if it were, things might be made worse.

That is an appalling example of defeatism and a signal to the Welsh Office that the authority intends to do the business that the Welsh Office wants of it, which is to balance the books and cut services. In reality, we are talking only about cutting services. Let us not mince words about that.

The health authority reckons that it must pull back or save more than £11 million over the next four years. Accordingly, it makes proposals that are designed to achieve such a saving. First, it is proposed to reduce the number of trusts from eight to two or three. There is no problem with that in theory but the proposal raises the question why so many trusts were created only four or five years ago.

Secondly, it is proposed to close eight of 19 community hospitals. That is peculiar, given the endorsement from the Welsh Office in a document published only in August 1996, which emphasised the important role that community hospitals should play. I shall not quote at length from the Welsh Office document now, but another important institution in Wales, the Office of Research and Development for Health and Social Care, argues that community hospitals should or could be playing an enhanced rather than a reduced role.

It is clear that the health authority has not thought through its proposals for community hospitals. Its document states:

"We are prepared to discuss other options which would save the necessary money and provide effective services. In view of this, we are not being specific on the hospitals which close. We believe we have to work with our trusts".

It continues in that vein. It is clear that the authority is looking for cuts without having made a clear analysis of why community hospitals should be closed. On what basis has it made such a radical proposal—to close nearly half the cottage or community hospitals in the area?

The third proposal is to reduce the range of treatments or specialisms at a number of district general hospitals in the name of centralising activity. It is claimed that that is necessary because of an increasing trend towards specialisation and that sort of thing.

In reality, if the range of specialisms at a place such as Bronglais were reduced, the status of the district general hospital would be reduced. Indeed, it would no longer be a district general hospital. It would not survive in a

meaningful sense as a DGH. That is an unthinkable option, bearing in mind the fact that the nearest other DGH is 50 miles away at Carmarthen. The others are much further away than that.

The content of the document is poor stuff. The paper is full of vague proposals that are based on unjustified preconceptions. Crisis management is masquerading as strategy, and that is unacceptable. If the proposals were implemented, decisions would be taken that in all likelihood we would be bitterly regretting five years later.

What is to be done in all the circumstances? Two things should be done now. If action is not taken, public reaction will justifiably be fierce. First, the health authority and the trusts should commission a properly conducted and objective study of the health care needs of Dyfed Powys. They should do so in association with the Office of Research and Development for Health and Social Care, which has expert knowledge and experience. It is in the business of building up a research understanding of health care needs in Wales. To that extent, I am much in sympathy with the Liberal amendment. The outcome of such an objective study, and the evidence that it provides, should be the basis of any restructuring.

There is a funding crisis and the Welsh Office could and should step in with £4 million per annum additional funding until 2000 when, according to the health authority, the situation would improve because the cuts resulting from the change in the formula would no longer apply. We need that kind of money. We need a proper approach to restructuring and a strategy based on evidence, and we need money in the meantime.

Many people in Wales are looking forward to the election, because they hope that the position will improve thereafter. In view of what has been said in the past few days, I question whether their optimism is justified. Many of us are profoundly worried that Labour has put itself in such a position that, following the election, it will find it difficult to add to public expenditure and investment, even though it may decide that it needs to do so. That issue will loom large in the next couple of months in the debate on health care in south-west Wales.

9.25 pm

Ms Tessa Jowell (Dulwich): This has been a necessary and timely debate, but not one that the Government wanted. On two occasions, my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) sought an emergency statement on the winter crisis, but the Secretary of State declined to make one.

The British Medical Association said that this winter's crisis is the worst ever, and it provided a catalogue of evidence in support of that claim. What was the Minister's response? On the radio—not in the House—he said, in effect, "This is the winter. What do you expect? Demand always rises in the winter." Of course it does, but we expect the Secretary of State to be ready for it. He should be ready for the 'flu, bronchitis and other ills that winter brings, and for the inevitable and predictable spate of accidents caused by icy roads and footpaths, not to mention the increased fragility of elderly people in freezing weather.

The Secretary of State and his colleagues have obviously been on a course at the Yorkshire Water school of management studies. Only there could they have learnt to be surprised at the inevitable effects of the seasons. For Yorkshire Water, summer comes without anticipation of drought. For the Government, winter brings surprising new demands on the health service.

The Secretary of State will go on any radio or television programme at any hour of the day to tell a disbelieving public that there is no difference between Labour and the Tories on health. The Government believe that the market is the cure-all for the national health service. We shall get rid of the internal market. We shall keep commissioning separate from the provision of care, but co-operation, not competition, will be our approach, and it will work. That is what people who work in the health service want, because they know that that will begin to dismantle some of the obstacles that stand in the way of the delivery of best patient care.

As hospitals are forced to compete like businesses, so the purpose of their existence—the care and comfort of patients—is relegated. It is now commonplace for patients who arrive at a hospital to find that it is so short of beds—because they have been taken by emergency admissions—that planned operations have to be cancelled. Many of my hon. Friends have given examples of that problem. Other hospitals are so short of money that doctors, nurses and operating theatres work at below capacity, unable to perform operations until the next financial year. Increasingly, it is only the patients of GP fundholders who are able to have their operations before the end of the financial year.

The public are understandably mystified by this misallocation of resources—but not Ministers. Cancellation of operations and discrimination between patients on grounds other than clinical need are part of the ineffable wisdom of the market. It is the triumph of the ideologue, but the politics of the bargain basement.

My hon. Friends have given clear examples of the crisis. My hon. Friends the Members for Birmingham, Northfield (Mr. Burden), for Warrington, South (Mr. Hall), for Nottingham, East (Mr. Heppell) and for City of Durham (Mr. Steinberg) expressed concern on behalf of their constituents. Ministers have scorned the use of individual cases—and so would Opposition Members, if it were not that those cases illustrate the experience shared by so many others, and demonstrate the pressure on the service.

A 70-year-old man died in Sheffield after being ferried 90 miles from his home in the west midlands, where a bed could not be found for him. In London, 22 patients had to spend the night on trolleys at Kingston hospital, while patients awaiting treatment at Lewisham hospital have been told that they will not be seen until the end of the financial year. In Liverpool, 30 acutely ill patients were left waiting in a hospital corridor after a ward was forced to close. Those are the everyday stories of our national health service during this time of winter crisis. The examples that my hon. Friends and I have given, however, are not—as Ministers try to claim—what patients should have to expect from the NHS in winter.

The growth of bureaucracy has become a cancer in the operation of the national health service. According to the British Medical Association, since 1990 it has cost an extra £1.5 billion a year. That was entirely predictable, because every organisation has its own overheads. When organisations are competing, it is difficult to share, and each trust has its own director of staff, technology and

[Ms Tessa Jowell]

communications; but, if resources were allocated properly, the overheads could be shared, as they were in the past. The internal market is an extravagant and inefficient way of allocating resources in a national health service.

Of all the fictitious slogans ever coined to mislead the public, none was more misleading than the one that proclaimed that the national health service was safe in Tory hands. What are the origins of the failure? First, there is the pace at which acute beds have been closed throughout the country, which has been described so clearly by my hon. Friends on the basis of their experience in different parts of the country, and which has given change such a bad name. For most people, change means less: it means that their local hospital will close, and that nothing will be provided in its place.

Secondly, the competition between hospitals that has resulted from the internal market means that, instead of co-operating, hospitals have become what they have aptly been described as—city states at war with each other. Thirdly, there is the demoralisation of staff who must push paper and fill in forms rather than tending patients and performing operations. That demoralisation is driving doctors and nurses away from the national health service in numbers that begin to threaten the service itself. Let me make it clear that Opposition Members draw a clear distinction between the bureaucracy that, like bindweed, consumes the efficiency of our national health service, and the importance of skilled and effective management, to which we pay tribute.

Fourthly, there is the failure to provide elderly people with support as part of community care. We know—any visit to any accident and emergency department over the past few weeks will have shown—that, overwhelmingly, the patients who are lying in bays waiting for beds are very elderly people. A ward sister said that the average age of 18 of the patients whom she had nursed in temporary beds on a recent Saturday night was 85.

It would be asking too much of the Government to admit that they were wrong, but it is not too much to ask Conservative Members before they vote to think of their constituents. This winter's crisis was not inevitable, nor was the deterioration in standards of care. It was not like that before and it does not have to be like that in future. A few days ago, a senior nurse told me, "We simply did not have patients on trolleys in 1989."

Sir Raymond Whitney: The hon. Lady has just said, "It was not like that before". She is right, because during the time of the Labour Government, 7 million people were treated each year. Now we treat 10 million patients a year. There are 55,000 more nurses and 20,000 more doctors than when Labour was in government, and they are all paid more. There are no NHS strikes to prevent people getting into hospital. The hon. Lady is right; it was not like that before.

Ms Jowell: That intervention shows precisely the problem with Conservative Members. They paint a picture of the national health service that is unrecognisable to those who work in hospitals and to patients throughout the country who are waiting for treatment. As usual, Ministers have failed to notice, even less to accept, the recent advice to London hospitals by inner-London chief executives whose study of the balance between planned and emergency admissions led them to recommend a bed occupancy rate of 85 per cent. instead of the 98 per cent. or more than 100 per cent. at which most hospitals are now required to operate under the strictures of competition.

As today's King's Fund report makes clear, psychiatric hospitals are barely coping because in some cases bed occupancies are running at 125 per cent. It is called hot bedding. In paediatric intensive care, 70 per cent. bed occupancy is recommended to guarantee consistent levels of care. Apparently, there is a difference between the inevitable and the entirely predictable. Ministers believe in the inevitability of patients on trolleys, cancelled operations and the consequent despair, but apparently none of it is predictable.

My hon. Friend the Member for Morley and Leeds, South (Mr. Gunnell) spoke about the growth of the NHS as a safety net service. There is an intolerable and rising level of violence in accident and emergency units. For staff seeking to offer treatment, it is appalling and unforgivable that people in need of emergency treatment should attack those who are there to help them. However, that is what happens when the accident and emergency department becomes the safety net and the court of last resort.

There is an alternative to the crisis. Even at this late stage in their life, let the Government admit that the internal market, or what Dr. Sandy Macara of the British Medical Association prefers to call the infernal market, has failed. Let them free hospitals to co-operate in delivering a public service rather than forcing them to compete as private businesses. That would create flexibility and allow hospitals to match beds and treatment to need. That is especially important at this time for the elderly who make up the majority of those who are queuing for beds.

We shall shortly publish proposals for a recovery service that will bridge the gap between hospital and home for elderly people. I have no hope that the Government will accept our proposals, but I urge them to study them carefully during their leisure days. They will have plenty of them in opposition. We must stop the haemorrhaging of staff, particularly nurses, from the national health service.

The Secretary of State said on the radio this morning that the national health service can never be perfect. Perhaps that is the standard that Conservative Members are prepared to settle for. The achievements are great, but they are great despite the Government rather than because of them.

For the sake of staff and patients, we have attempted in this debate to puncture the Government's complacency and provide a glimpse of the difficult reality being faced by our hospitals throughout the country, but we have no hope that the Government will listen, and act on what they have heard. Rebuilding the national health service will come with a Labour Government after the next election.

9.40 pm

The Minister for Health (Mr. Gerald Malone): General elections are won on substance and there has been no substance from the Labour party on what will be one of the key battlegrounds of the general election whenever

it comes. Early in her speech, the hon. Member for Dulwich (Ms Jowell) mentioned co-operation, not competition. That is the only policy that the Labour party has to offer for health. It is a cliché, a mere slogan, which is as meaningless as the social contract of the 1970s. Anybody involved in the health service will understand that that is so.

Many hon. Members have participated in the debate and I should like to deal with the detailed points they raised. The hon. Member for Birmingham, Northfield (Mr. Burden) was concerned about the Longbridge primary care centre in his constituency. Approval for funding of £2.5 million for that centre has now been forthcoming and we are awaiting planning permission, which is being sought. I hope that there will be rapid progress.

Mr. Burden *rose—*

Mr. Malone: If the hon. Gentleman does not mind, I will not give way, because I want to respond to all the points raised rather than enter into a debate on each of them.

My hon. Friend the Member for Broxbourne (Mrs. Roe) spoke wisely and with care about the real world of the health service as she has experienced it in her constituency. Not for her the single unsubstantiated allegation: she had gone to considerable effort to find out what was going on in the hospitals in her constituency this winter of difficult pressure.

What my hon. Friend told the House was probably typical of what is happening in many hospitals. She said that there was an excellent spirit among the staff and that many of them returned to work during periods of leave when other staff were ill. She talked about positive management of the problems in hospitals, with team work helping to solve the problems that many of them face when there is increased pressure, which we concede has occurred during this winter.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) introduced what I thought was an interesting approach, and the House may agree. He wanted to take politics out of the NHS. Whenever we hear that from a Liberal Democrat spokesman, we look to our constituencies to see whether the party is taking politics out of the NHS there. I thoroughly agree that the NHS should not be the political football that the Labour party tries to make it, but admonitions from the hon. Gentleman suggesting that we need a system of independent statistics, to be set up in a way that he did not entirely explain, are bizarre.

My hon. Friends will be aware of the tactics of Liberal Democrats in their constituencies when it comes to presenting statistics. We have nearly all been subject to spoof surveys issued by the Liberal Democrats' campaigning department, announcing what the results of the survey should be before it has been carried out. At least I accept that the hon. Member for Dulwich probably made some telephone calls before she reached her conclusions. The party of the hon. Member for Southwark and Bermondsey does not even bother to do that.

I can also tell the hon. Gentleman that, if we are to hear any lessons about playing fair with the health service, perhaps he or those responsible for his party's operations will stop parliamentary candidates across the country setting up false stories so that they can simply knock them down. I had an example of that in my constituency this week. The prospective Liberal parliamentary candidate set up a story about a closure, which was a complete myth and was not even being suggested. He then said that he would be the saviour to step in and solve the problem. It was all bogus. We need no lessons from the hon. Member for Southwark and Bermondsey about independent statistics of that kind.

My hon. Friend the Member for Wycombe (Sir R. Whitney) was right to remind us of the history of the national health service and how far its roots go back beyond 1947-48. In an excellent speech, he made it perfectly clear that, as a Government, we had custody over these matters before the inception of the NHS, which has developed in our hands for far longer than it has been in the hands of the Labour party.

The hon. Member for Morley and Leeds, South (Mr. Gunnell) seemed to support the spending plans of the British Medical Association. I hope that he has got that message through to his Front-Bench team. Many Opposition Members were keen to support every suggestion that extra spending should take place in the NHS—that was a common theme of the debate. I suggest that all those Opposition Members look to their Front-Bench spokesmen to find out whether the commitments that they expect to be honoured if Labour were ever elected would be honoured. On the basis of the stated policy of the Labour Front-Bench team, that would not happen.

The hon. Member for Morley and Leeds, South also referred to private finance initiative schemes. I can confirm that 32 schemes have been completed, at a value of £78.6 million. In spite of what the hon. Member for City of Durham (Mr. Steinberg) may have asked for in the Library, if the Library does not have the information, I will undertake to put it there.

I hope that Opposition Members understand that the shilly-shallying of Opposition Front Benchers about their proposals for the PFI damages the prospects of building hospitals and facilities in each and every one of their constituencies.

My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) said something important about the changed structure of the NHS, which the Opposition are criticising. She said that our reforms have given us some facts about costs, so we have been able to save money. Labour has consistently voted against that. My hon. Friend is right to remind us of that fact; when the Labour party says, "Co-operation, not competition," and says that it believes in the purchaser-provider split, but not in the internal market, it is saying that it wants to avoid all the difficult decisions that have to be taken in health care if one is going to drive better-quality health care out of the system for every pound of the taxpayer's money. The two go hand in hand. Ask anyone in the national health service if that can be done entirely comfortably and one will be told that Labour's policies are an Alice-in-Wonderland world.

The hon. Member for Warrington, South (Mr. Hall) asked about intensive care facilities. I can give him the figures for the north-west region, where 20 additional intensive care beds have opened in the past 18 months, bringing the regional total to 204. Six have been

[Mr. Malone]

commissioned this month. These have been funded from national challenge moneys announced by my right hon. Friend the Secretary of State just before the end of the year.

Mr. Hall: Will the Minister give way?

Mr. Malone: I have already said that I do not intend to give way. My right hon. Friend the Secretary of State made it clear that that was part of an important strategy that he had put in place to tackle the winter problems that we knew we would be facing, and that is working extremely well.

In addition, nine extra high-dependency beds have been opened this month, a further 11 are funded to open in the year beginning April 1997 and an additional intensive care bed is to open in Warrington general hospital in April, following discussions between the Warrington Hospital NHS trust and North Cheshire health authority. I hoped that the hon. Gentleman would welcome that improvement in facilities in the area that he serves as a Member of Parliament.

Mr. Hall: On a point of order, Mr. Deputy Speaker. In my speech, I recognised the fact that that extra bed was being provided and it is wrong for the Minister to suggest that I did not do so.

Mr. Deputy Speaker (Mr. Michael Morris): Order. That is not a matter for the Chair.

Mr. Malone: My hon. Friend the Member for Carshalton and Wallington (Mr. Forman) listed the achievements of the health service in his area. As he and I both know, that is a hard-pressed area for the health service in south London. I want to respond to his points.

With changes in the health service, when a reordering of services is needed to meet new clinical demands and needs, there will always be an on-going debate about the right balance of provision. I assure my hon. Friend that there is no suggestion that the Government are following a rigid template towards a conclusion. Of course, as change takes place we consider its effect on individual services; the provision of a higher-quality service is the watchword that governs those developments.

My hon. Friend also made a specific point about the chronically sick. He may care to note two points in that regard. First, the general improvements in primary care facilities in London as a whole, funded through the London implementation zone, are certainly helping to deal with the chronically sick. Secondly, my hon. Friend will understand and acknowledge that the National Health Service (Primary Care) Bill, currently in another place and shortly to come to the House, provides excellent opportunities for primary carers to do exactly as he suggested, and bring together innovative services to deal with special problems such as the chronically sick.

The hon. Member for Belfast, South (Rev. Martin Smyth) made several points, many of which centred on funding. I shall ensure that his other points are drawn to the attention of my right hon. and learned Friend the Secretary of State for Northern Ireland, but I want to respond to some of the funding points now. For 1997-98, £1.642 billion has been made available for health and personal social services, providing an extra £56 million over the previous year. The hon. Gentleman may need to argue out the figures at a later stage, but I did not entirely recognise his interpretation, because they represent a 3.5 per cent. cash increase and a 1.5 per cent. increase allowing for inflation.

The hon. Gentleman mentioned the comparison between Northern Ireland and the rest of the United Kingdom—and England in particular. We are spending about 15 per cent. more per capita on health and social care in Northern Ireland than in England. There have been various difficulties, not least in the present year, but the figures speak for themselves and reaffirm the Government's intention to continue to honour our commitment to the health service, despite adverse circumstances.

My hon. Friend the Member for High Peak (Mr. Hendry) spoke about fundholding. He was right to speak of the benefits of a system that the Labour party would simply sweep away. I am delighted to endorse what he said. As he pointed out, I visited his constituency on one or two occasions, and I have seen the innovations that are taking place there, not least the modern cottage hospitals that are often manned by primary carers.

The general practitioners' plans about which my hon. Friend spoke cannot be stifled by the Labour party—particularly because that party will never get into government—or by health authorities, because if, after the National Health Service (Primary Care) Bill becomes law, GPs propose plans to rearrange primary care services in my hon. Friend's constituency, there will be an automatic right to bring them to the Secretary of State for approval as pilots.

The hon. Member for Nottingham, East (Mr. Heppell) spoke about his constituents and funding. As I pointed out during the hon. Gentleman's speech, following three bids for special national funding, Nottingham health authority has been funded very generously in real terms for next year, receiving £500,000 of extra funding.

My hon. Friend the Member for Eastbourne (Mr. Waterson)—until recently my parliamentary private secretary, but now able to participate in these debates—pointed out that in his constituency there are pilots in purchasing that he knows would be abolished by a Labour Government. He was right to point that out, because those pilots are providing great benefits for his constituents.

The hon. Member for City of Durham asked about the trust business case. I can confirm that it was received by the NHS executive headquarters and by Her Majesty's Treasury in December 1996, and I hope that a decision to approve the full business case will be taken shortly. It is more likely to proceed with his active support than with the denigration that he tended to bring to the issue during the debate.

My hon. Friend the Member for Beckenham (Mr. Merchant) rightly pointed out that the Opposition were luxuriating in an idea of crisis. That was characteristic of their speeches, especially those of their Front-Bench spokesmen, which were devoid of policy content. My hon. Friend rightly pointed to good management initiatives in his constituency that were managing the pressure.

I shall ensure that the speech of the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) is drawn to the attention of my right hon. Friend the Secretary of State for Wales.

Not only the House but the country could reasonably have expected to hear in this debate what the Labour party would seriously propose for the health service in the coming general election campaign. The truth is that nobody now believes the Labour party on health. To every interest group, it peddles high expectations that are shot down by the right hon. Member for Dunfermline, East (Mr. Brown). Even when the hon. Member for Islington, South and Finsbury (Mr. Smith) dines with the private sector, no new treatment that is canvassed is entirely ruled out. He nods his head and says that all is possible. He and other Labour spokesmen dine with the private sector to give it false assurances that Labour would be no threat.

I understand that the private sector has invested a considerable amount in Labour's shadow health team over the past two years. Just as one team goes out the door after pudding, a new one comes in for the first course of the next meal. In spite of all that, no one believes that the hon. Member for Islington, South and Finsbury will deliver. Every solution to the problems of the NHS suggested by Opposition Members in this debate has implied more cash, which Labour is not prepared to pledge.

Labour has made one firm pledge, which was alluded to by my hon. Friends. It pledged to abolish GP fundholding, but it could not even get that right. That policy is Labour's two-card trick. On almost the same day, Labour managed to get two headlines: "Labour set to scrap fundholding" in *The Independent*, and in *Doctor* magazine, "Labour promises to retain fundholding".

On NHS savings, which will be the sole visible means of support for the health service under a Labour Government, we hear a variety of things. We hear that the savings will be £100 million and that it will all come from bureaucracy—but from where? Will it be health authorities, trusts, GP practices, or practice managers? Again, part of the problem is that it is a two-faced policy. A headline in *This Week* said, "Managers will not lose jobs in £100 million drive says Smith". The head of Unison, Bob Abberley, said that he was pleased about Labour's move away from attacking NHS managers. However, today Labour has attacked people who do a first-class job of delivering quality care in the NHS—and delivering it in a way that Labour would never have thought possible.

We heard nothing of some of the plans that Labour used to trumpet. It used to talk about using part of the £100 million savings to reduce waiting times for cancer surgery. A British Medical Association spokesman—Labour is usually keen to talk about such people—said that cancer surgery was usually done pretty promptly and that it was not helpful to set zero waiting lists. A simple matter of its declared policy has turned out to be an own goal for Labour.

At the centre of the debate lies the question of resources. Everyone in the health service understands that, although we can secure increased efficiency year on year, it is the commitment of the Government through our lifetime and beyond into the next Parliament to sustain spending on the NHS in real terms that is at the core of how our health service will grow. Labour's Front-Bench spokesmen have not yet matched the Prime Minister's pledge to increase spending on health during the next Conservative Government year on year on year.

I can tell the hon. Member for Islington, South and Finsbury that no Labour delegation that has come to my office has not sought resources even greater than those that we are spending. The implication of every speech of Opposition Members has been that the Opposition will be satisfied only with far more spending. When the right hon. Member for Dunfermline, East issues his strictures, he should look to the party behind him. There, every single one of them sits, political eunuchs one and all—all their spending parts neatly snipped away from them by the right hon. Gentleman. In a secret meeting at the weekend, the hon. Member for Islington, South and Finsbury was not part of the magic circle.

Mr. Kevin Hughes: (Doncaster, North) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 312, Noes 319.

Division No. 47] **[10 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin–Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Mrs Margaret
Beggs, Roy
Beith, A J
Bell, Stuart
Benn, Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alex *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Dr John
Cunningham, Ms R *(Perth Kinross)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davies, Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken

Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd-on-A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Johnston, Sir Russell
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretf'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'ld)*
McCartney, Robert *(N Down)*
McCrea, Rev William
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Maddock, Mrs Diana
Mahon, Mrs Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Alfred *(Wy'nshawe)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, John *(Aberavon)*
Mowlam, Ms Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Stanley
Paisley, Rev Ian
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Ms Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Shore, Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, John D *(Strangf'd)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Wallace, James
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Clarke and
Mr. Joe Benton.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel G)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David

Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas–Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel–Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson–Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Grylls, Sir Michael
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Sir Edward
Heathcoat–Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett–Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox–Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McNair–Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riddick, Graham
Riffkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple–Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesf'ld)*
Wolfson, Mark
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Patrick McLoughlin and
Mr. Timothy Wood.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments):—*

The House divided: Ayes 319, Noes 312.

Division No. 48] **[10.16 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel G)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baker, Sir Nicholas *(N Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas

Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Coombs, Simon *(Swindon)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Grylls, Sir Michael
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riddick, Graham
Riffkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bex'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesf'ld)*
Wolfson, Mark
Yeo, Tim
Young, Sir George

Tellers for the Ayes:
Mr. Patrick McLoughlin and
Mr. Timothy Wood.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Mrs Margaret
Beggs, Roy
Beith, A J
Bell, Stuart
Benn, Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alex *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Dr John
Cunningham, Ms R *(Perth Kinross)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davies, Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd-on-A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hume, John
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Johnston, Sir Russell
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Martyn *(Clwyd SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stret'd)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'ld)*
McCartney, Robert *(N Down)*
McCrea, Rev William
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Maddock, Mrs Diana
Mahon, Mrs Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Alfred *(Wy'nshawe)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, John *(Aberavon)*
Mowlam, Ms Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Stanley
Paisley, Rev Ian
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Ms Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Shore, Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, John D *(Strang'd)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Wallace, James
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan *(Swansea W)*

Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Eric Clarke and
Mr. Joe Benton.

Question accordingly agreed to.

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes that the National Health Service is providing high quality care to more patients than ever before; congratulates the dedication and professionalism of the National Health Service's staff during the recent cold weather which has placed exceptional demands upon them; believes that the National Health Service requires a growing budget for patient care and therefore welcomes the Health Service Guarantee given by the Prime Minister to increase spending on the National Health Service in real terms in each of the next five years, including an extra £1.6 billion for patient care in 1997-98; and believes that this guarantee reinforces the Government's consistent record of investment in the National Health Service and its professional staff.

BSE

10.32 pm

Dr. Gavin Strang (Edinburgh, East): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Selective Cull (Enforcement of Community Compensation Conditions) Regulations 1996 (S.I., 1996, No. 3186), dated 18th December 1996, a copy of which was laid before this House on 18th December, be annulled.

Madam Speaker: I understand that with this, it will be convenient to discuss the following motion:

That an humble Address be presented to Her Majesty, praying that the Bovine Spongiform Encephalopathy Compensation Order 1996 (S.I., 1996, No. 3184), dated 18th December 1996, a copy of which was laid before this House on 18th December, be annulled.

Dr. Strang: The Minister of Agriculture, Fisheries and Food will not be surprised to hear that the Opposition have tabled the prayer in order to debate this important subject, although we do not intend to vote against the selective slaughter programme.

The selective slaughter scheme that the House is debating tonight is part of the Florence agreement that the Prime Minister accepted in June. The House will recall that the Prime Minister said that the Florence agreement meant that all the conditions for lifting the beef export ban would be met by last October. However, today the beef ban is in place 100 per cent. and the Government have delayed progress for six months.

In September, the Government announced that they would not meet their side of the Florence agreement after all. Ministers gave various reasons for the delay, citing, first, the new scientific work available. However, as we pointed out at the time, any new scientific evidence simply meant that we could have a more effectively targeted selective slaughter scheme and certainly did not justify the Government's reneging on the Florence agreement.

The Minister also gave as an excuse the statement that the backlog in the Government's over-30-months scheme meant that there was not the abattoir capacity to begin a selective slaughter programme. I make the point that the enormous backlog—in October last year, it was estimated at 400,000 animals—was the Government's fault. They were responsible for the chaos. We appeal to the Government to ensure that the implementation of this slaughter scheme is operated considerably more efficiently and without all the problems that surrounded the OTMS.

Secondly, I do not accept that if the political will had been there, the Government could not have made some progress towards implementing the Florence agreement. The Minister admitted in December that no attempt had been made during the six-month delay even to identify the animals that were likely to be slaughtered under the selective slaughter programme. Valuable time was wasted.

The final reason that the Minister gave for the six months in limbo was that if we went ahead with our side of the Florence agreement, the European Union would not meet its side of the bargain and start to lift the beef ban. That is the most important question that the Minister must answer tonight. Now that the Government have done a U-turn on the Florence agreement, what hope can he offer

our beef industry, our farmers and our food industry that the European beef ban will be lifted? Does the Minister care to follow the Prime Minister's example of last June and give us a timetable for the lifting of the ban?

The Government have still not submitted the working paper to the European Commission regarding the lifting of the ban on certified herds. I trust that the Minister will enlighten us on that. Indeed, if Radio 4 was correct this morning, I trust that he will advise us that the formal submission will go ahead and that progress can be made so that we can at least achieve quickly the first step of allowing the export of beef from certified herds and then have the whole ban lifted.

It is a terrible day for our livestock industry when Parliament has to agree that thousands of productive animals are to be slaughtered. It is vital that the selective slaughter programme is carried out sensitively. Some farmers and herdsmen will deeply resent the fact that animals that have not reached the end of their working lives are to be compulsorily killed. The cattle, some of them high-value pedigree animals, will have been a source of great pride to the herdsmen and farmers involved.

The Ministry must adopt a flexible approach to minimise the damage to farm businesses, accommodating concerns such as the operation of the milk quota scheme, and seeking to ensure that any herd involved in the compulsory slaughter is treated in such a way that farm businesses do not lose out in terms of fulfilling the milk quota. There is also the quota for suckler cow herds. It would be wrong if businesses were penalised through a reduction in the suckler cow quota as a result of animals being slaughtered under the programme. Indeed, I hope that the Minister will be able to assure us that the flexibility will enable them to avoid not only a reduction in quota but losing out on any suckler cow premium payments as a result of the scheme.

The House will also be aware that there is concern about the definition that the Government are using to determine herd size. If more than 10 per cent. of the animals in a herd are to be slaughtered, the compensation is so much higher and a premium is payable. There is great concern, however, that on this occasion the Government have, unusually, chosen to include for the first time heifers in calf. That will reduce the number of herds that qualify, in terms of over 10 per cent. of the animals being taken.

The Minister will be aware of many of the concerns about which the National Farmers Union and the Country Landowners Association have written to us. I trust that he will address these in the course of the debate. I must also impress upon the Minister that the highest standards of animal welfare must be upheld during the implementation of the programme.

There is the issue of maternal transmission. The Minister will remember that the Oxford study paper, which was published by Roy Anderson and his colleagues, included an assumption of maternal transmission. Indeed, Roy Anderson and his colleagues advised that the most effective targeting scheme would make some allowance for such transmission, albeit on a small scale. Is it the Minister's intention that if there is no change in the present fairly inconclusive position, and bearing in mind the evidence that will become available in February or March, nothing will be built into the targeting to include maternal transmission? It would be helpful if the Minister cast further light on the matter. As he knows, the Ministry has made it clear in its consultation document that a decision will be taken in February or March.

I know that many Members wish to speak in the debate. In conclusion, I remind the House that there can be no doubt that we would not be facing a crisis on such a scale had it not been for the fact that successive Conservative Governments throughout the late 1980s and early 1990s delayed in regulating to protect human and animal health. Above all, they failed abysmally to implement and enforce the regulations that they had put in place.

As I have said, it is a terrible day when the House has to agree to the slaughter of thousands of our cattle. However, the industry is facing a crisis on a huge scale.

Mr. Edward Garnier (Harborough): Will the hon. Gentleman give way?

Dr. Strang: This is a short debate that will continue for only one and a half hours. To allow as many hon. Members to speak as possible, representing as they do the length and breadth of the United Kingdom and all political parties, I do not intend to give way.

This is a terrible day. I am sure that the House accepts, however, that we must sanction the slaughter of so many productive cattle. The industry is facing a crisis and the worldwide ban on the export of beef and beef imports is inflicting enormous damage and is costing thousands of jobs and damaging livelihoods. The only mechanism available to us to get the ban lifted is to implement the Florence agreement, and for that reason we believe that the Government are right to set about putting into effect the selective slaughter programme of that agreement.

10.42 pm

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): The House has discussed the selective cull on a number of occasions and is well acquainted with the issues. Furthermore, the time allocated for debate is short. Therefore, my intention is to be brief.

There are two statutory instruments before the House. The first is the Selective Cull (Enforcement of Community Compensation Conditions) Regulations 1996 and the second is the Bovine Spongiform Encephalopathy Compensation Order 1996.

The House will be aware that there is another order, the Bovine Spongiform Encephalopathy (No. 2) Order 1996, which provides the powers to restrict and slaughter animals. That order is not subject to parliamentary procedure, but was made available in draft to hon. Members last summer when we discussed the cull before the summer recess.

The selective cull compensation regulations, if I might so describe them for brevity, make provision for the enforcement of certain requirements of the relevant Commission regulation, which itself provides for European Union co-financing of the compensation. The requirements relate to the slaughter, treatment and disposal of animals subject to the cull. They are identical to those for the over-30-months scheme. These regulations create offences and specify penalties.

The other order is the Bovine Spongiform Encephalopathy Compensation Order 1996, which revokes and replaces the 1994 order. It contains new

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provisions that prescribe the amount of compensation payable for animals slaughtered under the selective cull. The compensation arrangements are based on the proposals that we discussed last summer with farming organisations and others. In drawing up those compensation proposals, we have tried to strike a balance between reflecting the cost to the farmer and avoiding overcompensation. Although it has been difficult to strike that balance, I believe that we have got it about right.

Mr. Robert Jackson (Wantage): I congratulate my right hon. and learned Friend on pressing ahead with the selective cull. I hope that our partners in Europe will respond on their part of the deal. I put it to him that, until the tracing arrangements for the cull have been fully completed, we will not know what the impact will be on particular herds. On compensation, will he consider sympathetically any cases that may emerge of herds that turn out to be particularly badly affected?

Mr. Hogg: I am about to give details of the compensation. I suspect that my hon. Friend has in mind the problems that may be experienced by the closed herd and the suckler cow herd. I shall deal with that in the next few moments.

I shall briefly summarise the compensation provisions. For male animals, compensation will be at the market value. For female animals, it will be 90 per cent. of the replacement value or the market value, whichever is the higher. That is in recognition of the point put to us by farming organisations last year that replacements may cost more than the present value of the animal to be replaced.

In addition, a top-up payment will be available for herds that lose more than 10 per cent. of their productive animals. That is designed to meet the concerns of farming organisations, by recognising the dislocation to the business during the re-establishment of the herds. It will be available to suckler herds as well as to dairy herds. The top-up is subject to a ceiling of £250 per animal, which reflects a maximum deemed value for top-up purposes of £1,000.

Mr. William Cash (Stafford): Does my right hon. and learned Friend accept that this saga has caused enormous anxiety and concern among farmers, including many in my constituency? Will he explain why he has adopted such an arbitrary and artificial definition of a herd, and why the top-up calculations are so restrictive?

Mr. Hogg: We have to define a herd for the purposes of the regulations. In defining a herd, we have taken into account the productive animals. That seems sensible. I suspect that what is on my hon. Friend's mind is the inclusion in the definition of in-calf heifers. If we were not to include in-calf heifers in the definition of a herd, the compensation payable to a farmer would depend on the exact moment that the veterinary experts visited the farm. That would create a difference between a farm where the heifers had not calved and a farm where they had calved. That disparity would be impossible to justify.

As to the basis of the top-up, in the end we must make a judgment. There are two elements to the compensation that we will pay. First, there is the full value for the beast itself; and then there is the top-up in respect of the dislocation. We must strike a balance. I believe that we have struck it fairly, but clearly it is a matter on which people have a variety of views. I am persuaded that the balance is a fair one.

Mr. Christopher Gill (Ludlow): I listened carefully to my right hon. and learned Friend's explanation in reply to my hon. Friend the Member for Stafford (Mr. Cash). Surely the issue of in-calf heifers is just as complicated at one end of the scale as it is at the other. It is just as complicated for inspectors to adjudicate on whether the in-calf heifer is to be included as it is to decide whether the heifer has conceived or not. Does the Minister concede that it is most unusual—unprecedented, in fact—to include in-calf heifers in such an equation?

Mr. Hogg: There is much that is unprecedented in this matter, not least the slaughtering of healthy beasts, but we have done our best to be fair. My hon. Friend might consider this question: why should in-calf heifers not be included in the definition of a productive herd? I have had to consider the argument both ways, and I have concluded that it is fair to include in-calf heifers, for the reasons that I have given.

Mr. Tony Marlow (Northampton, North): Will my right hon. and learned Friend give way?

Mr. Hogg: I am going to make a little progress; then I will give way.

Mr. Marlow: It is on that point—

Mr. Hogg: I am going to make a little more progress; then I will give way.

I have been talking about the valuation for individual beasts, but I also mentioned the question of the top-up. Closed herds will receive one and a half times the normal top-up payments, which is intended to reflect the greater difficulties that are likely to be experienced by owners of such herds in obtaining replacement animals, and hence a longer period of disruption.

Mr. Marlow: May I take up the point made by my hon. Friend the Member for Ludlow (Mr. Gill), and ask how it is possible to know whether a heifer is in calf or is about to return to service? Must a pregnancy test be carried out, or what?

In the case of pedigree breeding stock of high value, in terms of thousands of pounds, will farmers be compensated to the extent of that value?

Mr. Hogg: A distinction needs to be made between the compensation paid in respect of top-up, and the compensation paid in respect of the individual beast. For top-up there is a ceiling value of £1,000, which means that each animal can attract a payment not exceeding £250. Compensation for the beast itself, however, will be at full value as at the date of valuation, in accordance with the formula that I have already outlined. As for whether or not a heifer is in calf, that will be a matter for determination during the visit to the farm by the veterinary expert, as a result of the consultation that will take place between the farmer and the expert.

Mr. Peter Hardy (Wentworth): Will the Minister give way?

Mr. Hogg: I will make a little more progress; then I will give way to the hon. Gentleman.

We fully appreciate that, despite these measures, the coming months will be difficult for many of the farmers affected by the cull; so we will try to be as sensitive and flexible as possible in the general conduct of that cull. The hon. Member for Edinburgh, East (Mr. Strang) asked about that. The operation of the cull will be explained to and discussed with farmers, and veterinary officers will endeavour to keep them fully informed about discussions affecting their businesses.

It is clearly in our interests, and those of the industry as a whole, to complete the cull as rapidly as we can. Our aim is to complete it within six months, but, within that overall aim—

Mrs. Helen Jackson (Sheffield, Hillsborough): Will the Minister give way?

Mr. Hogg: I will finish this section of my speech, and then give way to the hon. Member for Wentworth (Mr. Hardy).

Within that overall aim, where it is reasonably possible, we shall try to take farmers' wishes into account when timing the slaughter on individual farms. For example, when a cow is in calf we may discuss with the farmer the possibility of delaying slaughter until it has calved, and the calf can properly be separated from its dam. If a farmer is to lose a large proportion of his herd, we could consider slaughtering in two groups rather than slaughtering all the cattle together.

Mr. Hardy: I may be wrong, but I suspect that the deep anxieties of dairy farmers may be more nearly met by these various arrangements than those of the beef producers, particularly the small ones. The Minister was kind enough to give way and allow me to make a similar point some months ago. Does he not appreciate that the smaller beef producer facing the "upper millstone" of the economic effect of the BSE crisis and the "lower millstone" of the disintensification policy that the Ministry is pursuing could threaten the smaller farmer, and imperil entry into, and maintenance of interest in, farming among such people? That itself would appear to contradict Government policy. Will the Minister re-examine the position of those smaller beef producers, to ensure that they are not ruined by the performances of the past year or so?

Mr. Hogg: I do not share the hon. Gentleman's pessimism. Leaving aside payments made under the 30-months scheme, which have gone a long way towards underpinning the market, we have made available about £265 million in direct support of beef producers. Markets have recovered somewhat over the past few months, although I accept that they are at a lower level than they were before the crisis.

Looking forward, it is clear that there will have to be a change in farming practice. The consumer is expecting a change from the past and I suspect that there is an imbalance between production and consumption that will have to be addressed. As I have said, I do not take the hon. Gentleman's pessimistic view.

Mr. Alex Salmond (Banff and Buchan): Over the holiday period, the Minister with responsibility for Scottish agriculture made an optimistic statement about the prospects for the return of Scottish beef to European markets. He even estimated the percentage of the market that could perhaps be recaptured when that return was allowed. I have been trying to work out the basis for that optimism. Will the Minister give his estimate of the date on which that return might be realised, as the Prime Minister has done? Given the measures that have been put in place, on what date does the Minister expect Scottish beef to return to European markets?

Mr. Hogg: I shall shortly outline the steps that we intend to take with the European Commission to secure a relaxation of the ban. However, our optimism is based on the high quality of Scottish beef, a factor that is acknowledged throughout Europe.

Mrs. Helen Jackson: The Minister says that he expects the cull to be completed in approximately six months. Does he mean that in that time the cull and the disposal process of the slaughtered beasts will be completed, bearing it in mind that so far a mere 3.8 per cent. of those disposed of under the 30-months scheme have been finally incinerated?

Mr. Hogg: By the cull, I mean the slaughter. There are large quantities of beef, particularly as a result of the 30-months scheme, in cold storage and it will take a long time to dispose of that. When I mentioned six months, it was in relation to the slaughter programme and did not relate to the beef in cold storage plants.

I shall now deal with maternal transmission. What we are discussing does not include measures in relation to maternal transmission, if I may use the jargon. I hope that we shall have a clearer view in February or March about whether there is true maternal transmission. When we have that evidence, we will be better able to determine whether it would be right to seek to add to the numbers contemplated under the present arrangements to take account of potential maternal transmission. At this time I am unable to say whether we shall seek to extend the cull to reflect possible maternal transmission. That will depend on our assessment of the scientific evidence that I hope will be available in two or three months.

Mr. Andrew Welsh (Angus, East): Will the Minister give way?

Mr. Hogg: Perhaps the hon. Gentleman will forgive me if I do not give way. I should like to make some more progress.

Subject to the House agreeing the statutory instruments, I currently expect the first visits to farms in Great Britain to begin tracing cattle to take place in the next few days. The first visits will be to the natal herds—those in which BSE cattle were born. After that it will be a matter of tracing any animals that have moved from those herds. Our aim is to complete the process of tracing and culling the affected cohorts within six months. That is the matter on which the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) sought further clarification. The tracing of animals moved out of these cohorts might take a little longer.

As I have said, I recognise that the cull will create uncertainty and upheaval for many of those farmers affected, and that it represents an interference with their

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private property. Nevertheless I commend it to the House because, without it, there is no prospect of any lifting of the export ban on United Kingdom beef. I am pleased to see that that point is now generally accepted by farming organisations and by my colleagues in the House, including the Opposition.

By implementing the cull, all five of the preconditions in the Florence agreement will be met and it will allow us to move to the second part of the agreement which sets out the procedures for a relaxation of the ban. We are ready with a proposal for a certified herds scheme to submit to the Commission. I anticipate submitting our proposals early next month. I must tell the hon. Member for Edinburgh, East that it would be presumptuous of me to submit any proposals to the Commission before getting the clearance and approval of the House, which is what I am seeking and which I regard as a necessary precondition to the next step.

Our certified herds scheme would permit exports of meat and meat products from animals whose movements are fully documented and which could be certified as having no association with BSE. Once we have secured agreement on such exports, we shall aim to move on rapidly to other categories, such as animals born after a given date. In other words, we regard certified herds as being the first step in the relaxation of an unjustified ban on British beef and beef products.

Mr. Tom King (Bridgwater): In seeking the approval of the House, will my right hon. and learned Friend confirm the cost of the scheme to the British taxpayer? Am I right in thinking that it is an entirely a United Kingdom cost and does not involve any refund from the Community? On the terms that have been set out, can my right hon. and learned Friend tell me what the Government are putting forward as funds to meet the cost of the scheme?

Mr. Hogg: The net cost is about £120 million. My right hon. Friend is not entirely right to say that there is no co-financing. There is co-financing to about 70 per cent. of market value. That does not take account of all the elements of compensation encompassed within the compensation scheme. My right hon. Friend will have noticed that I talked about 70 per cent. of market value and he will recall what I said about top-up and about the fact that replacement value is one of the benchmarks for calculating compensation. The recovery is based on market value. As I have said, doing the best we can, the net cost will be about £120 million.

Mr. Welsh: Will the Minister give way?

Mr. Hogg: No, because I have given way to the hon. Gentleman's party already.

On the basis of my comments, I commend the statutory instruments to the House.

11.2 pm

Mr. Paul Tyler (North Cornwall): I believe that all hon. Members would prefer not to have to debate this issue, but here we are. Many of us have to take a serious and sober attitude towards this issue as we represent many livestock farmers.

A farmer in Cornwall wrote to me yesterday saying:

"It is a very dangerous precedent to kill healthy animals on this basis, a thing the United Kingdom has never done."

I believe that that is the view of many hon. Members.

There are only two possible justifications for the action: first, that it will accelerate the eradication of BSE in the British beef herd and, secondly, that it will accelerate the reopening of the worldwide beef export opportunities. It must be on both counts that we test the statements made by the Minister today.

Many hon. Members on both sides of the House will recall the words of the Prime Minister on his return from Florence. He said:

"It is now up to us in this country—the farming and ancillary industries and the Government—to ensure that we meet them. The point is that this timetable is essentially in our hands.—[*Official Report*, 24 June 1996; Vol. 280, c. 22.]

When the Minister replies, I hope that he will be more specific about the timetable that he sees ahead of us as a result of the action that he is asking the House to take. To justify it, the Government have to believe that this scheme will accelerate both the eradication of BSE and the reopening of the export markets.

Some important questions were left unanswered. First, after Florence, why did Ministers not at least consult the industry so that they could move as quickly as possible as soon as the legislative process had been completed, so that we would not have these last-minute glitches? Six months have been lost during which such consultation could have taken place and uncertainty could have been removed. As it is, livestock farmers have found their business plans totally up in the air because they were not able to plan ahead.

Secondly, will the cull be managed in the same way as the over-30-months scheme? As yet, we have had no answer to that question. On 16 December, when the Minister made a statement on the subject, I asked him whether the accelerated cull would be by competitive tender, enabling the participation of all those slaughterhouses—they are represented by Members on both sides of the House—that have been squeezed out of the over-30-months cull and have lost out disastrously as a result. I was given no answer. When I raised that matter in the debate on the Christmas Adjournment on 18 December, the Leader of the House assured me that he would put that point to the Ministers responsible and get an answer, to ensure that there was no profiteering out of the new programme as there has been with the over-30-months scheme. I have had no answer as yet, nor have I heard one today.

Thirdly, what notice have Ministers taken of the response from the farming organisations to the Government's consultation document? The definitions in paragraph 11 are still incredibly vague, causing widespread concern. There is considerable concern at the apparent mismatch of cohort years with feeding groups. Do we yet know that the scheme is acceptable to the Commission, or are we passing something that is still a pig in a poke as far as acceptability in Brussels is concerned? Representations have been made to the Minister and copied to many other hon. Members from the Scottish National Farmers Union, the Country Landowners Association, the South-West National Farmers Union and individual livestock farmers, all of which have been constructive and positive—not negative

in the least, but they still have not had an adequate response in terms of the statutory instruments placed before us today.

On statutory instrument No. 3184, there has already been much discussion on both sides of the House about the definition of a herd. Clearly, the issue of in-calf heifers is incredibly important for closed herds. Since the Minister acknowledges that closed herds will have considerable difficulty in replacing without great cost, and that the dislocation to the management of those herds will make things extremely difficult, surely it must be important to establish what farmers and their representatives think is the best way to define a herd. As hon. Members have said, the new definition is totally unprecedented. There must be an extraordinary reason for including in-calf heifers in the way suggested. The Minister used the phrase "productive animals only". Why can we not stick with that definition? Similarly, in schedule 2, the way in which consequential loss is compensated is still causing considerable concern.

Suckler cow producers also have a major problem. We are receiving representations from all parts of the country. Surely it is essential for Ministers to allow producers to ghost those animals during the period when they are being retained for suckler cow premium. Otherwise, it will cause a major problem for the cash flow of the enterprises concerned.

Similarly, flexibility is being quoted on all sides. The Minister says that he intends to be flexible, but there is nothing very flexible about the provisions of the two statutory instruments. It is difficult to foresee how the provisions can be extended to ensure that there is flexibility to assist farmers who have a particular difficulty.

We must consider, for example, the question of local milk supply, especially where there are producer-processors and producer-retailers, and most especially where there are speciality milks such as Channel Island or organic milk. There will be a major problem if that is not taken into account in compensation. There must be maximum flexibility in the timing of the way in which cattle are taken to cull.

Flexibility may be the Minister's watchword—I hope that it is—but there is no evidence so far, from our experience of the over-30-months cull or from what we have heard today, that flexibility will in fact be delivered. In its response to the consultation document, the National Farmers Union, summing up the position of most livestock farmers represented by hon. Members of all parties, said:

"The removal of healthy animals off farms will be traumatic. A sensitive approach will be needed throughout in order to secure the cooperation of producers, many of whom will be seeing a lifetime's breeding work disappear. Whilst the national benefits of the scheme are well understood, many producers are participating in the scheme with the utmost reluctance."

We should all recognise that everyone who takes part in the scheme will do so with great reluctance. It is not a scheme in which anyone would want to participate. In those circumstances, the unwilling participants, who are the victims and not the authors of the situation, have every right to expect from the Government—from every Minister and official—the maximum flexibility, sensibility and sensitivity to their needs.

11.11 pm

Mr. Paul Marland (West Gloucestershire): As the hon. Member for North Cornwall (Mr. Tyler) said, this is an extremely disagreeable subject to have to debate, but if we do not debate it, the situation will go on for ever. The only reason for having the debate and for introducing a selective cull is to get the ban lifted. I should like a reassurance that the European Community will accept the method of selection that we use, and that it will not use it as an excuse and say that we should have a different method of selection.

Mr. Marlow: Moving the goalposts.

Mr. Marland: Exactly. We do not want the Community to move the goalposts. We want it to accept our method of selection and consider lifting the ban. There is no doubt that with the passage of time attitudes towards the selective cull have changed, and not only among farmers. The farmers of Gloucestershire—obviously the ones whom I know the best—were against the selective cull to start with, but now they are all in favour.

In the debate that we had in November on BSE, the hon. Member for Edinburgh, East (Dr. Strang) gave a cast-iron commitment that he would support a selective cull order of the type that we are debating today. To many of us, it does not come as much of a surprise that on this matter, as on so many others, the hon. Gentleman and the whole of his party have changed their minds. I well remember that when we discussed the export of live animals, the Labour party as a body came out against it; but when Labour was last in office, the hon. Member for Edinburgh, East was in favour. The Labour party does one thing when it faces in one direction, but something completely different when it faces in the other.

It is also worth remembering that already more than a million cattle have been slaughtered under the scheme to try to eradicate BSE in this country and that the forecast for the selective cull is about 100,000. The answer to the question whether the Government will cope competently and implement the measures well is that of course they will. The Government can be relied on to learn from and take advantage of past experience, so we shall have a totally worry-free operation as we carry out the cull. If we do not go ahead with the selective cull, the ban on the export of British beef will never be lifted.

I and farmers in Gloucestershire favour the selective cull because it will restore confidence. I do not know about other Members with rural constituencies, but confidence in British beef among the beef eaters of Gloucestershire never went down. The beef sales of an independent butcher in Newent in my constituency, Andy Crease, never fell off. The favourite Sunday lunch in the Forest of Dean is still British beef, as it always was.

I hope that the implementation of the selective cull will restore the confidence of institutions such as schools, too many of which have banned British beef. I hope that McDonald's, the brand leader in the fast food industry, will quickly reintroduce British beef to its restaurants. I salute, as will other Conservative Members, the Meat and Livestock Commission's campaign to rebuild confidence in British beef mince.

We want worldwide sales of British beef to take off again because the markets are still there. Foreigners want to buy our beef. *[Interruption.]* Yes, foreigners want to

[Mr. Marland]

buy British beef. I say that again in case there was a misunderstanding and the Labour party changes its mind again and decides to back British beef instead of continually chipping away at it and at the British agriculture industry.

Many months ago, I told the House that I had discovered at Gloucester market that there were outbreaks of BSE in France. Few believed me or my source of information at the market, but it is now widely recognised that BSE is endemic in France, Belgium and Holland. I wonder whether hon. Members know that the Russians and Egyptians have banned the import of beef from southern Ireland because there have been 70 BSE cases there in the past year. If they are going to ban the import of beef from Ireland, what does the European Community propose to do about the export of Irish beef?

Mr. Gill: Is it not terribly unsatisfactory that Russia can ban the importation of beef from five Irish counties but that the same beef can be exported to the United Kingdom, to the detriment of British cattle producers?

Mr. Marland: My hon. Friend has pinched my next point. I understand that the price of British beef has fallen by 5 per cent.—it may be more; he can correct me if I am wrong—as a result of the import of Irish beef.

On the detail of the slaughter, I join other hon. Members in urging my right hon. and learned Friend the Minister that his Department should be as flexible as possible in the execution of the policy so as to minimise the losses of income that farmers will sustain. It should be sensitive to farmers' replacement plans. That is especially important for farmers who are carrying extra in-calf heifers on their farms to replace the stock that will be taken out by the cull.

Compensation should help farmers, not penalise them. I believe that it is wrong to regard in-calf heifers as being involved in establishing the herd. That is a serious departure from normal measurement practice, as only productive cattle are included in Government schemes, legislation and for taxation purposes. Why change that? The inclusion of in-calf heifers penalises farmers who seek to help themselves with replacements, especially as some of them may be carrying extra cattle on their farms.

It would be sensible to reconsider top-up payments, which are not available until at least 10 per cent. of the herd has been slaughtered. With the extra heifers that farmers are carrying on their farms, that could seriously disadvantage the very people whom we are seeking to help. Perhaps the top-up scheme should be on a sliding scale so that it is not cut and dried at 10 per cent. and there is some give in the system.

The setting of a maximum value on the compensation payable for a beast could further disadvantage those valuable pedigree herds, which, as other hon. Members have already said, may have been built up over the lifetime not only of the current owner but of his father. I hope that that matter will be reconsidered.

Mr. Douglas Hogg: I do not like to interrupt my hon. Friend, but I think that he may have made a mistake. There are two elements in the compensation—compensation for the individual beast and the top-up. There is neither ceiling nor cap on the compensation for the individual beast—full value will be paid. The cap applies only to the top-up formula.

Mr. Marland: I thank my right hon. and learned Friend for putting me right on that because that is a weight off my mind. If I made a mistake, I am quite happy to admit it. We want the farmers to co-operate with the scheme, some of which is voluntary. If we expect them to step forward and volunteer to participate in it, we must make the compensation scheme as fair as we possibly can.

As I said earlier, we want to get the ban lifted. To do that, we must know what the quid pro quo is from the European Union. Other hon. Members have mentioned the Florence agreement. It is true that before today's debate we had instigated five out of the six conditions that were laid down at Florence in order to get the ban lifted. As a result of today's measures, we shall instigate six out of six.

For a long time many of us have thought that the EU has had its own agenda: to inflict pain on UK farmers while letting others walk away without persuading them to take any steps to put the problem right. I have already cited the example of southern Ireland. I very much hope that my right hon. and learned Friend will take steps to ensure that there is no more duplicitous behaviour within the EU, and that the ban is lifted as soon as possible.

11.21 pm

Mr. Ieuan Wyn Jones (Ynys Môn): There is considerable interest in the debate because, although one understands that there is a political rather than a scientific imperative behind the need for the statutory instruments, it is generally accepted by hon. Members on both sides of the House that the accelerated cull, regrettable though it is, must go ahead. That is why I believe that the House will not divide on the measures.

I shall briefly address the issues that are of most concern to the farming industry because I know that a number of colleagues wish to speak. The Minister will be aware of the considerable disquiet that has been expressed by many hon. Members about the definition of the herd. It is proposed to define it as including the replacement heifers in calf. That is contrary to accepted practice in all countries of the United Kingdom. Farmers believe that that has been done to reduce eligibility for the top-up payments. In view of the representations made tonight, I ask the Minister to reconsider the matter.

The industry has obviously welcomed the fact that the Government have accepted the case for replacement value to be the basis of compensation for the cattle. After all, we are dealing with some of the most productive of the dairy cows in our herds, and they will be slaughtered when they are at their most productive capacity. Considerable disappointment has been expressed, however, at the fact that that compensation has been limited to 90 per cent. of their replacement value. I am sure that the Minister will have noted all the representations on that.

The way in which dislocation costs are calculated is also a matter of concern. I am anxious particularly about small dairy farmers—they may lose only one or two cows, but that may not represent 10 per cent. of their herds. In those circumstances, will the Minister consider whether an element of flexibility should be included in the system

because, proportionately, the small producer will lose substantially more than the larger producer in terms of their herds' productive capacity?

It is important that compensation is paid promptly, particularly for productive cattle, which must be replaced quickly. Many farmers had to wait a considerable time before they received their compensation under the over-30-months scheme, which had a considerable impact on their cash flow problems. Will the Minister give an assurance that the compensation payments under this scheme will be paid promptly, so that farmers can ensure that they have the money in their bank early enough to pay for the replacement of their stock? Will he also ensure that the farmers are made fully aware at an early stage of when the payments will be made?

My final point relates to the raising of the beef ban. As the Minister is aware, many of us have been persuaded of the necessity of the accelerated cull because of the prospect of the ban being lifted as a result. I understand what the Minister has been saying tonight and his reluctance to give us a firm date for raising the ban, but the industry is waiting for his views and the Government's views on that subject. He will understand that it is because of that prospect that farmers support the regulations on accelerated culling. In his winding-up speech, or in some other form, will the Minister make it clear that the lifting of the ban forms the basis of the statutory instruments?

11.25 pm

Mr. John Greenway (Ryedale): I am grateful for the chance to contribute briefly to the debate.

I do not believe that the dispute at the heart of the measures necessarily extends across the Floor of the House. All of us who represent farming constituencies know only too well the unprecedented damage and turmoil that the beef industry has suffered over the past 10 months. Our dispute is with our European partners and, to a degree, with the European Commission.

I do not see myself as one of the most extreme Euro-sceptic Conservative Members. I have always tried to be measured in the comments that I make about Europe. The debate is the best opportunity that we have had for a long time to put on the record the fact that the farmers, the beef producers, of the United Kingdom—it is commendable that so many of our colleagues from Northern Ireland are present, and I shall be brief because I am sure that some of them want to contribute—have made great sacrifices over the BSE problem in the past 10 months, or even eight or nine years. It is high time that the rest of Europe recognised the sacrifice that has been made.

Mrs. Margaret Ewing (Moray): And America.

Mr. Greenway: And America—the hon. Lady is right.

When the cull that we are debating tonight is completed, it will mean that 1.2 million animals will have been slaughtered. I cannot claim that there is a shred of scientific support for the slaughter of any one of them. They have all been slaughtered for political reasons because the European Union decided, in its infinite stupidity, to impose a ban on British beef as a result of the statements made by my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food and by my right hon. Friend the Secretary of State for Health.

The European Union made a gross misjudgment. It judged that, because BSE might be seen as a problem confined to Britain, if British beef were banned, it would reassure consumers throughout the rest of continental Europe. Of course, the ban had the opposite effect. Every housewife or consumer, not just in Europe, but throughout the world, has concluded that if—it is still a big if—there is the prospect of humans contracting a brain disease as a result of eating beef, they should not buy it. All cases of Creuztfeldt-Jakob brain disease throughout the world cannot have occurred as a result of British beef. I do not believe that the link has been proved. The decision to ban British beef reinforced in the minds of consumers throughout Europe the idea that all beef may be harmful. For that reason, beef consumption throughout Europe has slumped. It is to the credit of our meat industry, our farmers and our consumers that consumption of beef in Britain has not fallen to the levels seen in other countries. That, combined with the massive financial support that the Government have given to the industry, means that we still have a beef industry for the future.

The European issue is exacerbated by an outrageously hypocritical draft report that was recently published by the European Parliament—the so-called Ortega report—and we need to examine carefully two issues relating to that. We understand that the report has been highly critical of the British Government's response to the BSE crisis and that there is also some criticism of the European Commission. In fairness to the Government—I remember many of the debates we had in the late 1980s, when I was first elected to Parliament—I must point out that they have been working one step at a time. Facts were not known and scientific advice emerged generally. We are now much clearer on what needs to be done to ensure that the beef on consumers' plates is safe.

With the benefit of all that hindsight, however, what has the European Parliament recommended should be done to protect consumers throughout mainland Europe? Precisely nothing—none of the measures that we have implemented to ensure that our beef is the safest in the world has been recommended by the Parliament for implementation in the rest of Europe. We are well on the way, not only to eradicating BSE from British herd, but to ensuring that, once eradicated, BSE does not return and that British beef on consumers' plates is the safest in the world, but I am gravely concerned about whether we can say the same about the rest of Europe.

It is acceptable to suggest that the incidence of BSE in Europe is not as high as it is in Britain, but I cannot understand why the rest of Europe continues to turn its back on the prudent measures that we have introduced in respect of specified bovine offals, meat and bonemeal. I am worried that, because of that, we shall see more evidence of BSE on the continent and that the worst of all worlds could befall our farmers—that we have the cull in order to get the European ban and the worldwide ban lifted, but that in two, three or four year's time, other countries will impose a ban on European beef because of the increase of the incidence of BSE in other member states.

I hope that I am wrong, but I want my right hon. and learned Friend the Minister to take a message to the European Councils dealing with this matter: that we are prepared to ask our farmers to continue to make this sacrifice, but that we expect the other member states to deliver the goods—not only to lift the ban, but to

[Mr. Greenway]

implement the necessary measures throughout Europe. It is no good saying that Britain will be free of BSE unless we can say that Europe is free of BSE.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. In the 20 minutes available for the remainder of the debate, four hon. Members hope to catch my eye. I hope that they will all be successful.

11.33 pm

Mr. William Ross (East Londonderry): In the light of what you have said, Mr. Deputy Speaker, I shall be as brief as is humanly possible.

The hon. Member for Ryedale (Mr. Greenway) drew attention to the turmoil in the beef industry and on farms during the past year or so. We in this House would be remiss if we forgot all the other people who have lost their jobs or whose businesses have gone to the wall. We must not forget the tremendous misery that this whole affair has caused to the ordinary men and women who depended on a week's wages from the beef industry in one form or another. While I have every sympathy with the farmers, we should also remember the misery that has been suffered by others.

The statutory instruments deal with Great Britain, but the Minister will know that the corresponding orders affecting Northern Ireland passed into law about two weeks ago, even though they were laid on the same day, 18 December. I am curious to know why the orders for the whole of the United Kingdom were not dealt with on one day. Perhaps that has to do with our different legislation; but this is a UK-wide problem, so we should make every effort to deal with it uniformly.

Every farmer in the country will welcome this further step towards clearing up the BSE crisis in the UK, and will hope that the certified herds scheme will be acceptable to Europe. I trust that we will rapidly be able to clear up the remaining stock that may have come in contact with BSE. I am, however, still worried about the suckler herds. What protection will be offered to producers' claims for suckler cow premiums, for example? If those herds are decimated, the farmers concerned could lose out. Furthermore, could such producers be exempt from the quota usage rules for long enough to enable them to get back into full production? That may apply more to closed than to general herds, but the problem needs attention.

Has the problem of flagged holdings, as opposed to flagged animals, as yet been resolved? The matter urgently needs sorting out, but I am not sure that much progress has been made so far.

The Minister will understand that farmers' losses will be compounded by the changes in the green pound. I am told that another change in its value could be here in 50 days' time; it will cause more mayhem and another fall in the price of beef. If the price fell correspondingly in the butchers' shops and supermarkets, we might not mind so much.

Farmers are concerned when they hear advice to the effect that they must finish their animals a bit earlier. The plain truth is that Northern Ireland has long been engaged, with Government encouragement at every level, in producing large, heavy animals for the continental market. Any man who has ever reared cattle knows perfectly well that cattle first grow their bony frames and then put on the beef after that. It is impossible to finish a large-framed beast before it reaches a certain maturity. It is therefore ridiculous to believe that an animal bred to finish at 450 kg can be finished at 350 kg—it is nonsensical, but intervention weights keep dropping, and I should like to know what the Minister intends to do about that, to relieve the producers.

11.38 pm

Sir Jim Spicer (West Dorset): My right hon. and learned Friend the Minister and his team will know only too well that, over the past year, it has been Dorset in particular and the west country in general that have been hardest hit by BSE. I wonder whether, six months ago, the hon. Member for North Cornwall (Mr. Tyler) would have liked to have been a Minister telling the farmers in north Cornwall or Dorset, "We have this enormous backlog of animals to deal with under the 30-months scheme, but of course I want to talk to you today about the continuing problem we will face once that is done."

In the past two debates in the House, I have quoted my county chairman, John Hoskin, who has been hit harder than almost anyone. Had the hon. Member for North Cornwall tried to approach John Hoskin not just in May, June or July but in August, September or October with such a farcical suggestion, I know exactly what the response would have been, and the hon. Gentleman would have caught the next train back to North Cornwall and probably moved on beyond there as well.

Over the past six months, my right hon. Friends have dealt with the most massive task that we have ever had. My right hon. Friend the Prime Minister made one point clear: this is the greatest crisis that we have faced since the last war, and we have dealt with it. People may criticise, but no one else could have done more than we have to deal with more than a million cattle in the time that we have done it. Let there be no more hypocrisy from the Opposition on that point.

We have lived up to our side of the bargain, and we are now doing what we ultimately promised, at the behest of the National Farmers Union and the Country Landowners Association. They have all reluctantly come to accept that we must go that little extra mile. We are going that little extra mile; we shall complete our part of the Florence deal, and the ball will then be firmly in the court of our European partners.

There remains a big question. There was a time when I had stars in my eyes about the European Community and thought that, if it said that it would do something, it would do it. I am not so sure now. The ball is, however, in its court and, if it does not live up to the undertakings that it has given, we must face up to the fact that we must go it alone. We must make our own dispositions, not just for one or two years but up to 2001 and beyond.

When we debated the matter on 15 May with the hon. Member for North Cornwall and others, I said that, within those dispositions, if our European partners did not lift the

ban, we would have to consider taking action against them and say that, unless the beef that they produced was up to the standard and quality of ours and had the same safeguards, we would have to think about banning their beef and building up a fortress Britain in terms of beef. That is the last thing that we want, but the ball is in their court and they must play their part.

By 2001, BSE will be eradicated in this country, but will it be eradicated in Europe? As my hon. Friend the Member for Ryedale (Mr. Greenway) said, we doubt that very much, so we must ensure that we have access to those world markets.

I thank my right hon. and Learned Friend the Minister and all those who played their part in bringing us to this point where we can do our final part. If the others do not live up to their side of the bargain, I simply say, "Let it be on their heads, not on ours."

11.42 pm

Mr. Eddie McGrady (South Down): In two short sentences, I should like to remind the House of the great calamity that BSE has been to the Northern Ireland farming community. Of a population of 1.5 million, 60,000 people representing 8 per cent. of the work force are engaged in the farming industry. Two thirds of the farms in Northern Ireland, small as they usually are, are involved in rearing cattle, and they produce a disproportionately high 12 per cent. of the entire UK herd. That is the enormity of the problem facing the Northern Ireland base industry—agriculture—which consists mainly of cattle rearing.

Those in the farming community generally welcomed the proposals for the selective cull and they want it implemented as quickly as possible so that they can re-enter the European market. Northern Ireland exports 75 per cent. of its meat, and 50 per cent. outside the United Kingdom.

I want to raise with the Minister one or two quick points for consideration, as they are causing concern to farmers in Northern Ireland. Although the farming industry in Northern Ireland accepts the reasoning behind the voluntary nature of the slaughter of the 1989-90 cohorts, and the fact that there is a problem given the traceability in Great Britain, nevertheless that traceability is total in Northern Ireland. Could not the slaughter of those 1989-90 cohorts be made compulsory in Northern Ireland? It could be carried out quickly and efficiently, thereby completing the five requirements of the Florence convention.

The other matter that farmers want the Government to address is the proposed method of counting herd size, which will be used to calculate the compensation top-up payments for the cull. We know that it differs from the method that is already in operation for the temporary reallocation of additional milk quota. The method used for calculating herd size for the temporary milk quota allocation should be used for the purpose of the cull as well.

The Ulster farmer is concerned that top-up payment is triggered only when the producer loses 10 per cent. of the herd. The Minister spoke about flexibility. It would be beneficial to the very small farmers, of whom Northern Ireland has a considerable number, if there was a tapering scale from 1 per cent. to 9 per cent. The flexibility offered by such a sliding scale would bring adequate and proportionate benefit to the very small farmer.

The certified herds scheme should recognise the part played by the selective cull as a step towards certification. To ensure that the scheme is of practical benefit, the farming community offers four proposals for consideration. First, as has been said, the flagging of herds should be introduced, instead of the flagging of farms. The flagging of herds occurs throughout Europe. The UK is the only country where farms are flagged. I understand that that is the result of an administrative slip-up at an earlier stage. It could be corrected virtually by the stroke of a pen, if that is done now.

Secondly, the certification of animals should replace the certification of herds. Thirdly, all animals born after 1 August 1996 should be eligible for the scheme, irrespective of the BSE status of the holding from which they originated. Fourthly, BSE-affected herds should be accepted into the certified herds scheme once they have completed an agreed restriction period of no more than six years.

In view of the time restrictions, I am grateful for the opportunity to make those points. I ask the Minister to consider them in the light of the flexibility that he said would be adopted. In recognition of the enormous problem that we have in Northern Ireland, where the industry is such a fundamental part of our economy, I ask him to address the issues sympathetically.

11.48 pm

Rev. Ian Paisley (North Antrim): I shall not repeat the matters raised by my two colleagues. They have underscored what is in the mind of the farming community in Northern Ireland. As a Member of the European Parliament, let me tell the House that there is no promise from Europe that, if we do what we are doing tonight, we will receive a firm assurance that the ban will be raised.

The damnable report due next month will raise the matter to new heights. It has been purposely planned so to do by the political managers in Europe. There will be an attack on British beef and wild accusations which will reverberate throughout Europe and build an almost impassable wall.

I regret that my proposal in a previous debate was not adopted. Because Northern Ireland has the traceability scheme, we should have proposed that as a pilot scheme, carried out the cull according to the Florence terms in that part of the UK and awaited Europe's reaction. If Europe had said no, the Government would have known that their actions tonight would not evoke the response necessary.

Baroness Denton, the Under-Secretary of State for Northern Ireland with responsibility for agriculture and the economy, announced recently that Northern Ireland had weathered the BSE storm. It has done nothing of the sort. A review of the economy, which will be released this week, states that not only the farmers but the food processors, road hauliers, feed merchants and renderers of Northern Ireland will go under. We are facing the biggest crisis since world war two. If we do not find a way out, the agricultural sector—the basis of the entire Northern Ireland economy—will go under. I must be a prophet of doom tonight—I cannot be anything else—because we would be foolish to believe that, by taking this action tonight, we shall see the ban lifted in Europe. That will not happen.

11.50 pm

Mr. Edward Garnier (Harborough): Having listened to the remarks of my hon. Friend the Member for Ryedale (Mr. Greenway), I am tempted to say that I agree with all that he said and to add nothing further. However, I must take this opportunity to proclaim my faith in British beef and in the British farming industry, particularly in so far as it affects my constituents.

I ask my right hon. and learned Friend the Minister to consider the question of compensation. I appreciate the fact that a huge amount of money has been spent supporting the beef and dairy industries in the past nine or 10 months, but will he ensure that payment is made under the scheme as speedily as possible? As other hon. Members have said, there is nothing worse than having to wait for one's money—especially in circumstances such as this.

I also draw my right hon. and learned Friend's attention to the question of economic loss. I acknowledge that there will be almost 100 per cent. compensation for individual beasts, but I am concerned about the potential for tremendous economic loss with the top-up regime. For example, if 40 per cent. of a herd is culled, it will be almost impossible to return that herd to an economic basis—not least because the milking cows introduced into the herd will take some time to come on full stream and milk at the same rate as the cows they replaced. I urge my right hon. and learned Friend to bear that factor in mind.

I also ask my right hon. and learned Friend to keep an eye on the nature of replacement beasts, especially if they come from abroad. We must be assured that the beasts that are introduced into the United Kingdom pass our stringent tests for quality. Can we be sure that they will not have been fed meat or bonemeal, which would cause a new schedule of disasters that we would face at our peril?

I hope that the brevity of my few short points will commend them to my right hon. and learned Friend.

11.53 pm

Mr. Christopher Gill (Ludlow): I preface my remarks with a tribute to the patience and tolerance displayed by the meat and livestock industry during the past 10 very difficult months. Those in the industry on either side of the farm gate—both those who have been compensated and those who have not—have adopted a most responsible view in a joint endeavour to see British beef once again assume the position that it rightfully deserves as the best in the world.

In July, I sponsored early-day motion 1180 which said, among other things, that there was no guarantee when the beef export ban would be lifted. I believe that those comments are equally true today. We are debating the issue tonight, not for scientific reasons or because of human or animal health considerations, but because of purely political considerations. Right hon. and hon. Members have already referred to that fact.

What I regret more than anything else in this whole sad business is that our Government, who up until 27 March last year steadfastly said that every action they took in respect of beef and the safety of food in the British Isles would be based on scientific evidence, have been driven because of force majeure from that position to the point where today our every consideration, our every resolution, is dictated by the politics resulting from the fact that we are now subject to the vagaries of the European dimension. That is a matter of very great regret.

We will have needlessly slaughtered more than 1 million cattle to comply with this political imperative, in just the same way that, as I speak, fishermen at sea are dumping back into the sea thousands of fish that are perfectly saleable and could provide meals for housewives and their families; in the same way that, because of the failure of politicians to make the right decisions, 3,750,000 head of poultry have been killed to comply with the zoonoses orders when so many of us well know that the answer to that problem was to convince the British housewife, the cooks and the chefs in kitchens to cook their eggs and poultry correctly.

For how long can the animal kingdom tolerate this abuse, brought about by the failure of politicians to discharge their responsibilities properly and adequately rather than to blame the fowl of the air, the beast of the field and the fish in the sea for their own inadequacies?

Because of what we are doing tonight, which is serious and to a greater or lesser extent immoral, we must put the European Union on notice that, unless what we are doing tonight results in the ban being lifted, we can no longer tolerate this imposition.

Finally, I say one thing specifically to my right hon. and learned Friend the Minister. The inclusion of in-calf heifers in herds is unprecedented. It is without justification, and I do not think that the House has been convinced tonight by his explanation. I just hope that he will find some way in which to amend the statutory instrument to ensure that in-calf heifers are not included in the herds for compensation purposes.

11.58 pm

Mr. Douglas Hogg: I am conscious that the debate concludes in five minutes, so I hope that the House will forgive me if I answer many of the points briefly—

Mr. Deputy Speaker: Order.

Mr. Hogg: I should have said, "With the permission of the House". I am so sorry.

I entirely agree with the point made by my hon. Friend the Member for West Dorset (Sir J. Spicer). It was very important to complete the removal of the backlog under the over-30-months scheme before we embarked on the selective cull.

My hon. Friends the Members for West Dorset, for Ryedale (Mr. Greenway) and for Ludlow (Mr. Gill) asked whether there was a timetable for relaxing the ban. There is not. We will proceed as fast as we can, in stages, but I do not conceal from the House that this will be a difficult task and will take time. I do not wish to mislead anybody on that point.

Mr. Welsh: Will the Minister give way?

Mr. Hogg: No, I have only three minutes.

Various important points were made about the suckler cow premium, for example, by the hon. Member for Edinburgh, East (Dr. Strang). I am aware of the point, which relates to the culling of cattle during the retention

period. We take the view that the culling of cattle during that period is covered by the force majeure principle. We have already approached the Commission on that point. We have not had a concluded answer yet, but our arguments are strong, and I hope that we shall get a sympathetic response.

My hon. Friend the Member for West Gloucestershire (Mr. Marland), and others, asked whether the Commission was happy with the eradication plan as is. The House will remember that the plan as it was submitted at the time of the Florence agreement, was approved by the Standing Veterinary Committee and received the endorsement of the Commission. That does not mean that we will not face suggestions that we should extend the scheme to a cull based on maternal transmission in certain circumstances that I outlined to the hon. Member for Edinburgh, East.

There will be tendering for the period after 1 April. The hon. Member for Ynys Môn (Mr. Jones) and my hon. and learned Friend the Member for Harborough (Mr. Garnier) talked about prompt payments. Payments should be made within 21 days of slaughter or registration, whichever is the later. In reality, that will be 21 days from slaughter, and that is extremely important.

My hon. Friend the Member for Ryedale talked about the temporary committee of inquiry. There is only a draft at this stage. Lord Plumb said properly that it is based on prejudice, not on evidence. I take the view that Ministers who are accountable to the House should not be summoned by the European Parliament simply because it is seeking to exercise a supervisory role over nation states. I regret that the Liberal Democrats appear to take a different view.

The hon. Member for East Londonderry (Mr. Ross) raised an important point about the green pound and revaluation. The hon. Gentleman knows that there have been many devaluations over the past few years. He knows also that as regards 60 per cent. of the direct payments there is a freezing at current rates, which is worth about £200 million.

We have been criticised for not listening to the farmers. I do not believe that that is true. We adopted replacement value as a consequence of what was said to us. The second consultation paper on cohorts reflected the points made to us by the farming industry, as did our proposals on consequential loss.

My hon. Friends the Members for Ryedale and for West Gloucestershire made an important point about the absence of a specified bovine material regime in Europe, and they were entirely right to do so. The absence of such a regime is lamentable. The matter was considered at the December Council and Agriculture Ministers decided not to accept the Commission's recommendation. I regard that as a serious omission.

I take no pleasure in the statutory instrument, for all the points and reasons that have been advanced by other hon. Members. If we do not agree to it, however, there is no prospect of securing any relaxation of the ban. On that basis, I commend it to the House.

Question put and negatived.

SCOTTISH GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 94H (Scottish Grand Committee (sittings)),

That the Order of the House [6th November] shall be amended in paragraph (6), by leaving out the word 'Scotland' and inserting the words 'the Town Hall, Montrose'.—*[Mr. McLoughlin.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102 (European Standing Committees),

Draft Budget for 1997

That this House takes note of European Community Documents Nos. 9372/96, the draft general budget of the European Communities for 1997, SEC(96)1677, the Letter of Amendment No. 1 to the preliminary draft budget of the European Communities for 1997, PE252.724, the European Parliament's resolution on amendments and proposed modifications to the draft general budget of the European Communities for 1997, 11689/96 and 11690/96 on the Council's Decisions on the European Parliament's proposed amendments and modifications to the draft general budget of the European Communities for 1997, and the unnumbered explanatory Memorandum submitted by HM Treasury on 15th November relating to the Letter of Amendment No. 2 to the draft general budget of the European Communities for 1997; and supports the Government's efforts to maintain budget discipline in the Community.—*[Mr. McLoughlin.]*

Question agreed to.

Pinderfields Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

12.2 am

Mr. William O'Brien (Normanton): I am grateful for the opportunity to talk about what I term my local hospital. Pinderfields hospital, which is located in my constituency, is an acute services general hospital, offering good and much needed services to the people of Wakefield. The hospital has wards in permanent buildings and temporary buildings. The temporary buildings were erected in the early 1940s to provide medical treatment for wounded personnel in the forces during the second world war.

On at least three occasions, programmes have been launched to replace the old outdated wards with new, modern wards with modern facilities. In the past 17 years, the Government have made a number of promises to build new premises. The most recent promise, of 1995-96, was made under the private finance initiative proposals. The publicity and hype about those proposals have now faded, due to the Government's policy on hospital mergers. I want to make it clear to the Minister that we do not need a merger, and that we want to develop our own Pinderfields hospital.

People who rely on Pinderfields for medical services keep asking when the new buildings will be ready. Perhaps I could extract a response from the Minister on that issue. The conditions under which nurses and staff work, and the premises in which patients receive treatment, would not be tolerated by many hon. Members, who would demand changes and improvements.

The hospital has recently been under tremendous pressure because of the number of referrals from general practitioners and the number of admissions through the accident and emergency unit. The local newspaper, the *Wakefield Express*, is a creditable newspaper with a creditable reporter. On 10 January, its headline read: "Hospital on brink of crisis". That referred to Pinderfields hospital. Health officials admitted that, had there been a major accident or incident in December or January, the hospital would have had to close its doors to all but the most urgent cases. Due to the dedication and sterling work of the staff at the hospital, it remained open and continued its good work.

Wakefield area health authority provided funding for extra beds to cope with the high demand. It opened a short-stay surgical ward at the nearby Clayton hospital to help to minimise the impact on waiting lists. That was sound judgment by the health authority.

My concern is heightened by the fact that the Wakefield area health authority is facing an overspend in its budget of about £5 million in the current year. It also has an over-commitment of almost £6 million on the expected budget allocation for 1997-98. The hospital is facing a financial crisis, and the stress on the staff due to the extra admissions and the heavy work load is exacerbated by the overspend on the budget and the cuts required to keep within budget. The staff are conscious of the fact that further economies must be made to keep within the budget provision.

There is no evidence of unjust spending. The hospital works within the Government's guidelines, and there are no surpluses. The problem is with the formula for the allocation of resources, as set by the Department of Health. Pinderfields hospitals faces a deficit of £3 million in the current year, with a further debt of £3 million for the fixed costs of the transfer of neurosurgery from Pinderfields to Leeds later this year. Will the Minister explain how such a crazy situation arose? Pinderfields had a first-class neurosurgery unit, which provided a first-class service. It was a regional unit stationed at Pinderfields, but it was stolen from us and located in Leeds.

Why should we have to pay £3 million fixed costs? That will push the hospital budget further into deficit. Why should the purchasers of services from Pinderfields hospital pay the costs of the neurosurgery unit that no longer exists?

All the health agencies in Wakefield, including Wakefield and area health authority and the three trusts, are concerned about the funding formula applied by the Department of Health for health care in Wakefield. I readily accept that there is no perfect formula for allocating resources, but there are fairer formulae than the one that currently applies there. How, for instance, did the Minister arrive at his decision that the population in our area was falling, which was one of the reasons for reducing our resources? I do not consider that to be true.

Why are we penalised for being a low-paid, low-income area? That is how the formula applies in Wakefield and we are being told that, in some areas where incomes are higher, we do not need as much. Why should the fact that only 1.75 per cent. of our population consists of ethnic communities influence the allocation of resources?

Does the Minister take into account the elderly population who suffer from respiratory diseases? A mining community such as ours contains chronically sick people, and a significant number of children and adults are troubled by asthma. The Wakefield and Pontefract asthma group is committed to addressing the apparent gap in provision between hospital and community, and to developing closer collaboration between primary and secondary care.

Does not such suffering influence the Minister's decision on a formula for the allocation of resources? We need money to ensure that our hospitals have a respiratory consultant. Research shows that the recording of information with such a consultant is far more accurate and revealing than it is with a non-respiratory consultant.

Earlier, I referred to the transfer from Pinderfields of the neurosurgery unit, which used to generate an income of around £3 million a year, which helped to provide services at the hospital. I consider the loss of that £3 million a betrayal of Pinderfields and of my constituents.

Wakefield community health council raised the loss of revenue with the regional health authority, which promised that £1 million would be given in assistance, that a "regional centre of excellence" would be provided at Pinderfields and that an MIRI machine—which is a kind of scanner—would also be provided. None of those promises has been fulfilled. Mr. Ron Beneford, chairman of Wakefield community health council, agrees with me that all at Pinderfields hospital feel betrayed by the regional and national health authorities.

Will the Minister give me an assurance that the promises made to the community health council will be fulfilled? If we cannot rely on promises made in good

faith, how can we trust the people who made those promises and reneged on them—or the people in authority—in the future? The funding of health care and the formula for allocating resources are fundamental to Pinderfields hospital.

As I have said, there is a massive acute services deficit in the Wakefield area, yet it is reported that GP fundholders in the district have underspent by £7.6 million over the past three years. Why is primary health care in surplus, while secondary and acute health care are in crisis? The malaise is caused by crazy accounting.

Pinderfields hospital provides intensive care and high-dependency units, but additional demand could leave the hospital in difficulty. Last year, Wakefield health authority considered the provision of intensive care and high-dependency units at Pinderfields, and there was some investment in additional units. That investment had a serious impact on the health authority's budget. Will the Minister assist Wakefield health authority to cover the cost of the extra intensive care units that had to be provided?

I have spoken about promises. When the maternity hospital at Manygates in Wakefield was closed, a new maternity unit at Pinderfields was promised, but the promise was not fulfilled, and we again feel betrayed by the Government. My constituents use Pinderfields hospital and the staff there would like to be able to see to the needs of patients. One of my constituents who suffers from multiple sclerosis needs Interferon treatment. Pinderfields would like to treat that constituent with Interferon, but cannot do so because of the cost. My constituent tells me that patients in the south of England can get treatment without difficulty. That is another example of the north-south divide.

The treatment that the hospital can afford to give my constituent makes her feel worse, and she complains about the deterioration in her health because of what I have described. I have written to the Secretary of State for Health on this matter and received a response, but the issue has not been resolved.

Pinderfields hospital contains the Yorkshire regional spinal injuries unit and the famous burns unit. Because the neurosurgery unit is being stolen and taken to Leeds, there are fears that, if Pinderfields and Pontefract hospitals are merged, we could lose two prestigious units and finish up with two cottage hospitals. That is another reason for objections to the proposed merger.

I have made the case for Pinderfields hospital to be given special consideration by the Minister. I seek fairness and justice, and that is not unreasonable.

12.18 am

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): I am glad to have the opportunity to respond to the hon. Member for Normanton (Mr. O'Brien) and to congratulate him on securing time to debate a subject that is linked to health services in Wakefield—Pinderfields hospital. This is the fifth time since January 1995 that we have had an opportunity to debate health services in Wakefield. Opposition Members certainly deserve full marks for persistence. I acknowledge that you also have an interest in this area, Mr. Deputy Speaker. I, too, have an interest, because, as the hon. Gentleman will be aware, I went to school in Wakefield. I have known Pinderfields over many years, particularly when I was a teenager.

I have listened to the hon Member's concerns and the case that he has outlined against the proposed merger of the trusts at Pinderfields and in Pontefract. I am aware of the strong local feelings on the proposal. However, as I said in the Adjournment debate in November on the proposed merger of the two trusts, it seems that some hon. Members might be trying to link two separate issues—the management of the acute trusts at Pontefract and Pinderfields, and the delivery of services.

The consultation, which, as the hon. Gentleman knows, ended last week, was on a proposal to merge two trusts, not on a proposal to change the health services in the Wakefield area.

The proposal that is under discussion in Wakefield, and in Pontefract, is a proposal to merge two trusts—or, to be more exact, to dissolve two trusts and create one new one. It is a proposal to change the management structure of NHS trusts in Wakefield, and it is not a proposal to change the services.

The responses to consultation on the merger proposal are now being considered by the NHS executive. It is likely to be referred to Ministers for consideration shortly. I must and will keep an open mind until the appropriate time. As I have said, I am aware of the strong local opposition to the proposal, including from local hon. Members and from the local community health councils. On the other hand, I am told that there is strong clinical support for a merger from local consultants and from general practitioners.

As I said in November, Wakefield health authority has announced that it will look again at its health strategy, and will hold a separate public consultation on that later this year.

The Secretary of State for Health is required to consult on proposals to establish new health trusts. There has now been a long consultation, lasting from July 1996 until the middle of this month, on the proposed merger of Pinderfields and Pontefract trusts. As soon as it was realised that more was needed to be done to fulfil the statutory requirements, Wakefield health authority was asked to consult on behalf of Secretary of State, and the consultation period was extended. That has meant that consultation has taken longer than might have otherwise been the case.

However, the extra consultation period will certainly not be wasted. All the views expressed during both periods of consultation have been passed to the NHS executive, and will ultimately be seen by Ministers. The extension has allowed local people almost double the usual time to express their views. There can be no doubt that the consultation period has been thorough.

Many factors need to be taken into account when considering a proposal such as this. We will carefully consider the adequacy of the consultation process and the views of local people, including those who took the time to sign a petition organised by Normanton town council and presented by the hon. Member for Hemsworth (Mr. Trickett) recently. We will also look at the likely impact on effectiveness, efficiency, and accessibility of the potential creation of a new trust. Any potential economies of scale will have to be balanced against any possible loss of patient choice.

I can assure hon. Members that this is most certainly not a fait accompli. We had a statutory responsibility to consult publicly, and we will weigh the results both fairly

[Mr. John Horam]

and carefully. We will look closely at the interests and the health of the people of the Wakefield health authority area.

The hon. Gentleman and his hon. Friend the Member for Wakefield (Mr. Hinchliffe) have previously expressed concern about the results of past consultations. I understand their feelings on this subject. In particular, they have cited the investment in rehabilitation which the former Yorkshire regional health authority had planned to place in Wakefield, following agreement that neurosurgery should be concentrated in Leeds. There were good reasons for concentrating neurosurgery in Leeds, but I understand the way in which the hon. Member for Normanton expressed his feelings this evening.

We cannot turn the clock back to 1994, because the regional health authority was abolished in March of that year, almost three years ago. We live in a changing world, but it is also a fact that the NHS executive northern regional office has offered support in the form of research and development support worth around £50,000 for an academic development in rehabilitation medicine. So at least something will come to Wakefield out of that situation, which is now past and gone.

The hon. Gentleman also reported on the winter pressures that he has experienced in the local hospitals in the Wakefield area, particularly in Pinderfields hospital. Although the position is undoubtedly difficult at this time of year—it usually is—the trust is coping and has coped well. Indeed, I hear that some general practitioners have complimented it on its performance.

Some non-urgent elective admissions have had to be cancelled, but the Pinderfields hospitals trust chief executive has emphasised that the percentage is small—about 33 out of around 1,000 planned operations. Hospitals cancel operations occasionally, but they try to keep cancellations to as few as possible because a cancellation is undoubtedly extremely unfortunate for the patient concerned—it is very disappointing indeed. It is only right that emergency and urgent cases should have priority.

As the hon. Gentleman said, the trust has made six new beds available at its Clayton hospital to ease the pressure on Pinderfields. A similar thing has been happening throughout the country. Admissions units have been opened and additional beds made available where possible. I am glad that Pinderfields was able to make that effort to ease the pressure. I am sure that that sort of sensible management move has helped during this winter.

Once the proposal for a merger is decided, we can look at the management arrangements. Meanwhile, Pinderfields hospitals trust has an able acting chairman and an experienced acting chief executive, in a trust that has also recruited 25 new consultants since 1993—a considerable investment in the appropriate skilled health care for the area.

I also recognise that the Pinderfields hospitals trust is facing a complex set of interdependent issues. As I have said before, the ultimate goal is to ensure that sustainable, high-quality and cost-effective clinical services are provided with modern facilities. Although the consultation on the proposed merger and, separately, the configuration of health services will take time, those processes should ensure that whatever solution emerges is based on informed debate among the public and the professions. I am committed to seeing that that happens.

The hon. Gentleman also, very fairly, raised the question of the finances of the health authority, the trust and the GP fundholding practices, which, as he knows, are extensive in the Wakefield area. I must point out that, in November, we announced that an additional £1.6 billion would be available to the health service next year to safeguard and improve patient care.

Hon. Members have criticised the funding for Wakefield, but the health authority is above its weighted capitation target. Despite that, it will receive an integrated revenue cash increase of £5.3 million next year, which is a real-terms increase of £2.3 million, or 1.6 per cent. Surely that is not a cause for complaint. Wakefield has done rather better than the average, despite the fact that it is over its capitation target.

The hon. Gentleman was also concerned about how that capitation target is made up, and was worried that the needs of Wakefield people were not taken into account. I acknowledge his interest in the problems of asthmatics and in the National Asthma Campaign. I was glad to hear about the activities of the Wakefield and Pontefract asthma group. I am sure that that is very relevant. I can well imagine the sort of respiratory diseases that are common in that area.

I assure the hon. Gentleman that the formula, particularly next year, when it has been adjusted to take account of community health needs, including mental health, is more focused on need than it has ever been in its history. If anything, the sort of area in which Wakefield is situated will have gained from the reformulation of the formula for the cash handed out next year.

I also want to stress that the work on the formula is undertaken as a result of the effort and research by York university. It is independent, and considers objectively the population needs of areas such as Wakefield. It is as objective a measure as we can possibly make it. That is the basis on which the Wakefield health authority gets its money.

The hon. Gentleman was also concerned about the trust's finances. Certainly, I would not deny that there have been some problems over the finances—that has been the case for some time—but I am assured that the situation is not deteriorating but is, on the contrary, improving, and that a firm three-year plan is in place to resolve the problems. That will be affected by the merger, but it is none the less in hand to put things on a sound footing. There is no reason to believe that that sensible approach will not be successful.

The hon. Gentleman further expressed concern about the amount of money in the GP fundholding system and asked in effect whether it could in some way be transferred to help with the problems in the acute hospitals. My point about that is that it would essentially destroy the whole point of the GP fundholding system, which is that, where fundholders generate surpluses, they can put them back into improving primary care. They must be allowed to do that.

The health authority may hold those surplus funds for the moment, but they are in effect held in trust on behalf of the GP fundholders who generated them, and it is right that they should go back into primary care. We are, after all, talking about a primary care-led service.

I am sure that the hon. Gentleman will be aware that Wakefield is at the cutting edge of a primary care-led system, because about 82 per cent. of the population are in 33 GP fundholding practices, and it is expected that that proportion will rise to nearly 100 per cent. by April this year. Wakefield is setting a trend in that area, which will be extremely good in the medium and long term for the health of people living there.

I should also point out that Pinderfields has benefited recently from considerable additional investment. For example, an advanced eye surgery unit was opened last year at a cost of £500,000. It is considered one of the best in Europe, and will certainly reduce waiting times for eye surgery.

Mr. William O'Brien: Will the Minister address the point about the historic debt from the transfer of neurosurgery, which will cost the trust about £3 million, when the transfer of the service is not the trust's responsibility?

Mr. Horam: I take the hon. Gentleman's point, but, in the transfer of the neurosurgical unit to Leeds, revenue is lost but so is cost; so that would not necessarily disadvantage Wakefield, considering the net position, balancing revenue and cost. However, the point was new to me, and I shall certainly investigate it and perhaps write to the hon. Gentleman. I am not sure that he is right: the situation is probably more balanced than he thinks.

The burns unit in Pinderfields is famous and, considering it alongside the other facilities that are available, the situation in Wakefield is extremely promising. The combination of primary development, in which Wakefield is well ahead of most other parts of—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-eight minutes to One o'clock.

House of Commons

Wednesday 22 January 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Intensive Care

Motion made, and Question proposed, That this House do now adjourn.—[*Mr. Peter Ainsworth.*]

9.34 am

Mr. George Mudie (Leeds, East): I should like to express my thanks and the thanks of thousands of my constituents to you, Madam Speaker, for allowing this debate to take place. The people of Leeds were shocked and angered by the death of my constituent, Mrs. Edna Harrison, and it is a tribute to your sensitivity to hon. Members' constituency problems that you have so quickly permitted the subject to be debated.

I also wish to pay tribute to my local evening paper. The current Secretary of State for Health, his predecessor, now the Secretary of State for National Heritage, and the Minister here today, the Under–Secretary of State for Health, the hon. Member for Orpington (Mr. Horam), are aware that, over a substantial period, the *Yorkshire Evening Post* has kept the issue of bed shortages in the public domain. As the Minister knows, health provision is largely run by political placemen in the health authorities, who do not see it as being their duty to acquaint the public with the details of local health matters. The public are largely kept in the dark about the true state of the service. That intensive care bed shortages are a matter of public knowledge and concern in Leeds is a sign of how consistently the *Yorkshire Evening Post* has raised the issue and it deserves the thanks of the people of Leeds for performing that service.

The Minister will be aware that Mrs. Edna Harrison collapsed in her back garden on a quiet Sunday morning two weeks ago. The ambulance arrived at her home and she was rushed to her local hospital, less than one mile away from her terraced home in east Leeds. That hospital is the 1,500-bed St. James's hospital, famed as "Jimmy's" in the Yorkshire Television documentary that has run for some years. It is reputed to be one of the largest, if not the largest, teaching hospitals in western Europe. Despite all that, no intensive care bed could be found for Mrs. Harrison and, four hours later, she was admitted to a Hull hospital over 60 miles from Leeds where, sadly, she died later that week.

Mrs. Harrison's husband and family have shown great dignity and have expressed nothing but praise for the medical staff at both hospitals. I spent some time with Mr. Harrison on Saturday, discussing his wife's sad death. He continues to show great dignity, but he and his family want to know why the long journey to Hull was necessary and why Mrs. Harrison could not have been treated in her local hospital, thereby minimising the danger of travel. The Minister will accept—as does the working party report to which I shall refer later and which the Minister mentioned in his statement of 6 March—that, for an intensive care patient, travelling is always dangerous. The danger can be minimised, but it should be avoided where possible.

Mr. Harrison and his family would have wanted the danger of travel minimised and they would have wanted Mrs. Harrison to be where they and their friends could have an opportunity to visit her, albeit sadly for the last time before she died. They and I accept the conventional wisdom in various statements by Ministers and health officials about the high cost of intensive care beds and the need not to leave them lying empty. Mrs. Harrison may just have been unlucky as she needed treatment at a time of peak demand, and perhaps it was inconceivable and even unreasonable to expect such a scarce and expensive bed to be available locally.

Time will tell, and that individual case is not the reason for this debate. It may have been a factor, but I have asked for a local inquiry into Mrs. Harrison's death, and Healthcare, the local authority and the St. James's trust—the hospital involved—are conducting one. I am far from happy with the initial details sent to me by the authority, which seems unnecessarily defensive about the whole matter. A fuller and more objective report will no doubt follow.

After our discussion on Saturday, the family and I intend, unless the report is acceptable, to raise a number of other matters. Those include the sheer inconvenience of a family having to travel 60 miles to see a seriously ill mother; the impracticality of the husband finding himself in Hull with no money and being told that he must find his own accommodation and his own way back; and the sadness and distress of the son driving 60 miles having been told that, when he arrived, his mother would be dead. All that, when that family live almost in the shadow of the biggest teaching hospital in western Europe. Those practical problems were compounded by the shabbiness of the accommodation for families staying on the premises because the patient is expected to die, and the fact that other family members and friends could not join in the grieving process as the death occurred 60 miles away in the middle of the week and it was impossible to get the time to leave work and go there.

The family have rightly raised a number of matters that will be referred to the ombudsman. I am sure that, somehow, we shall have the circumstances surrounding Edna Harrison's death properly examined. I was pleased to see that the Minister, in a public statement, expressed his sorrow about it and his determination to ensure that the facts were thoroughly looked at and any lessons learned.

Mr. John Gunnell (Morley and Leeds, South): Does my hon. Friend know whether an inquiry was made as to whether a bed was available at Leeds general infirmary, which is only two to three miles from Mrs. Harrison's home? I understand that there is a system whereby the nearest bed can be obtained, and perhaps that was in Hull. It seems incredible, however, that with two such large hospitals within such a short distance of that lady's home, she could be found accommodation in neither. Clearly, the travel problems that my hon. Friend describes would not have been the same had she been able to go to Leeds general infirmary.

Mr. Mudie: I thank my hon. Friend for that intervention. He is aware that, although I shall primarily discuss east Leeds, for which St. James's is the local hospital, all Leeds Members and, because of the regional significance of both hospitals, all Yorkshire Members, know the pressure that is consistently put on intensive care beds at both LGI and Leeds general hospital.

Mr. William O'Brien (Normanton): I am advised that there are intensive care beds at Dewsbury hospital, but because there is no money to finance their introduction, they are left idle and without function. That should be dealt with also in the Yorkshire region.

Mr. Mudie: My hon. Friend makes a valid point. Both my hon. Friends remind me of a pertinent fact that deserves examination by the Minister: the two beds that were even nearer but were not even considered. They were at Killingbeck hospital, which has been the subject of an Adjournment debate between two hon. Members present today. Killingbeck hospital is due to close next year and it will be terrible if those beds are not brought into operation simply because of that fact. The explanation is that the beds are ring-fenced for cardiac cases, so no one thought to include them on the register or even inquire whether they were empty. A rumour is going round Leeds that they were empty and available, and they are even nearer to Mrs. Harrison's home than St. James's hospital, so that matter deserves investigation. It would be criminal if bureaucratic ring fencing, however good the reasons for it, excluded Mrs. Harrison from prompt treatment at a hospital that was so close to her home.

Mr. David Hinchliffe (Wakefield): I have just come down from my office having done a local radio programme involving Mrs. Harrison's brother-in-law. He wanted to make it absolutely clear that the care that she was offered by doctors and nurses was the best in the circumstances, but that the system was wrong, which is the point that my hon. Friend is making. Has he looked at how beds are managed in the Northern and Yorkshire region, in the light of the Government's abolition of the regional health authority? In the past five years, our region has lost more hospital beds—27 per cent.—than anywhere else. The regional health authority's role in planning care was important for the likes of Mrs. Harrison. I should be interested in my hon. Friend's thoughts on that point.

Mr. Mudie: My hon. Friend makes an important point. The cuts in hospital beds in Yorkshire have been savage. Only last week, my hon. Friend drew the House's attention to an unhappy case and the circumstances surrounding it, at Pinderfields hospital in his constituency. Yorkshire's grave health funding problems and the underlying problem of a lack of intensive care beds become an issue when they culminate in individual cases such as this. Although Mrs. Harrison's death prompted me to raise this matter, the real issue is the fact that the local hospitals' inability to admit her when she desperately needed intensive care treatment was not an isolated incident. Such an incident was predicted, but, as with other events in Leeds, elsewhere in Yorkshire, Warrington and Newcastle, the House was told that it would not happen, as Ministers had listened, learned and taken steps as a result of similar incidents last winter.

I primarily make the case on behalf of my community for an examination of the situation and prompt action in my local hospital. There has been an increase arising from the March statement—one adult intensive care bed and one paediatric intensive care bed—but at the risk of seeming ungracious and ungrateful, I emphasise that we desperately need more. Whatever the situation elsewhere, Yorkshire and the north-west seem to have problems, as explained so well yesterday by my hon. Friend the Member for Warrington, South (Mr. Hall). When a senior figure in the national health service refuses a Member of Parliament a document on the matter, that must make alarm bells ring throughout the service, if not in the House.

I shall let my colleagues make the case for their areas. Apart from the common problem of growing debts and underfunding, the matter should be judged in the light of local circumstances. I am content for the situation in Leeds to be judged on its merits.

The House may not need reminding of last winter. We in Yorkshire witnessed a number of horrifying incidents, culminating in the death of a young child who had been driven through a snowstorm from Manchester. We witnessed the spectacle of a retired policeman being touted round a dozen hospitals in Yorkshire before being flown 60 miles to Scarborough, where he died before he could be admitted. We heard senior, well-respected consultants in Leeds speak of a crisis.

I want to get across to the Minister a point that the Secretary of State seems not to take on board, especially in respect of Leeds and Yorkshire: throughout the year, the two city hospitals in Leeds regularly—not just seasonally—turn away patients. Yesterday I was at St. James's hospital and saw the book of refusals, in which there was not a blank page. Certainly the situation gets worse in winter, but the two consultants responsible for managing intensive care beds at the two major hospitals in Leeds have consistently said that it is not a seasonal problem. It may be exacerbated seasonally, but it is a regular problem. They made that statement last winter, when once again they had to turn away seriously ill patients because they had no spare intensive care beds.

So serious was the position in Yorkshire and elsewhere that after last winter the Secretary of State was obliged to make a statement in the House in March. Last week, sadly, he refused to do so when similar incidents were being reported this winter. On 6 March he stated:

> "I told the House earlier this year that I would undertake to ensure that we learn the proper lessons from the general pressure on the emergency services this winter. I shall set out to the House this afternoon the steps that I am taking to ensure that that happens."—[*Official Report*, 6 March 1996; Vol. 273, c. 356.]

In three brief paragraphs, he dealt with the intensive care beds crisis. He relied largely on the report of a professional working group that examined best practice in the use of intensive care, to which I shall return. With his Commons performance on 6 March, the Secretary of State drew a line in the sand. He accepted that there were lessons to be learned from last winter, he outlined his solutions and the inference was clear: this winter, we would not expect a rerun of the unhappy experiences of last winter.

Sadly, we continue to experience problems in Leeds and Yorkshire. I have raised the tragic case of Mrs. Harrison. The week that she died, Dr. Mark Bellamy of St. James's hospital commented:

> "We are sailing extremely close to the wind and sooner or later we are going to come unstuck."

The same week, the following examples occurred: a Leeds patient faced a possible trip to Birmingham or London; Leeds patients were sent to Grimsby, more than 80 miles away; patients were sent from Airedale to Stoke; Bradford patients were sent to Doncaster; and Newcastle patients were sent 100 miles to Edinburgh. In the week that Mrs. Harrison of Leeds died in Hull, a 71-year-old male pensioner was sent from Hull to Leeds for an intensive care bed and died a few days later. Those patients were not sent to a particular centre of excellence because of their specific complaints—they were shipped around because of bed shortages.

A Leeds consultant and British Medical Association representative commented after the death of Mrs. Harrison:

"There are many more incidents which are not reported in the media. The fact that it is going on is very worrying."

A Leeds consultant, Dr. Mark Darowski, was quoted as saying:

"Mr. Dorrell has not learnt the lessons of last winter."

Dr. Andrew Cohen, the St. James's intensive care manager with whom I spent some time yesterday, said:

"Resources are stretched to the absolute limit. The strain has been caused by the increase of illness we always see in winter and the only way we are going to avoid this sort of problem is if there is an increase in intensive care beds. There is a chronic shortage across the region and the country as a whole."

Dr. Andrew Bodenham, intensive care manager at Leeds general infirmary, stated:

"We are just playing musical chairs all the time."

I do not think that he meant to be humorous when speaking about seriously ill people.

It is accepted that last winter there was a shortage of intensive care beds. The Minister took steps in good faith to overcome it, but the signs are that the problems continue. As it is a matter of life and death, the Secretary of State should act urgently. Yesterday, during the health debate, he attacked my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), claiming that all that my hon. Friend did was

"to parade a few individual cases that are supported by incomplete facts, to make a half-researched charge about the Government's record, wave a shroud, repeat the mantra that Labour will abolish the internal market and base metal will be transformed into gold."—[*Official Report*, 21 January 1997; Vol. 288, c. 755-56.]

I have not waved any shrouds. Without getting angry, I have tried to express the anger felt in Leeds. I have not used political comments. I have used comments from doctors who have the unhappy task of deciding who is to have an intensive care bed and who is to go on the dangerous search for a bed elsewhere.

I hope that the Minister will consider the following points. First, he underestimates the regular demand for intensive care beds in cities such as Leeds. The consultant at St. James's hospital is a sober, responsible, committed person who weekly faces the task of turning away seriously ill people.

I thank the Minister for the two additional beds that were made available after the March statement. However, the ward has 13 beds, but 18 bays. I do not understand why it seems to be impossible for health officials to sit with the consultant responsible for the service, examine the records, determine the true level of demand and make provision accordingly. It seems that Ministry officials would prefer not to ask the question, because they do not want to know the answer. They fear that the reply may not suit them.

I understand the cost implications, but if that is the reason for the failure to ask questions when lives are at stake, that is unacceptable. As part of the discussions arising from the Minister's March statement, Andrew Cohen made a number of requests. Apart from the additional one paediatric and one adult intensive care bed, nothing else has arrived.

The Minister should understand and make allowances for the effect on demand when intensive care beds are located in a hospital with many regional facilities. I am told that my constituents in east Leeds gain from having so many specialties or centres of excellence at St. James's hospital. However, the Minister knows that those specialties make regular demands on intensive care beds. When someone such as Mrs. Harrison collapses, she must compete for a bed with patients who have been moved to intensive care from other departments within the hospital. Dr. Cohen must decide whether to stop an operation or deal with the inevitable emergency that will result from denying new patients intensive care beds. He advocates separating dedicated intensive care beds from general intensive care beds at Leeds general infirmary and St. James's hospital, and that proposal should be considered.

What is happening with the trust and health authority regarding the provision of high-dependency beds? The Minister appreciates the vital role that those bodies play, both physically and financially, in providing a valuable safety net. However, the health authority and the trust have taken no action to increase the number of high-dependency beds at St. James's hospital—in fact, all eight high-dependency beds are dedicated to the other specialties. In March, the Secretary of State and the professional working group said that such beds play a vital part in health strategy. When patients are admitted to hospital, staff usually determine the availability of intensive care beds with a view to moving patients to a high-dependency unit. That is not possible at St. James's hospital and we must ask why.

The Secretary of State requested discussion, consensus and transparency between intensive care beds, high-dependency beds and the other specialties, but nothing has happened. The trust and health authority have used the Government's money to provide only two extra beds. Is the Minister aware of that fact? Is he monitoring the situation? If so, what is he doing about it; and, if not, why not, as it was a vital part of the 6 March statement?

Does the Minister agree that there is something slightly obscene about forcing seriously ill patients to criss-cross the country in search of intensive care beds? I accept that, if patients require specialty treatment that is available only in Birmingham, it is common sense to transfer them to that hospital. However, seriously ill patients should not be expected to criss-cross the country in search of treatment. Surely specified geographical areas, such as west Yorkshire and south Yorkshire, could combine and squeeze out enough money to provide an agreed safety net, so that we do not see ghoulish transfers of seriously ill patients to hospitals 60, 80 or 100 miles away. It is acceptable for my constituents to travel to Bradford, but not to Bridlington.

I am three years older than the health service, so I have not known anything else—in a way, it is responsible for me, although I have worn better than it has. No hon. Members catch my eye when I say that, but like others of my generation, I know about the pre-health service

[Mr. Mudie]

conditions. Mr. Deputy Speaker, you come from a mining community and you will understand what I am about to say. Why do we cherish and love the health service? Why do those who know nothing else protect it instinctively? It is because our dads and grandads have told us what happened before the NHS was established. You will know more about it than I do, Mr. Deputy Speaker, as you have a long history in the mining industry, and mining communities established many health schemes.

We cherish the national health service because, before it existed, doctors would visit their patients at home. They would ask, "Where is the patient and what is wrong?" The next question would be, "Do you have insurance and can you pay?" Millions of people who could not pay invariably did not receive treatment. The health service introduced free treatment at the point of service that was available when needed. That is why we cherish the health service. The NHS should be there for anyone who requires its services—it may be a matter of life and death. Unfortunately, in the past few years, people have complained that—for whatever reason—the health service was not there when they needed it. That is why Mr. Harrison is aggrieved and why I was prompted to seek this Adjournment debate.

Mr. William O'Brien: My hon. Friend makes a very good point. We should remind the Minister that many hospitals in Yorkshire—such as Castleford, Normanton and District hospital and others in Hemsworth and south Kirkby—were built using contributions from miners who had small wages, but who knew the value of health care. I am pleased that my hon. Friend has expressed a sentimental view. It would be wrong not to highlight the fact that those hospitals have closed or are now in private hands. That is the disaster that affects mining communities: hospitals built with miners' contributions can no longer serve the people. I am pleased that my hon. Friend has drawn attention to that important issue.

Mr. Mudie: My hon. Friend makes a good point.

I ask the Minister to consider the quiet points that I have made. I understand that individual cases will always cause concern, but there are too many serious incidents at present and that is totally unacceptable.

10.7 am

Mrs. Bridget Prentice (Lewisham, East): I congratulate my hon. Friend the Member for Leeds, East (Mr. Mudie) on securing this Adjournment debate and on the way in which he has expressed his feelings about the health service and his constituents. I hope that his comments will be well received by the Minister. My hon. Friend did not engage in tub thumping, but adopted a measured view of what is occurring in the health service. I hope that the Minister will respond in kind.

Hon. Members wish to debate the intensive care beds situation because there is a real crisis in the health service. We do not wish to panic people: this is what our constituents are telling us. It is tragic that we must debate the same subject every winter because the internal market is not working properly. My hon. Friend mentioned the statement made by the Secretary of State on 6 March 1996—almost a year ago—in which, referring to the winter before last, he said:

"This winter has seen those emergency services put under considerable strain."

He added:

"I have . . . charged the chief executive of the NHS with a specific responsibility of reporting to me at the end of June and again at the end of September on the plans being made by each health authority for emergency services in its area."—[*Official Report*, 6 March 1996; Vol. 273, c. 356.]

Nevertheless, we hear that in Yorkshire, in London, in the north-west, in the north-east and everywhere else people are experiencing exactly the same problems this winter, if not worse, as they experienced last winter. I hope that the Minister, in his response, will take into account the fact that we believe that what the Secretary of State said on 6 March last year has come to nothing. Indeed, difficulties in our health service seem to be a great deal worse.

I shall mention only two issues. First, I shall talk about my local hospital at Lewisham. Secondly, I shall refer to one of my constituents. I make no apology for raising a constituent's case. I do not believe that individual cases are isolated. Surely they are examples of what is happening throughout the service. I agree with my hon. Friend that many incidents are not commented upon in the media. Indeed, he quoted a doctor to that effect. The cases that we can raise in the House, or which are raised in the media, are only the tip of the iceberg. That is the problem. We are able only by individual cases to draw Ministers' attention to what is happening throughout the service.

Lewisham hospital is a general hospital serving the people of Lewisham, although it is part of the Lambeth, Lewisham and Southwark health authority. Early in December 1996, it was necessary to cancel all non-elective, non-urgent surgery cases. It is ironic that the health authority felt that it could not fund any more such cases. Why was that? That situation was reached because Lewisham was doing even better than had been predicted. The hospital was seeing more people, treating them and doing all the things that the Secretary of State constantly tells us is happening.

So successful was Lewisham, however, that it ran out of funding and could no longer proceed. As a result, people who had dates to go into hospital to be treated were told at the beginning of December, "We can no longer admit you because additional funding is not available." Indeed, that funding will not be available until after the end of March this year.

With my hon. Friends the Members for Lewisham, West (Mr. Dowd) and for Lewisham, Deptford (Ms Ruddock), I have spoken to the health authority and to a Minister. I am not convinced, however, that Ministers are aware of the depth of the crisis. People in Lewisham, particularly, have been waiting for four months and more for admission—over and above the time that they waited to get their date for treatment in the first place. There will be more suffering, people's needs will become greater and costs will increase. As my hon. Friend said, costs will inevitably increase if people are not treated at the time of need.

I shall now move on to the specific case of one of my constituents, Mrs. Queenie Harrild. The case has had a media profile because Mrs. Harrild's family wants to

ensure that what happened to her will not happen to anyone else. I pay tribute to the family's courage at a time of bereavement in being able to speak up for others when Mrs. Harrild died. She died because she had to wait five times to have a heart bypass operation. The operation was cancelled on every occasion. I shall go into the case in some detail.

Queenie Harrild was 69. She had been retired for only about four years. Like anyone at that age, she deserved to have a long and fruitful retirement with her husband. She had a bypass operation seven years ago. During the last few months, however, she had been suffering chest pains. She was admitted to Guy's hospital on 13 December.

On 16 December, she was told that she would be transferred to St. Thomas's hospital the next day. She was packed and ready to go. Her husband was at the hospital with her comforting her, giving her support and ready to go with her in the ambulance to St. Thomas's. Late that afternoon, however, she was told that the ambulance had not turned up and that she would be going to St. Thomas's the following day.

On 18 December, Queenie was packed and ready to go again. Again the ambulance did not turn up. This time, she was told that there were no beds available at St. Thomas's and that she was to be discharged, yet the family was told that her name was at the top of the list for the operation at St. Thomas's.

On 21 December, she was told, again, that she was to be transferred to St. Thomas's the following day to be operated on on the Monday. Late on Sunday afternoon, she was told, yet again, that she would not be transferred because no one had told the ward at St. Thomas's that she would be arriving.

On 23 December, Queenie was bathed twice. She went without food in preparation for the operation at Guy's. She was told that she would be sent to St. Thomas's some time that afternoon to be operated upon the following day. Again, later that afternoon, the operation was cancelled.

That process went on until 3 January. In between times, Mrs. Harrild was told that she would be discharged and sent home. She was then told that she would be sent to Lewisham hospital. These instructions went back and forth. She was prepared for an operation on four occasions with a pre-med. She went without food so as to be ready for an operation, only to be told that it had been cancelled. It was cancelled because an intensive care bed was not available. On five occasions there were planned operations. On five occasions her consultant said, "You will have your operation tomorrow."

Mrs. Harrild died on Saturday 4 January, three weeks after she had been accepted into hospital. Of her last 48 hours, 34 were spent without food or drink because she believed that she was to have her operation. At one point she was told that it would be performed privately. It appears that the doctors realised the emergency that they were facing, but that did not happen either.

Mrs. Harrild's family feel—I think that they have some cause to feel—that they lost their mother because the doctors involved had to make a choice between one patient and another, and determine who would be given the spare intensive care bed. It is not the role of doctors to play God, and no doctor wants to do so. It is outrageous that they are forced to make such choices.

The consultant at Guy's who was caring for my constituent said that heart surgery at the trust had been severely affected "for several months". That being so, Mrs. Harrild's case is not an isolated incident at Guy's. There has been a crisis for some time. The consultant said that heart surgery had been severely affected "for several months" because intensive care beds were permanently full. Dr. Bob Knight said:

> "This was a disaster for Mrs Harrild and a terrible tragedy for her family, made worse by the feeling that if things had been dealt with in some other way she would still be here."

Dr. Knight is absolutely right. It is a terrible tragedy for Mrs. Harrild's family, but it is one that they could come to terms with if they had any confidence that the Government will ensure that what happened to Mrs. Harrild will not happen to other people. That is why I am participating in the debate today. I want to hear from the Minister that the Secretary of State's speech of 6 March 1996 was not just warm words, but had some significance, that it meant that something will happen about intensive care beds, and that the crisis that we suffered last winter, and are suffering again this winter, will not happen a third time.

Mr. Hugh Bayley (York): I do not know whether my hon. Friend has seen a press release that the Department of Health put out on 24 December showing that £500,000 was spent on purchasing additional intensive care beds in the South Thames region. It lists the extra beds by authority, but not one additional pound of expenditure has been allocated to Lambeth, Lewisham and Southwark, my hon. Friend's health authority. Will she press the Minister specifically on why the allocation is as shown in the press release and why her inner-city health authority, which faces problems that were so graphically described to the House, was excluded from the additional allocations?

Mrs. Prentice: I am grateful to my hon. Friend for raising that point. He described very succinctly the problem in funding for Lambeth, Lewisham and Southwark. As there has been a crisis right across that health authority for some time, I hope that the Minister will make a specific response.

I repeat once again that I hope that the Minister can assure us that the case of Mrs. Harrild, like that of the constituent of my hon. Friend the Member for Leeds, East, will not be repeated; that he will not say that these are isolated incidents; that he will recognise that they are symptoms of the deepening crisis in the health service; and that he will commit the Government to doing something quickly to resolve it.

10.21 am

Mr. Simon Hughes (Southwark and Bermondsey): I shall follow on from exactly where the hon. Member for Lewisham, East (Mrs. Prentice) left off. She and I have spoken. I have also spoken to a third colleague who, coincidentally, reflects, because of the party membership of each of us, the fact that this concern is not a party issue. All Members of Parliament have a duty to ensure that the health service works. The hon. Lady told the story of her constituent, Queenie Harrild. Queenie's son and his wife are represented by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), and the hospital Queenie died in is in my constituency.

Like the hon. Members for Leeds, East (Mr. Mudie) and for Lewisham, East and me, who have participated in the debate, other hon. Members also wanted a debate on

[Mr. Simon Hughes]

intensive care facilities, because in spite of the efforts that the Minister and the Government have made in the past year, which I recognise, we are clearly not providing sufficient intensive care beds.

The White Paper "The National Health Service: A Service with Ambitions", which came out in November, set out the four principles on which the Government believe the NHS should be run. It should be

"universal in its reach, available to anyone who wishes to use it; high-quality; . . . available on the basis of clinical need"

and

"responsive, a service which is sensitive to the needs and wishes of patients and carers."

By definition, that means that, in both emergency services and intensive care services, the facility has to be where it is needed and when it is needed.

The announcement that the Secretary of State made last year, to which colleagues have referred, which was the starting point of the last chapter of this debate, was very clear. He said:

"Decisions about the resourcing of intensive care cannot be subsumed into general arrangements for other areas."

We have to look at intensive care—and with it goes high-dependency beds and other extra care beds—but we have to look at it separately. When considering resources, beds and their availability, as the hon. Member for York (Mr. Bayley) implied in his intervention, we have to look at this category of service on its own.

I should like to know, either this morning or by answer later, whether the Minister can now update the figures that show where all the additional beds have been allocated. I ask because, in addition to the announcement made just before Christmas, the Secretary of State, in yesterday's debate on the national health service, said that he had announced the distribution of some of the money—£4 million—just after Christmas to bring forward to this financial year the expansion of intensive care planned originally for next year. He said

"it would be used to deliver almost 100 extra adult intensive and high-dependency beds in the last quarter of this financial year."—[*Official Report*, 21 January 1997; Vol. 288, c. 761.]

Apparently, there are to be a further 100 beds between 1 January and 31 March. We need to know not just where they are but which are intensive care beds and which are high-dependency beds.

Mr. Mudie: When we ask the cost of an intensive care bed, we are always told that it is in the region of £500,000 but, amazingly, the Secretary of State seems to have announced £4 million for 100 intensive care or high-dependency beds. Is that funding to last up to the start of the new financial year? Will the Minister assure the House that the full year's funding in the next financial year is available in the health service budget?

Mr. Hughes: That is another very good point to which we need to know the answer. Of course intensive care beds cost more than high-dependency beds; that is why we need to see the breakdown by area and type.

The third special report of the Select Committee on the Parliamentary Commissioner for Administration, published on 16 October 1996, made it clear that

"one of the prime duties of the NHS Executive is to ensure that Parliament is not . . . deprived of information by which it can judge the overall performance of the Health Service."

Parliament, and representatives of people like the family mentioned by the hon. Member for Leeds, East, and the Harrild family, need information regularly.

The Royal College of Nursing tells us that there are two reasons why there is a problem. First, there is a shortage of intensive care nurses. I should like the Minister to respond to that. It cites the example that the Royal Sussex county hospital had 11 vacancies out of an establishment of 65, and that Manchester has to recruit intensive care nurses from abroad. Secondly, the RCN says that the guidelines that set the establishment of intensive care beds are too strict. The British Medical Association, in its recent review of the winter crisis, confirmed that the shortage of intensive care beds was a national, not a localised, problem.

After the initial speeches in the debate last night, I went to Guy's hospital, because, coincidentally, the community health council meeting was also taking place. The first item on the agenda was the case of Queenie Harrild, and David and Pauline Harrild, her son and daughter-in-law, were there. The meeting accurately highlighted the questions that I want the Minister to answer.

At the meeting last night, answering questions was the consultant in charge of intensive care at Guy's, Dr. Richard Beale, who is clearly a man of huge sympathy. He told us the story of how the beds at the hospital that he manages are always under pressure; how staff are being reduced to danger levels to be able to take people in; and how they are having to juggle, as the hon. Member for Lewisham, East rightly said, between people who are brought into hospital to wait, and people who suddenly overtake them because they are emergency cases who will otherwise die, almost in the next minute or two.

At the end of the meeting last night, Pauline Harrild said that her mother-in-law was in Guy's "waiting to be saved", but she was not saved. We want to know whether we will have a health service that has sufficient intensive care beds to ensure that a bed is available for people who are identified as needing an operation that requires an intensive care bed. We have, I am told, fewer intensive care beds per head of population than all similar comparable countries. If that is true, we clearly need more. That does not mean that there should not be high-dependency and other beds to which people requiring intensive care can be released, but we must face the hard fact that more intensive care provision is needed.

The consultant was clear about the fact that our area in south-east London—the Lambeth, Southwark and Lewisham health authority area, containing Guy's and St. Thomas's trust—needs more beds. If it had had more beds, people such as Queenie Harrild would have been treated. There is no escaping the simple resource implication: more beds are needed, and more staff are needed to look after them.

It seems to me that our ultimate aim should be to distinguish between emergency and elective or planned admissions, otherwise someone like Mrs. Harrild will always be overtaken by another patient who is,

for example, suddenly downstairs in the accident and emergency department. We must ensure that there is planning so that we do not experience such crises. That planning must be national, regional and local, and must be done accountably and democratically. Unless we have such a system, we shall regularly fail our constituents and the public as a whole.

As for now, we plainly do not have enough intensive care beds. That is clear to many hon. Members on both sides of the House. Let me tell the Minister that, if there is one thing that must continue to be given priority by the Government in this financial quarter and in the remaining time of this Parliament, it is that we act in a way that ensures that the deaths that have been reported to the House today have not been in vain.

10.31 am

Mr. Doug Hoyle (Warrington, North): First, let me pay tribute to Warrington hospital, of which we are all proud. It has a dedicated staff, an efficient chief executive and a chairman who takes a deep interest in what goes on there.

Warrington has a population of 200,000, which is growing year by year. The hospital, however, must also serve the surrounding region, which brings the total number to 350,000. At present, there are only three intensive care beds for all those people. It is impossible for the hospital to manage with so few beds. As a result, patients have had to be transferred, and one of those patients—a Mr. Pitcher—unfortunately died during the process. The coroner took the unusual step of being highly critical of the fact that that gentleman had been subjected to a 30-mile journey.

The shortage of beds worries not only Warrington hospital and trust, but the purchasers, North Cheshire health authority. The problem is finance. We had an extremely constructive meeting with the authority on Monday, following which we understand that one extra intensive care bed is to be provided. That is good news, which is welcomed not only by my hon. Friend the Member for Warrington, South (Mr. Hall) and me, but by the people of Warrington.

As we have heard this morning, however, the crisis affects not only Warrington or, indeed, the north-west region, but the whole country. I invite the Minister to deny the fact—which has been reported to me—that three weeks ago there was not a bed to spare in the whole of England, and that if more admissions had been necessary, patients would have had to go to Glasgow.

I particularly want to draw attention to the strange story of what happened when my hon. Friend the Member for Warrington, South asked the north-west regional office for copies of the reports prepared for the Secretary of State, which have been mentioned by my hon. Friend the Member for Lewisham, East (Mrs. Prentice). They were sent to the chief executive, Alan Langlands, but they were for the attention of the Secretary of State. Having applied to the regional office, my hon. Friend was given a copy of the report on emergency care. I have a copy here. When he asked for a copy of a similar report on intensive care, however—it had been submitted to Alan Langlands—my hon. Friend's request was refused.

How can Members of Parliament do their job if they are not given all the information that they need in order to present their case? Surely this should not be allowed. Will the Minister answer these questions: why was that report suppressed, who made the decision to suppress it, and will it now be released? It seems to me that, in relation to intensive care, there must be a horrible smell at the bottom of the NHS garden. Will the Minister now come clean? Will he tell us that we can have the report on intensive care, and will he explain why my hon. Friend the Member for Warrington, South was not allowed to see it?

Mr. Mike Hall (Warrington, South): I thank my hon. Friend for raising this issue. I believe that the document has been published, but that the region did not want to release it to me in time for yesterday's debate. It is a cover-up, and the Minister should first apologise and then give a commitment that the report will be placed in the Library. Then we shall all be able to see for ourselves whether that intensive care report submitted to Alan Langlands and the Secretary of State does indeed show that there is a problem in our region.

Mr. Hoyle: I hope that not only that report, but similar reports from every other region, will be released to the Members of Parliament who need to see them. Otherwise, it will be impossible for us to be well informed and to do the job that our constituents sent us here to do. That shows above all else that there must be a crisis in intensive care throughout England and Wales.

10.37 am

Mr. Kevin Barron (Rother Valley): I congratulate my hon. Friend the Member for Leeds, East (Mr. Mudie) on securing a timely debate on an important issue. I thank him for the measured way in which he spoke of a distressing incident involving the death of one of his constituents, whose family obviously took it very hard. I hope that we do not hear more of the accusations of shroud waving that we heard in yesterday's debate. We are all here to represent people and, I hope, the national health service itself. If attention is drawn to the deficiencies in the service, that should not be interpreted as shroud waving. We should be engaging in an honest and earnest debate about the problems in the NHS.

That brings me to what was said yesterday, and what was said today by my hon. Friend the Member for Warrington, North (Mr. Hoyle), about the report on the Warrington intensive care unit that has allegedly been published in the north-west. If that report has indeed been published, it should be available to hon. Members, and also to the public in the north-west, who pay taxes and use the NHS. I hope that, if it has been suppressed internally, the Minister will sort the matter out.

I am sure that hon. Members on both sides of the House have noted the growing concern about what is described as the "winter crisis" in the health service, which has appeared to increase daily. Across the country, intensive care bed capacity has been stretched to the limit because of seasonal upturns in emergency demand. It is clear that there are simply not enough intensive care beds to cope with what most of us would consider to be reasonable demand for this time of year.

Clinicians are unable to perform other surgery in hospitals because intensive care beds are full. Operations are being cancelled, and waiting times are increasing because of insufficient spare capacity in the system to cope with sudden fluctuations in demand for emergency

[Mr. Kevin Barron]

care. So the debate is about not one problem but three. First, lack of intensive care beds strains hospitals' ability to cope with emergencies. Secondly, use of general hospital beds for emergency cases results in cancellation of routine work. Thirdly, postponing treatment for cases sometimes referred to as "non-urgent" leads, by default, to those cases worsening and turning into emergency cases. The shortage of intensive care beds aggravates all those problems.

The build-up of pressure in the NHS was entirely predictable, because no one should be surprised that winter comes between January and March or that winter increases demand on our health service. The situation is similar to the annual need to grit roads after snowfall, when everyone seems to be caught out and gritting lorries are not ready to deal with the crisis. This year, we should have been ready for increased winter demand on the NHS, as the problem has been flagged up year after year. I see that the Minister is smiling at the analogy, but the problem has caught us out again.

Every year, hard-working doctors and nurses battle against the odds to do their jobs in a winter crisis. On Monday, I was at a district general hospital in north-east England, and people there told me about how staff had voluntarily worked on new year's day because of staff illness and other problems. They had to keep the hospital going, and it was wonderful to see their dedication. Ultimately, however, I can only wonder why, time after time, the same crisis sneaks up on us.

I do not think that the Government's solution to the intensive care bed crisis—as reported in the press at Christmas, although we could detect the crisis developing well before Christmas—is sufficient. I am bothered because the NHS chief executive has

"ordered all casualty and intensive care units to stay open in the run-up to polling day".

That policy was reported after seven London casualty departments had been forced to close for some time during the previous six weeks. Within days of the announcement of the new NHS policy, however, trusts were being forced to defy the order because of a severe lack of intensive care beds and an upsurge in medical emergencies.

Since the new year, there have been numerous problems inside the NHS. Two Surrey hospitals have closed their doors to emergency cases. Two Lancashire consultants announced that they were quitting because of a desperate shortage of hospital beds. The Royal Gwent hospital was accepting only medical emergency cases, and the list goes on. On the situation in London, my hon. Friend the Member for Lewisham, East (Mrs. Prentice) told us that, because of the current winter crisis, all non-urgent surgery has been cancelled in the Lewisham hospital. Patients at St. George's hospital—21 of them at one point—have had to spend nights on trollies. Such an environment is unacceptable to people who work and care for patients in our hospitals, to the British public—who pay taxes to fund the NHS—and to patients and their families, who are under enough stress when a family member is admitted to hospital.

Drawing on 20 years' experience, a consultant at St. George's A and E department said:

"I don't think I have ever seen such a terrible state of affairs."

Such quotes come not from shroud wavers but from those who work every day in our health service to care for people who need care. The head of A and E at the Royal Edinburgh hospital said:

"the whole acute hospital service is stretched beyond its ability to cope."

A senior manager at Edgware general hospital said that the situation was "horrendous". Even the head of the emergency bed service, which is supposed to co-ordinate provision for intensive care places, said that now there was "no room for manoeuvre". The service reported that it was "frantically busy" dealing with shortages in intensive care places.

My hon. Friend the Member for Lewisham, East spoke in detail about the sad death from a heart attack at the beginning of this month of a 69-year-old London woman. A hospital spokesman had said that

"an increase in medical emergencies had put the hospital's intensive care beds under pressure over the New Year."

The very next day, a 70-year-old man who had been seriously ill with liver failure was transferred 90 miles, from Birmingham to Sheffield, because no intensive care bed was available locally. He died soon after, and a spokesperson at the Sheffield hospital said:

"He was in a desperate condition. The transfer would not have been good for him."

I wonder what families think when they hear such statements from a hospital to which their relative has been sent, but such service now seems to be acceptable. In some cases, people who are in desperate need of intensive care can be put into ambulances and transported more than 100 miles to receive care. The situation in our national health service, despite what has been done over the past 12 months, is not acceptable.

In his speech, my hon. Friend the Member for Leeds, East went into some detail about a patient being taken from Leeds to Hull. As he said, another patient was transported in the other direction, when a man was taken from Hull to Leeds, where a bed was available. That man died also. Last week, a spokesman for Guy's hospital inadvertently provided the best summation of the Tory crisis. He said:

"Every time we thought an intensive care bed was about to become free, an emergency patient arrived. There was no possibility of transferring"—

a sick patient—

"to another hospital because everyone else is in the same situation."

Such circumstances demonstrate that we have major problems in our NHS.

As everyone knows, since the internal market was introduced into the NHS, five years ago, we have lost 25 per cent. of NHS beds. That reduction does not help. A fortnight ago, Dr. Sandy Macara, chairman of the British Medical Association, said that the crisis faced by the NHS has occurred because

"There just aren't enough beds, including emergency care, available to deal with what ought to be a predictable and predicted peak demand, and that's because of the way that the internal market works and just not having enough money in the system."

The intensive care bed crisis in the NHS is also a cash crisis. As we now know, so that trusts can continue to operate, the Government will allow trusts, by the end of this financial year, to spend £150 million that should be spent in the following financial year. The Government are

effectively deferring NHS cuts until future years. It is unacceptable for Ministers to tell the House that, year on year, more money is going into the health service, because we know that that is not the case. Ministers should ask health service practitioners about efficiency cuts in the NHS. If they were to do so, they would discover that efficiency drives have led to the increased bed loss. Real problems in our NHS will be stored up for the future if we do not tackle the issues head on.

My hon. Friend the Member for Leeds, East said that St. James's university hospital, in Leeds, was able to set up two extra intensive care beds—although there are still empty bays on the ward. We cannot run away from the fact that one of the problems facing the intensive care service is the lack of nurses available to staff beds, even when the beds are available. No one can question the fact that that problem exists. I have here a Royal College of Nursing brief for today's debate, which states that the Royal Sussex county hospital has 11 vacancies out of an establishment of 65. I have no doubt that is a major problem across the country.

I conclude with a quotation from a study that the Department of Health commissioned from the London School of Hygiene and Tropical Medicine. The report stated:

"The main reasons for patient refusal is lack of ICU facilities; either the unit is full and no bed available, or beds are physically available but there are insufficient staff to provide adequate nursing".

Something is wrong. It is to the Government's credit that millions of pounds have been put into the service but there is still a problem with intensive care beds. Whatever has been done in the past 12 months is clearly not enough to cater for the needs of our constituents. I hope that the Minister will reply to some of the issues in the time available to him.

10.50 am

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): It seems a long time, Mr. Deputy Speaker, since you and I were in the House debating health matters earlier this morning. It is as if you and I were nailed to our seats—the Opposition will undoubtedly say that that is a penance.

I congratulate the hon. Member for Leeds, East (Mr. Mudie) on securing a debate on such an important subject. I appreciate the bipartisan, or non-political, spirit with which he approached the subject, and I should like to respond in a similar fashion. I think it was the hon. Member for Southwark and Bermondsey (Mr. Hughes) who said that it was the duty of us all to make the national health service work, and I assure him and the House that that is certainly the wish of Ministers.

I hope that the hon. Members for Lewisham, East (Mrs. Prentice), for Southwark and Bermondsey and for Warrington, North (Mr. Hoyle) as well as my old sparring partner the hon. Member for Rother Valley (Mr. Barron) will not mind if I concentrate, at least in the first instance, on the specific points made by the hon. Member for Leeds, East, to whom we are grateful for initiating the debate.

The Gentleman spoke graphically of the circumstances surrounding Mrs. Harrison's sudden illness. Those events are of course a matter of great sorrow, and I should like to express my sympathy and condolences to her family. The hon. Gentleman asked specifically what action was being taken by the health authority in the aftermath of those events although, as his remarks made clear, he will be aware of some of what is happening.

The hon. Gentleman will be aware that the authority plans further work on intensive care, and that work can be classified under three main headings. First, it aims to complete a thorough review—which, as the hon. Gentleman knows, is already under way—into the facts surrounding Mrs. Harrison's transfer from St. James's hospital to the Hull Royal infirmary. Secondly, it aims to ensure that arrangements are in place to guarantee that every possibility of a bed in Leeds has been fully explored before a transfer to an intensive care unit outside the city is considered. Thirdly, the health authority will convene a meeting with intensive care clinicians to consider with them the protocols and procedures within which intensive care services in Leeds operate.

The hon. Member for Leeds, East raised another important point about which we have corresponded—the situation at Killingbeck. We are in fact discussing a separate matter in relation to that hospital, but I shall say a little about intensive care beds there as he raised the matter today. As he knows, there are seven cardiac intensive care beds at Killingbeck hospital, which are dedicated for the use of cardiac patients and support the highly complex specialist services which Killingbeck and the Leeds general hospital provide. It is because of the specialist nature of these beds and the specialised training of the staff involved that they are not made available for general intensive care use. Their availability is therefore not reported.

It is not correct to say that those beds are ring-fenced financially; because of their specialist nature, they are not generally available. I hope that the hon. Gentleman will accept that. In view of the circumstances, however, the health authority has agreed to review, with the local trust, whether, in certain situations, those and other cardiac intensive care unit beds should be made available to provide general intensive care for local people. I must stress that the use of those cardiac beds for general intensive care would require very careful selection of cases—for example, infectious medical cases such as patients suffering meningitis would not be suitable for treatment in a unit containing cardiac surgery patients. The idea is being considered, but I hope that the hon. Gentleman understands that the matter must be handled with great care.

The hon. Gentleman also mentioned the general expansion plans for ICU beds in the Leeds area, a matter that we have discussed before. He knows of, and acknowledged, the investment of an extra £1 million in Leeds this year to fund one extra bed at Leeds general hospital and one at St. James's. That has been followed by the commitment of an additional £127,000 and a West Yorkshire-wide bid for a further £325,000 for intensive care. That significant investment builds on a general increase in intensive care beds in Leeds in recent years. For example, the number of paediatric ICU beds at the University of Leeds teaching hospital trebled between 1992 and 1996, and beds for adults increased from seven

[Mr. John Horam]

to 10 between 1993 and 1996. An average occupancy rate of 85 per cent. at St. James's ICU suggests that there are sufficient beds for most eventualities.

Mr. Hinchliffe: I have listened carefully to what the Minister said, but I think that he will accept from what he has heard this morning that there is a particular problem in the northern and Yorkshire region of the NHS. We have lost more beds in the past five years than any other region—27 per cent. of our beds have disappeared. That loss has a knock-on effect on intensive care provision in a wider area.

Mr. Horam: There is clearly a connection between the number of beds in absolute terms and the use of intensive care beds. Indeed, the hon. Member for Rother Valley commented on that. Nevertheless, in this particular instance I am talking about the provision of intensive care beds in the Leeds area and more generally. As the hon. Member for Wakefield (Mr. Hinchliffe) knows, there is a major new development at the Leeds general infirmary. The cost is £72 million, and phase 1 will come into operation this year. That offers the opportunity to look again at the balance of intensive care and high-dependency beds in the hospital to ensure that there is more flexibility to provide intensive care at peak periods.

Mr. Bayley: A number of the paediatric intensive care beds in Leeds are specialist beds related to heart surgery, burns or other clinical disciplines and are not available, or appropriate, for general use. Will the Minister separate the figures for those specialist beds as it would be wrong to count them with general paediatric intensive care beds?

Mr. Horam: I take the point. Paediatric intensive care beds should be considered separately from general intensive care beds, although my information is that the intensive care beds I am talking about are for general, not specialist, use. The specialist beds that I was talking about are at Killingbeck.

I also take the point raised by the hon. Member for Wakefield. It is important to consider the matter not on a Leeds basis, or indeed a York basis, but on a regional basis.

Mr. Hoyle: The debate has been initiated by my hon. Friend the Member for Leeds, East so it is important that the Minister deals with the points that he raised, but I hope that he will leave himself time to say why the report was not given to my hon. Friend the Member for Warrington, South which, as I said earlier, prevented him from having all the information that he needed for yesterday's debate.

Mr. Horam: I should like to look into that. I shall write to the hon. Member for Normanton (Mr. O'Brien), who raised the point today and in yesterday's debate, and to the hon. Member for Warrington, North.

As a result of the additional regional funding that we have provided for adult intensive care and high dependency care this year—the £4 million that we were talking about—an extra five intensive care beds and six high dependency beds are being opened in the Northern and Yorkshire region. More will be opened in the region in the next financial year as a result of the extra £5 million that we have earmarked for adult intensive care and high dependency beds, to be matched by £15 million from the growth money provided by local authorities. A stream of new provision is under way.

In the little time that we have left, I should like to point out to the hon. Member for Lewisham, East, who commented adversely on the plans made for this winter by my hon. Friend—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order.

St. Helena

11 am

Mr. Mark Wolfson (Sevenoaks): Its isolation, its history and its position—a tiny dot in the south Atlantic—make St. Helena a romantic and beguiling place. It does not disappoint. From the island's first appearance as a misty bump on the horizon until the Royal Mail ship St. Helena drops anchor under the towering cliffs flanking Jamestown harbour, and when visitors leap ashore up the same steps as Napoleon used, the sense of history is everywhere.

Fascinating as that is, I requested this debate to address the present-day issues of St. Helena and the Saints who live there. My colleagues and I are grateful for the speed with which the debate was granted by Madam Speaker.

The hon. Member for Monklands, West (Mr. Clarke), who is in his place, Lord Beaumont and I visited St. Helena with the Commonwealth Parliamentary Association. Those who know St. Helena will not be surprised to hear that we were given a warm and friendly welcome. Arrangements for the visit were well structured—we had an opportunity to meet many islanders at a large reception at Government house, and we had well-organised briefing papers and discussions. We all felt that the way in which the visit was put together was a credit to the island's Government, staff and elected councillors, and made best use of our time, which was short because of the shipping schedule.

Despite being on the island for only two and a half days before the ship left for Cape Town, we were able to get a clear picture of the problems facing St. Helena. I regret not having been able to lean over gateposts for a chat and meet people in the street. I should also have liked the opportunity to see more of that beautiful and interesting island, but that would have required a longer visit, which would not have been easy for the CPA to fund or organise.

The four key issues that came up over and again were: citizenship; communications—or lack of them—with the island; the commitment of the United Kingdom Government and Parliament to St. Helena; and the constitution. I shall deal with those four Cs in turn.

The first issue is citizenship. Many hon. Members—but by no means all, as I have found from talking to some—will be aware that full British citizenship and the right to live and work in the United Kingdom were removed from the Saints in 1981, and they regard that as a serious and continuing injustice. Citizenship is the key and burning issue for them.

The restoration of the right for Saints to live and work in the UK, quite apart from citizenship, would have many beneficial effects on the island: it would benefit the island economy, because money would be remitted to families still there; the opportunity to work in the wider world in the UK would motivate the islanders further to make progress at school and afterwards; and—this is a key factor in moving forward the development plan for the island—it would bring back outside experience and expertise to St. Helena, particularly from those who might have had entrepreneurial experience in the United Kingdom. Unless the island benefits from such experience, the strategic plan, on which the Government's policy hinges, is unlikely to be effective.

Those two issues of citizenship and development are linked. All those from the House who visited St. Helena believed that, after the handover of Hong Kong later this year, Parliament should again address the issue of citizenship in the interests of justice and practical economics. I am not having withdrawal symptoms about my decision not to stand for Parliament again, but I shall regret no longer being here to advance these arguments—particularly that on citizenship—in the interests of St. Helena.

My second point is about communications. Almost every other place in the world is becoming more accessible and more closely tied to the rest of the world by better air transport links and improved roads. St. Helena, in contrast, has become more isolated in recent years. In the days of sailing ships, 1,000 ships a year called at St. Helena. Until the 1970s, many of the Union Castle vessels sailing between the United Kingdom and Cape Town called there, giving St. Helena a ship probably every two weeks. They were not the fastest Union Castle liners, but the second category, which carried cargo and passengers.

Since the 1970s, the island's only link with the outside world has been the Royal Mail ship St. Helena. It is correctly called the Royal Mail ship, because it carries the mail, which cannot get there any other way. The standard of service on the ship—the way in which it is run, the food provided and the sociability of the crew in looking after their passengers—is excellent. The ship is also a major employer. It has some UK officers, although some are Saints, and all the crew come from St. Helena. It is run by the Curnow line and is an excellent ship, providing a good service.

Mr. David Harris (St. Ives): I am most grateful to my hon. Friend for mentioning not only RMS St. Helena but Curnow Shipping, which operates from Porthleven in my constituency. Does he accept that, over the years, the company has shown absolute dedication to not only the running of the ship but the whole cause of St. Helena and the House's responsibility to face up to its problems, which he is promoting in this debate?

Mr. Wolfson: I am grateful to my hon. Friend and I entirely agree with his points. The company deserves congratulations.

The ship attracts a large element of subsidy, without which it could not run between Cardiff, Ascension, St. Helena and Cape Town. The shipping line is endeavouring to promote greater use of the ship as a cruise attraction. Indeed, several people who were on board during our visit had used it many times. One individual, a Brit living in South Africa, of great age and character, had journeyed on the ship about 14 times, which is a pretty good recommendation.

Sir Russell Johnston (Inverness, Nairn and Lochaber): How big is the ship, how many passengers can it accommodate and what contribution would it make to the development of tourism?

Mr. Wolfson: The ship can carry about 140 passengers, but some of that accommodation, which is fairly basic, has to be kept available for the shuttle between Ascension and St. Helena to allow the Saints who work in Ascension and on the Falkland Islands to book places on board the ship as part of their working life. There is therefore always the problem of striking a

[Mr. Wolfson]

balance between the extent to which the ship can be promoted for straight cruise tourism and the need for it to service St. Helena. My hon. Friend the Member for St. Ives (Mr. Harris) made the point about Curnow's dedication in trying to hit such a balance effectively.

There is no air strip on St. Helena, which remains a major issue for the Saints. Much investment would be required to build an air strip, and, once built, not only would the running of the airport need Government funding, but any of the airlines that have already considered the prospect would require the St. Helena Government to guarantee a certain number of bookings, so a further subsidy would have to be provided. Britain and our taxpayers would therefore face the problem of continuing subsidies for the future.

In my view, the better chance of progress is through the development of a proper breakwater, which would provide a sheltered harbour for St. Helena, and through improvement of the wharfage facilities, which would be of direct assistance to the fishing proposals—to which I shall come in a moment—and would allow passengers on cruise liners to land more easily. At the moment, a liner cannot go alongside. Even RMS St. Helena has to anchor offshore, and passengers and freight have to be taken ashore in launches and lighters. In bad weather, if they get off the liner at all, passengers have to go down to the lighter in a cage and land on the exciting and slightly hazardous steps, which, as I said, Napoleon used when he landed there.

One of the difficulties is that the cruise liners and the shipping lines become vulnerable under insurance arrangements if any injury or loss occurs to passengers. The captains of the liners are therefore even more cautious than they used to be in allowing their passengers to disembark: it is at the captain's command whether landing happens or not. We know that many liners call at St. Helena with the intention of putting a cruise party ashore for a whole day—which would bring very effective income to the island—but due to the swell cannot do so. Major improvements to the wharfage are therefore absolutely vital. Some such improvements are taken care of in the island's development plan, but I suggest that the British Government look further than the development plan if St. Helena is ultimately to be able better to stand on its own economic feet.

I turn to the UK's commitment to St. Helena, the Government and this Parliament. We cannot doubt that St. Helena is a residual responsibility from the days of the empire. The ancestors of those who live there were employees of the British East India Company. Those who live there now, like their ancestors, do so on the understanding that they are British. They know no other citizenship and belong to no other country. They are a special case.

I referred to the strategic plan for the island, which is entitled "The St. Helena strategic review 1996 to 2001". It is the key policy and development plan for the island produced by the Overseas Development Administration. I should like to refer to a few of its key points. It is endeavouring to provide a way forward for the St. Helena Government, elected representatives and Government employees to produce and implement a strategy for economic growth and greater self-sustainability. The British taxpayers' total subsidy to St. Helena during the period of the plan is about £9 million a year, and covers the ship subsidy and the island itself.

Interestingly enough, only last week the hon. Member for York (Mr. Bayley), in a ten-minute Bill, questioned whether ODA money was best spent on work that does not address the poorest in the world. He cited St. Helena as a country that would not be regarded as being among the poorest. He was not in any way suggesting that it does not have problems or does not need aid. He was making the point that, under the ODA budget, such issues need to be considered, and I think that they are bound to be in future. Making such points in the House increases the importance of the development plan to St. Helena's ability better to stand on its own feet—it will never entirely do so; it would not be realistic to expect that.

The plan identifies tourism, import substitution—especially in agriculture and fishing—some basic manufacturing service industries and construction arising from the contracting-out of capital investment projects as key elements. The plan seemed sensible to all of us who visited the island. I shall make two points about it. First, ODA funding needs to be stable during the implementation of the plan—it is important that the House keeps a close eye on that—and, secondly and most important, the elected representatives on the Legislative Council and the Executive Council in St. Helena should take ownership of the plan. It has not been imposed on them; it was drawn up as a result of intensive discussions on the island. The Government in St. Helena must accept responsibility for implementing the plan. We all know that plans are splendid things, but making them work is what really matters.

When the Foreign Office considers appointing anybody from Britain to the Government of the island, it is important that it chooses people who have a real understanding of commercialism and the importance of commercial activity to the island. A glossy brochure aimed at encouraging investment in St. Helena, which was published before the governor took office, showed a complete lack of understanding of reality. When we explored whether the legal infrastructure or the financial arrangements to encourage such inward investment existed in St. Helena, it was made plain to us that they did not. There was nothing to encourage a company to come to the island, and there has been a lack of understanding by the Foreign Office of the importance of putting the commercial elements together if the ODA plan is to work. In many other areas, the Foreign Office has taken up with both hands the challenge of making our embassies and high commissions more relevant to commerce. They need to do the same in St. Helena.

I wish to refer to tourism, which came top of the agenda in the development plan. Those of us who travelled to St. Helena had to fly, courtesy of the RAF, from Brize Norton via Ascension island, and it was our view that Ascension needs to be brought into the tourism and commercial picture with St. Helena. At present, the Bahamas treaty—a 40-year-old treaty between Britain and the United States—prevents Ascension from having any use but a military one. That will not do if fishing is to develop effectively, let alone tourism. We believe that there is scope for the development of tourism on Ascension, which has the right climate and beaches. St. Helena has no beach and a wetter climate than many people appreciate. These factors must be dealt with, but

they cannot be dealt with unless the Government address the problem of the 40-year-old Bahamas treaty, which needs a major review. The strategic and defence issues that existed at the time of the treaty have now changed dramatically, so there is every reason to tackle the problem.

There is good news on the fishing front. Argos St. Helena—a company that has developed fishery activities with great success in the Falklands—has a ship called the Argos St. Helena that currently spends half the year fishing off South Georgia. The weather prevents it from fishing there during the other six months. The company, in negotiation with the St. Helena Government—and with, I am glad to say, a fair wind from the Foreign Office—has now established itself, but has registered in Jersey because of the difficulty of registering a company in St. Helena. That makes my point about the lack of a legal framework. The ship will fish from St. Helena, and the company, with the St. Helena Government, will develop a cannery on the island. Commitments have been made by the British Government to improve the cranage at Rupert's bay, where the cannery will be established, and those must be kept.

I had a positive and interesting meeting with Mr. Thompson, the chief executive of the company. He is an experienced man who has made a significant contribution to the development of fishing in the Falklands. He made the point that increased fishing activity around St. Helena would enable the St. Helena Government to go further in providing a fishing zone around the island. At present, such a zone cannot be policed effectively, but other fishing vessels with proper licences can do a good job in chasing away and reporting on those vessels that may be fishing in the area without a licence or adequate permission. My point about Ascension fits in here. Given that the fish move at different times of the year, the need to be able to fish from Ascension for part of the year and to have fishing vessels based there is important. It is crucial that the job opportunities for Saints that exist on Ascension and, through the Ministry of Defence, in the Falklands are maintained. Those are the only job outlets other than work on the island, which is scarce.

Mr. Hugh Bayley (York): I congratulate the hon. Gentleman on securing this important debate, and I share his view that, for historical reasons, we have an obligation to St. Helena. My concern in last week's debate related to the fact that the ODA has to weigh our historical responsibility for St. Helena against its responsibility for development in much poorer countries in the third world. Does the hon. Gentleman share my view that it might be better to ask a part of Government other than the ODA—possibly the Foreign Office itself—to take responsibility for dependent territories, in the same way as the Foreign Office takes direct responsibility for other institutions, such as the BBC World Service or the British Council?

Mr. Wolfson: That suggestion is worth considering and, happily, it leads me to my final constitutional point.

If ever there was a case of he who pays the piper calls the tune, it is the ODA and its role in St. Helena. Since the ODA pays for almost everything, our overriding perception was that the ODA experts second-guess practically every policy decision on the island. That is done with the best intentions and because the work involves the use of public money. My taxpayers in Sevenoaks—and those of the hon. Member for York—would expect that public money to be accounted for. However, we found that an ODA expert would give a view and, on some occasions, it was almost a case of the umpire umpiring the umpire. That works directly against the development of the democratic process in St. Helena.

It is sometimes difficult for the Foreign Office team to refer everything to the ODA, whose decisions will most directly affect the island. I am not criticising all the work and the commitment of the ODA to the life and prosperity of St. Helena, as it is vital. But we must encourage those who are politically elected in St. Helena—where there are no political parties—to take real responsibility for the decisions affecting the government of the island.

When there are no political parties, it is difficult for policies to develop and be put through. The policy is developed in the strategic plan, and the Members of LegCo need to feel responsible and must have it demonstrated to them that they have the responsibility for decision making on implementation.

All members of the St. Helena all-party group are extremely grateful for the opportunity to participate in this debate. I apologise on behalf of its chairman, my hon. Friend the Member for Romsey and Waterside (Mr. Colvin), who is committed to attending the Defence Select Committee; otherwise he would be here.

St. Helena will remain in my mind for many years to come. I shall continue to follow its fortunes with interest, admiration and warm regard.

11.30 am

Dr. John Marek (Wrexham): I congratulate the hon. Member for Sevenoaks (Mr. Wolfson) on securing the debate, which is timely because the Commonwealth Parliamentary Association recently sent a delegation to the island, of which he, my hon. Friend the Member for Monklands, West (Mr. Clarke) and Lord Beaumont were members.

It is a pity that the CPA can send a delegation to St. Helena only once every 12 or 13 years; I was a member of the previous delegation in 1984. St. Helena is probably our only dependent territory receiving budgetary aid, and it is extremely isolated. What I have to say will not all be good news.

The hon. Member for Sevenoaks made several important points and I agree entirely with all but one. I hope that the Minister listened carefully. Citizenship is perhaps the most important point. The St. Helenians feel isolated and betrayed by the removal of citizenship, and that must be reconsidered either by the Government or by successor Governments. The matter will not go away, and a settlement must be reached as soon as possible.

I also agree with the hon. Gentleman about Overseas Development Administration officials umpiring the umpire. They have a nice time looking at St. Helena and gathering some information and then they second-guess any decisions that are to be made on the island. One of the Members of the Legislative Council, the honourable John Newman MLC, sent me a fax referring to the recent visit by ODA officials. The fax said:

"It is felt that there was insufficient time given to meetings with the Elected Members and that the majority of consultation was undertaken by expatriate officials which consisted of the Chief Secretary, Financial Secretary, Economist and Chief Auditor with no St. Helenian officials included. I raised this matter with the Chief Secretary and my point was noted."

[Dr. John Marek]

That shows us in a nutshell what is wrong in St. Helena. I am not attacking ODA officials, who have integrity and try to do their best for St. Helena, but somehow or other the Saints are not included in the discussions, consultations or decisions.

Another important matter is the ability to take advantage of any commercial decisions. The Atlantic Mammoth project is supposed to be a lottery based on the Internet, although I do not know whether it will, or deserves to, get off the ground. It may be, as the hon. Member for Sevenoaks said, that the financial facilities do not exist on St. Helena to allow the project to go ahead. Nevertheless, the elected Members of LegCo are not consulted, their views are not taken into consideration and their questions are not properly answered.

I received a fax from LegCo, and I suspect that other hon. Members received it, too. It said:

"We, the elected members of the Legislative Council of St. Helena do hereby request that permission, co-operation and assistance be given to the Government of St. Helena by HMG to enable it to increase external revenue by any legal means, and by so doing reduce the amount of Financial Aid given to us by the ODA."

That is signed first by Bill Drabble, and by nine other Members; that is the large majority of the elected Members of the Legislative Council.

What is going on in St. Helena? Is the Legislative Council treated as being of no importance? I hope not. I hope that the Governor and the officials who are sent from the Foreign Office to St. Helena by Her Majesty's Government take elected Members of the Legislative Council seriously. If a proposal is made, it should be considered seriously, and if it truly cannot be put into operation, a proper explanation should be given.

If that was all that was wrong with St. Helena, it would not be much of a problem; but there is more. A programme of improvements needs to be implemented. We must consider whether an airport can be built. My views are mixed, but I think that we could investigate the possibility of a mainland African company flying an aircraft one day a week to St. Helena and back from a coastal town on mainland Africa and using that aircraft on other business for the other six days. It would be reasonably easy to build an airport on the island.

Tourism development is important. Other matters that interest St. Helenians and should be addressed include an integrated port management, development of fisheries, better cargo handling equipment, wharf improvements, a wind turbine, water development, a second 1 MW generator, better electricity distribution, expansion of the bulk fuel installation, better water catchment and drainage; and the social issues, including care of the elderly, waste disposal, housing and all the matters that will inevitably crop up in any civilised society. Those matters are talked about, but nothing much happens.

I want to make a crucial point about the government of St. Helena. I am told that the Governor, in an interview on board MS Explorer, which visited the island, said that he found St. Helena "boring and tedious", and that that comment was broadcast to islanders over the radio. That cannot be right. If the Governor can say such a thing, why is he the Governor? I asked a parliamentary question about that, but the Minister of course glossed over it.

We need some honesty about what is going on. It is said by the St. Helenians that the Governor spends much more of his time away from the island than other Governors. Worse is to come. The police used to be given free transport between their home and the police station, and they were suddenly told, with no consultation or negotiations, that that concession was being withdrawn and that in future they would have between £30 and £50 docked from their monthly pay of about £300. They took the Governor to court. The Chief Justice had arrived, but unfortunately had to leave on the ship before the case could be concluded, because the Government did not produce the files that he needed to determine the case. I am told that the island's Attorney-General said that the case had had to be postponed because of the way in which they were deliberately misled. That is not good. There should not be such Government duplicity with civil proceedings on the island.

On 27 October, there was a 200-strong protest march of teachers and nurses led by elected councillors of LegCo. They wanted to petition the Governor because they had been given only a week's notice that fares on school buses would rise by between £9 and £20 a month. There had been no consultation, negotiation or explanation; they were told by diktat. While many matters on St. Helena are the responsibility of the Government, power is vested in the Governor, not LegCo. Hon. Members must understand that all important powers are kept by the Governor, who is nominated by the Foreign and Commonwealth Office in Whitehall and sent to the island.

The Governor would not meet the protesters. I am told that he watched from Solomon's office in Main street and sent the Chief Secretary, Mr. John Perrott, to deal with the deputation. The Governor had previously been manhandled during another demonstration, which is unheard of in St. Helena, which is a civilised place. The last thing that would occur to people there would be to go on a demonstration, let alone manhandle the Governor. I understand that it was simply a case of someone getting hold of his tie, but even so, matters are not right.

The Foreign Office should review the government of St. Helena. A new constitution has been prepared, partly by the Commonwealth Parliamentary Association international secretariat. We must also review whether expatriate officials have empathy, as the hon. Member for Sevenoaks put it, with the people of St. Helena. I do not think that they do.

Finally, there is the case of Mrs. Brenda Cairns-Wicks. She had been a teacher in St. Helena for six years and was an unestablished civil servant. We dispensed with all that 20 or 30 years ago. She became pregnant. Normally, when a teacher becomes pregnant, she gets 14 weeks' leave or whatever, but not a bit of it. The rules and regulations in St. Helena had not been updated and she was required to resign. After her confinement, she would have to apply for another job, if one were available. I brought the matter to the Minister's attention. He is an honourable man and I like him, but it is to his shame that he has done nothing about the matter. She was forced to resign. The rules were changed a week after she resigned, so that others who become pregnant will not face the same appalling situation. Nothing could be done after she had resigned, because her job had already been filled.

It does not reflect well on the Government and shames the Minister. No competent Governor would have allowed it to happen.

The Minister of State, Foreign and Commonwealth Office (Sir Nicholas Bonsor): I do not want to bring this into my closing remarks, so I should like to deal with it immediately. I very much regret what happened to Mrs. Cairns-Wicks, but by the time the matter had been brought to our attention, her job had been filled. She has been told that she can reapply for any future vacancy, but I believe that she is living on Ascension and has no intention of taking up that offer. The Government regret that she suffered from a failure of the law that we rectified as soon as we found it.

Dr. Marek: I am pleased to hear that. The case should never have happened. I hope that if Mrs. Cairns-Wicks applies for another job, she will be given every consideration.

My time is nearly up, but there are other matters that the Government should consider. The ODA has been trying to do its best, but it could change its views on certain issues. The constitution needs upgrading. Above all, when we appoint expatriate officials, we must ensure that they have empathy with the islanders. It is not enough for them simply to be the man or woman from Whitehall sent to rule the island. To some extent, once they arrive, they are the representatives of the island in Whitehall. In the past few years, I fear that that dimension has been slightly missing.

11.45 am

Sir David Mitchell (North–West Hampshire): I speak as secretary of the all-party group on St. Helena and dependencies. I congratulate my hon. Friend the Member for Sevenoaks (Mr. Wolfson) on securing the debate. St. Helena is a British dependent territory; its culture is British and its only language is English. There are fewer than 6,000 people on the island. Those people are our responsibility and it is right that we should debate them in Parliament.

I concur with much of what was said by the hon. Member for Wrexham (Dr. Marek). The House will have sympathy for Saints, as St. Helenians are called. They are almost marooned on an island 700 miles from Ascension and six days' steaming from Cape Town. Inevitably and necessarily, its economy depends on financial support from Britain of between £6 million and £8 million a year. That is a large sum and the Government naturally want to restrain it. However, I shall show that Government policy militates against success in that respect.

Government policy is to persuade the islanders to move towards standing on their own feet. The unhealthy 75 per cent. of jobs in Government employment is being reduced. That is all very well, but as there are only a small number of private sector jobs on the island, the policy has pushed up unemployment to 17 per cent. The Government have responded by advocating self-help, but that is where the British Government have to open doors to enable it to become a realistic opportunity.

There are several matters on which the Government should act. The first is employment opportunities. I know that I am not the only hon. Member who did not realise when we passed the British Nationality Act 1981 that we were closing off the route for St. Helenians to come to work in the UK. I recognise that this is not the appropriate time to press for St. Helena to join Gibraltar and the Falklands in having a general right to seek employment in UK. That should not be done until the Hong Kong issue is out of the way. I should be surprised if the Minister and candidates of all parties at the general election were not approached by Saints in their prospective constituencies and asked for a commitment on that after the election and after the Hong Kong problem is out of the way.

Meanwhile, there are three steps that the Government could take without creating a precedent or other problems, and I urge them on the Minister. First, we could restore the pre-1994 domestic work scheme, under which some 50 permits for Saints to work in the United Kingdom were issued. Secondly, that scheme was replaced by a training and work experience scheme, but it ends at age 35. It would be practical and useful to extend it to 40 or 45. That scheme provides only temporary access to the United Kingdom and only 30 people in St. Helena are currently able to take it up. Making it easier should increase numbers and help tackle unemployment on the island.

Thirdly, general work permits for entry to the United Kingdom from anywhere in the world are issued in respect of specialist skills not available in the UK. Only one Saint has been able to qualify under that scheme. The Government should relax the severe criteria to enable more Saints to qualify and should perhaps place a limit on the number of years that someone can be here—say, seven years. So my first message to my hon. Friend the Minister is that self-help needs opportunity. I urge him to create that opportunity, in a way that will cost him no money and which will help the economy of the island and perhaps make it possible in a minor way to reduce the Government's commitment.

Tourism is a swift route to job creation in any economy, but its development requires an improvement in communications. The only regular access on and off the island is RMS St. Helena. I praise the recent change in its sailing schedules. It now operates more frequently to Cape Town and Ascension island and less frequently on the long, slow journey to the United Kingdom. If tourism is to prosper, we need quicker and easier access from Europe. There is a way in which that can be achieved. The Royal Air Force currently provides a military service to Ascension island as a staging post on the way to the Falklands. We need the Government to put the service personnel flights out to commercial tender and allow tourists to be carried as far as Ascension, with its superb, untarnished beaches. That would reduce from 15 days to four the travel time from Europe to St. Helena and give a tremendous boost to the tourist trade. Self-help needs that opportunity.

As commercial flights to Ascension island are clearly the key, I recently raised the possibility with my right hon. Friend the Secretary of State for Defence. He noted what I said and agreed to come back to me in due course. I look forward, as I am sure many on the island do, to hearing what he can say on that score.

So far, so good, but I have to say that the islanders must be encouraged to create the accommodation and services on the island that modern-day tourists expect. In the past, there has been far too much licensing and far too many restrictions—undoubtedly designed to protect the fragile market of existing providers—but the island needs

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to be more open and welcoming to competition, which is, after all, the customer's best friend and the best way to raise the standard of tourist facilities.

Before I leave tourism, I have to say that it is not helped when cruise liners visit the island and are unable to land their passengers because there is no mole or decent-sized jetty. Last year, five major tourist vessels were unable to land a single passenger. Indeed, a cruise ship called earlier this month and could not land tourists. That represented a serious loss of potential revenue to the island. So if self-help is to succeed for tourism and local industry, the Government must put in that essential piece of infrastructure.

I illustrate the point in relation to the local tuna fishing industry. The island's boats and its fishing industry have been held back by strict quotas—my hon. Friend the Minister will know about this. The limits are not for conservation reasons, as one might have thought, but are because of the lack of processing capacity for fish when it has been landed. Happily, as a result of the help and encouragement of my hon. Friend the Minister, the Foreign and Commonwealth Office and the island's Government, Argus Helena Ltd. will open a new processing plant, probably in September this year, and the restrictions will then go. It will then be possible for St. Helenians themselves to build up their fishing industry. However, once the tuna has been landed, gutted and frozen, it needs safe anchorage for dispatch to markets in Japan and Italy. I praise the FCO and the Government for the encouragement that they have given, but a quay, jetty or protective mole is needed. Self-help needs a bit of investment.

I have a question for my hon. Friend the Minister about an inward investment proposal, which would provide some 50 jobs. It has already been referred to by the hon. Member for Wrexham, who, like me, no doubt received a fax from a Swedish company, Swegame, which wants to set up an international lottery, using the world wide web and the Internet. The Internet is spreading like wildfire, as my hon. Friend the Minister will know. It is an immense growth industry. An international lottery on the Internet can expect explosive growth. I understand that the Government are minded to refuse consent. I have also received the fax that the hon. Member for Wrexham received, signed by 21 Members of LegCo. I will not quote it because the hon. Gentleman has done so already. My hon. Friend the Minister should explain the Government's attitude and assure us that he will take into account the views of LegCo. If something is a legal and proper international operation—whatever his reservations, I should like to hear them—and if Gibraltar is allowed to have such an operation and there is nothing to stop it there, why should not St. Helenians be allowed to do so?

I sum up by saying that St. Helena is a responsibility of the House. The Government are right to move the economy of the island to self-help, but if that is to succeed, there must be opportunity. Opportunity requires, first, more access to the United Kingdom for employment, secondly a jetty, mole or quay for safe landing and unloading and, thirdly, the relaxation of restrictions on tourist flights to Ascension island and thence on to St. Helena. I hope that my hon. Friend the Minister will be able to give assurances on all those points.

11.55 am

Sir Russell Johnston (Inverness, Nairn and Lochaber): I shall follow up some of the points that the hon. Member for North–West Hampshire (Sir D. Mitchell) made, in a constructive speech. It was a pleasure to listen to the speech of the hon. Member for Sevenoaks (Mr. Wolfson). I congratulate him, as others have done, on raising the situation in St. Helena. His descriptions were as fascinating as his arguments were persuasive. Unlike him, I have not visited the island—the isolation and the time required have prevented me—but I have visited the Falkland Islands. As a result, and because I have been for a long time associated with the Falkland Isles parliamentary group, I have gained a reasonable amount of knowledge over the years of the islands of the south Atlantic. My noble Friend Lord Beaumont has told me about the visit which the hon. Gentleman described. I should like to make only a short speech, so I will follow the structure that the hon. Member for Sevenoaks chose.

We have had a pretty bad record in recent years on the citizenship question. Several hon. Members have referred to Hong Kong. The treatment there of the ethnic minority is potentially a scandal. With respect to the hon. Member for North–West Hampshire, I do not see why St. Helena has to be put in a box until Hong Kong is sorted out. We are talking about fewer than 6,000 people, not a great flood of immigrants. As the hon. Member for Sevenoaks said, those people had British citizenship until 1981 and know of no other loyalty. I should have thought that we had a responsibility to them.

As for communications, I am sure that the hon. Member for Sevenoaks is right about the airstrip. Several hon. Members and my hon. Friend the Member for Wrexham (Dr. Marek) said that it was possible. I should like to know how much it would cost, if the Minister is able to say roughly.

Sir David Mitchell: I know that time is short, but there is a problem. If some potential tourist traffic is creamed off on to air landing, the viability of RMS St. Helena will be reduced and the demand for subsidy of its operation will be increased.

Sir Russell Johnston: That is a fair point. Of course, if resources are limited and the number of people using the transport mode is limited, one may have to decide between one and the other. I agree with the hon. Gentleman. Certainly, everyone seems to be saying that the improvement of landing facilities is of pre-eminent importance. It was bad to hear the hon. Member for North–West Hampshire say that five cruise ships visited the island and had to go away without landing one tourist. That must have represented a large loss of potential income.

On the Government's commitment and the constitution, the hon. Member for North–West Hampshire was talking about self-help and saying that the Government should do this and that, but it is difficult for Governments who are pledged, as an article of faith, to non-intervention where possible to be terribly good at self-starting all those things.

We are talking about regional development on an island in the south Atlantic. Everyone has been careful to say that they know that Overseas Development Administration officials are well intentioned and so forth.

There has been a "but" at the end of the sentence, however. I suppose it comes back to the fact that unless one motivates people to motivate themselves one will not succeed through some sort of paternalistic activity, as the hon. Member for North–West Hampshire said.

I want the Minister briefly to say something about medical services. I presume that any airstrip would have short lift-off capacity. I do not know what the hospital facilities are. If someone is in a severe medical condition on St. Helena, what does one do?

Courtesy of the questions asked by the hon. Member for Salisbury (Mr. Key) in March, I have been thinking about education. The information in the answers to the questions is pretty awful. The hon. Gentleman asked:

"how many (a) female and (b) males normally resident in St. Helena had commenced higher education courses (i) on the island and (ii) overseas".—[*Official Report*, 25 March 1996; Vol. 274, c. *417*.]

A list was provided in the answer. Last year, out of the population of just under 6,000—that would perhaps mean 1,500 to 2,000 young people—there were two males and five females. In 1994-95, the previous year, it was one male and nine females. If the community is not educated—through no fault of its own—it will not be a progressive community and that is the plain fact of the matter.

Most things have been said about development. Unemployment of 18 per cent. in a small community is obviously bad and there is a concentration on tourism and fishing. Obviously, St. Helena is a fascinating place and it attracts spasmodic attention because of it. Books on Napoleon are produced every so often, for instance. However, we have a debt to the place and we have a responsibility that we are not fulfilling as we should.

As I have said before—no one agrees, but I will say it again—I have long admired the French system of dealing with their remaining dependent territories. St. Pierre and Miquelon, the two islands off the Canadian coast, are not as isolated as St. Helena, but they have a smaller population—2,500 to 3,000, I think—and they are well treated and backed by the French, as are Martinique, Guadeloupe and all the other French territories. Through France, they also have access to European Union funding. That is a good solution for our remaining dependent territories and not one that should be dismissed simply by saying, "We do not do that—the French do."

I found the speech of the hon. Member for Wrexham (Dr. Marek) very concerning, not least because, as anyone who knows him realises, he is not given to sensation and exaggeration. He said,

"Something is not right on the island."

Sadly, that seems to be true. I hope that when the Minister replies, he will at least tell us that the Government are aware of those shortcomings and of the needs and will respond.

Again, I congratulate the hon. Member for Sevenoaks, who has been the means of our having an interesting morning's debate.

12.4 pm

Mr. Tony Lloyd (Stretford): On these occasions, it is customary to pay tribute to the initiator of the debate and I do so with more sincerity than usual this morning, as the hon. Member for Sevenoaks (Mr. Wolfson) has done some service to the people of St. Helena and to the House by raising this matter.

To pick up on the remarks of the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston), there can be no doubt that our commitment—whether that of this Government or of a future Labour Government—to the island and its dependent territories is legal and historical, but it is also a moral commitment and we cannot avoid that. The question, therefore, is how we discharge that commitment, rather than whether it exists; I think that all hon. Members would take that view.

I must own up to my relative ignorance about St. Helena. Possibly the hon. Member for Inverness, Nairn and Lochaber, the Minister and I are the only ones present who have not had detailed exposure to the islands and their people. I must thank my hon. Friend the Member for Monklands, West (Mr. Clarke), who attended the recent Commonwealth Parliamentary Association visit and took the trouble to tell me of his observations and to pass on those of the hon. Member for Sevenoaks, whose written comments and his speech this morning were interesting and important.

I do not want to make a partisan or party-political point, but some of the responses of the Foreign and Commonwealth Office when island issues have been raised have smacked of complacency. That might be an unfair charge, but I wanted to put it on the record and the Minister can deal with it in whatever way he chooses.

An article on St. Helena appeared in *The Sunday Telegraph* after the invasion of the governor's office and the assault, albeit a minor assault, upon his person. The issue is serious and the Minister's answer in *Hansard* tended to play it down considerably, playing down the underlying and clear unhappiness of the people on the island. In the article, the governor is quoted as saying that although "dumbstruck" by the events he also found them understandable. He said:

"The islanders are fearful of their future. They worry about what will happen to them—and their anger was taken out not at me personally but at the institution I represent."

The House and the Government have to accept that collectively we are the institution against which that anger was vented. That is important. We have to take seriously the uncertainties and fears of people on the islands.

To an extent I am repeating remarks that have already been made this morning, but if we recognise that two thirds of the jobs on the island depend directly on British Government subvention—the hon. Member for North–West Hampshire (Sir D. Mitchell) said that it was 75 per cent., I think—that the direct bilateral aid budget is more than £8 million but was £11.7 million at the beginning of the decade and that that decrease has paralleled an increase in unemployment from a little under 8 per cent. to the present 17.5 per cent., we must also accept that the worries and fears of the islanders are legitimate. While we are not talking of a third world economy, nevertheless it is not an economy in which people are individually or collectively well off.

While I took considerable comfort in the comments about the progress of the fishing industry, which is clearly to be welcomed, that industry is a relatively modest employer. Even if we envisage great change, it will probably still remain a modest employer for some time to come. The hon. Member for Salisbury (Mr. Key) asked a question about the number of businesses since 1984 that had taken advantage of the taxation breaks available on the island. The answer shows that in the two years for

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which figures are available, one cabinet maker and one coffee producer had done so. Business formation at that rate will not resolve the problems.

That brings us to the issue of what the islanders want, what the ODA wants, and what the Foreign Office wants. We recognise that economic development will depend on significant input from Britain—however we engage the private sector, the commitment of the public sector will be needed. Will the Minister comment on the strategic review and the country policy plan which either has arrived or is due arrive on his desk this month? We need to know what are the implications for bilateral aid. The need for consistency of aid has already been emphasised; people need an element of certainty in order to operate successfully. That is a legitimate demand, to which I add my voice.

Will the Minister comment on what is known about likely future flows of inward investment? It is clear that inward investment of some sort will be needed—whatever self-help can do, there is neither the level of capital nor the potential for formation of capital on the island to make the necessary investment without outside intervention. What estimates have been made of the potential for investment? In addition, will the Minister comment on what assessment has been made of the viability and growth of traditional industries such as fishing, which has already been mentioned, agriculture and forestry? They have some potential, but one would not want to overestimate their likely impact.

The industry that all hon. Members who have spoken today have mentioned is tourism. When I returned from the Falklands recently and passed through Ascension island, I was lobbied during my brief sojourn on the issue of tourism and on the need to examine both the viability of tourism on Ascension in the interests of Saints who have given many years of service to Britain and to the British Crown, and the possibility of having a two-centre approach. The hon. Member for Sevenoaks mentioned that his report to the Commonwealth Parliamentary Association referred to the opportunity to link the futures of Ascension and St. Helena in a little tourism matrix, as a unique niche form of tourism.

That would depend on transportation links and hon. Members have said that there is a trade-off to be made between the potential arising from air links being opened up and the impact—possibly damaging—on the existing sea route. There must be a strong case—indeed, the Minister may confirm that it is already being done—for carrying out a serious feasibility study into the linkage between the different transportation systems and the development of a tourism industry that could allow the islanders, in a guided way, to exploit the island's resources.

I want to pick up one of the points raised by my hon. Friend the Member for North–West Hampshire. It seems ridiculous that, not only potential, but real demand for tourism is being turned away because of the lack of facilities that would probably require only a relatively modest investment. I urge the Minister to take that matter seriously as part of his consideration of developments that could be achieved in the short term.

In my remarks on the economy of the island, I hope that I have demonstrated that the commitment of any Government of this country to the island must be genuine.

I shall now return to the four Cs raised by the hon. Member for Sevenoaks. I have already touched on communication in my comments on transportation links, but there is another aspect to that. I am aware that the island currently receives Cable News Network, courtesy of Cable and Wireless. It might be out of the question, but in view of my personal enthusiasm for the service I want to ask the Minister about the role of the BBC World Service, both radio and television. St. Helena is not only an English-speaking community, but a British community. From my visits to South America, I know of the demand that Britain should have a presence there and that BBC television should be made available. I should have thought that the possibility of extending the BBC service to St. Helena at reasonable cost to the islanders should at least be considered.

All that I can say in respect of citizenship is that I recognise that from the bishops commission—now the citizenship commission—onward there have been demands for citizenship and that will continue. There is no easy answer that I can offer on behalf of a future Labour Government and I shall not pretend otherwise, because that would be dishonest. I shall listen with interest to the Minister's comments.

On the issue of constitutional arrangements, I was concerned by the comments of the hon. Member for Sevenoaks on the legal framework—whether it was adequate and whether it could change quickly enough to respond to the needs of the islanders. That might have an impact on constitutional matters, for example, whether the constitutional settlement is such that the pace of legal change can be rapid enough to respond to the need to welcome business investment.

My hon. Friend the Member for Wrexham (Dr. Marek) has a detailed knowledge of these matters and I was interested in his remarks about the case of the school teacher. I accept and understand the Minister's explanation, but hon. Members must ask themselves whether issues should have to be raised with a Minister in Britain when they might be resolvable at local level. I am sure that the case raised by my hon. Friend would have been resolved in everybody's interests at local level had the local authorities had the necessary powers. That case calls into question whether the current constitutional settlement is one that we would want to promote in the modern world.

We are not talking about a colonial regime of times gone by, but about people who should be given the maximum encouragement to help themselves. That self-help should extend not only to economic matters, but to issues such as local control and self-government where that is appropriate. I ask the Minister to tell us about the various constitutional reviews that have taken place, including the CPA review, and where they fit into the framework. I urge him to consider carefully whether the time has now come for a proper examination of the island's legal capacity and of the potential for local control.

This has been an important debate, because it forces hon. Members—especially me in my capacity as a Labour party spokesmen and as an individual Member of Parliament—to recognise that issues of concern are outstanding and that they are the responsibility of the House of Commons. We cannot duck that responsibility. The relationship between St. Helena and Britain cannot

and will not be dissolved—our commitment exists and we have to examine how we can honour that commitment as we move into the 21st century.

12.17 pm

The Minister of State, Foreign and Commonwealth Office (Sir Nicholas Bonsor): I add my thanks to those already expressed to my hon. Friend the Member for Sevenoaks (Mr. Wolfson) for raising this issue. I welcome the opportunity to set out the Government's position, to explain some of the issues raised by hon. Members today and to state clearly the way in which we propose to deal with the problems in St. Helena.

I agree with my hon. Friend that the state of St. Helena's economy is precarious and that it requires our closest attention. I assure the House that it is getting that attention. The diplomatic and aid wings of the Foreign and Commonwealth Office are keenly focused on the need for positive and real change. I assure the hon. Member for Stretford (Mr. Lloyd) that there is no question of complacency on the part of the Government—we are addressing these important issues vigorously.

Everyone who has the welfare of St. Helena at heart agrees that the status quo is not an option. The problem, as we have known for some time, is that economic and social pressures, when allied to aid dependency, can only lead to a downward spiral of economic stagnation. As with all the remaining dependent territories, we care very much about the welfare of St. Helenians and share wholeheartedly their desire for a better and more prosperous future. Our task, along with that of the St. Helena Government, is to shape that desire and turn it into reality.

Our continuing commitment to the island is evidenced by our aid support, which, as my hon. Friend the Member for Sevenoaks and others mentioned, is more than £8 million a year. That equates to some £1,500 per head of population and is the highest per capita package of UK aid in the world. It is testimony to the seriousness with which the Government take their responsibilities towards the island and shows the importance that we attach to it.

However, we and the "Saints" themselves want to see a reduced dependency on aid, not only because of the burden on the UK taxpayer under the present circumstances, but because we want a self-sufficient, confident and economically viable St. Helena. Neither we nor the Saints want the island held back by financial dependence on the United Kingdom. We want the island to develop. We are committed to a process of change. To paraphrase the St. Helena Government's stated vision for the future, we want economic development to lead to a prosperous future for the island.

Private sector development and public sector reform are the keys to the island's future. To begin that process, we are negotiating an important three-year country policy plan with the St. Helena Government. The basis for the agreement was the St. Helena Government's strategic review, which was completed last year. The document results from a great deal of hard work by the St. Helena Government and the governor, and we congratulate the team on its efforts. The strategic review provides a comprehensive approach to St. Helena's economic and social development.

The country policy plan will set out action plans for each sector. A specific plan will encourage inward investment and private sector development. We shall help with this in every way we can. The plan will also highlight how the Government can either transfer activity to the private sector or deliver services more efficiently through the public sector.

There has been a degree of concern on the island about the Government's public sector reform programme and its social consequences and that has led to some of the matters that have been mentioned, particularly by the hon. Member for Wrexham (Dr. Marek). I appreciate that there have been difficulties between the governor and some of the inhabitants of St. Helena, and I have no doubt that the governor is trying hard to deal with the exceptionally difficult circumstances which the state of the economy in St. Helena has imposed on him. It is not easy for reform programmes to be put in place without a certain amount of short-term hardship and discontent, but I hope that those circumstances can be resolved and that, as the policy plan is put into effect, we shall improve St. Helena's economy and get over the problems that have been mentioned in the House today.

For our part, the plan would commit the ODA to a substantial aid package spread over the next three years, which would give the St. Helena Government more responsibility for their own affairs. They could divert savings from within the budgetary aid element of that framework to other priority areas of Government expenditure. Thus, they would maintain firm control on their own expenditure programme and be able to prioritise accordingly in a way which hitherto they have been unable to do. I hope that that will reassure my hon. Friend the Member for Sevenoaks, who raised the question of the inability of the St. Helena Government, particularly LegCo and ExCo, to play a full part in handling the economy. As we move forward with our plan, those difficulties will be resolved.

St. Helena's isolation proved useful in Napoleonic times and at other times in the past, but in today's world it is a major drawback. It is approximately 1,200 miles from the nearest continental land mass and it takes five days by ship to Cape Town. Physical isolation means that the cost of St. Helena's products when they are exported are high, which is obviously a substantial brake on the island's potential for economic development of the export market. Isolation also deters potential investors from spending their valuable time getting to and from the island to explore ideas for development. We need to find ways around this. I accept the points made today about the need to develop a wharf and to examine air services and I assure the House that the Government are looking closely at those issues.

The RMS St. Helena provides a vital link between the island and the outside world. It is a modern, well equipped ship funded by the ODA and it serves St. Helena and her people well, and long may she continue to do so. As the hon. Member for Stretford said, neither he nor I have had an opportunity of getting to St. Helena, unfortunately. I believe that those who have travelled on RMS St. Helena have found her comfortable and have been extremely well looked after. She should be an asset not only as a means of communication for Saints but to encourage tourism, and I hope that many more people will use the opportunity. As the House knows, we have altered the ship's schedule so that long-haul journeys have been reduced and short-haul local journeys increased. I hope that that will enhance both those opportunities. We shall

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continue to seek the best balance in the schedule between the island's transport needs and the need to make the ship commercially viable.

Several hon. Members touched on the possibility of providing an airport on the island. We continue to keep that under review, but I shall not hide from the House the fact that such a project would be extremely expensive and currently difficult to justify. One problem would be to find a commercial air service able to run a viable route to the island. Another problem is the enormous expense of building a modern airport that conforms with Civil Aviation Authority rules. The distance from Cape Town means that we would need fairly large long-haul aircraft to make the journey. Moreover, the difficulties of providing an airport on St. Helena are great but we are looking at that problem and I hope that we can find ways around it in due course.

Inward investment is absolutely vital if the island is to prosper. It will breathe new life into the economy. The current cash flow is tiny and the existing private sector is saturated with small service industries. We need new productive investment, encouraged by the St. Helena Development Agency. We also plan a new business forum in London whereby we hope to encourage investment and focus the attention of people in this country on the opportunities that St. Helena offers.

As has already been said, the fishing company, Argos, is leading the way and I welcome the investment that it has put into the island. It is extremely good news as it will create some 40 jobs, which represents about 10 per cent. of the island's unemployment rate. It is worth noting that we do not need extensive investment to deal with the unemployment problem. About 450 people, representing 18 per cent. of the island's work force, are involved. That should not present insuperable problems so long as we and the St. Helena Government work together, as we shall.

Unfortunately, I have very little time with which to deal with the many points that have been raised, so I intend to take some of the more important ones. I mentioned the difficulties that the governor has had on the island. I assure the hon. Member for Wrexham that the ODA consults strongly with the island. Of course, the islanders are sometimes disappointed that the ODA does not accept their plans but the reason is that the ODA does not think that those plans are viable, and the islanders' well-being is the primary reason for any decision that has been made.

I take the opportunity, while touching on inward investment, to commend the work of Mrs. Essex, who is listening to this debate today. She will return to the island in May and has done a phenomenally good job as its representative in this country. I wish her well and hope that her labours will bear fruit.

Hon. Members mentioned constitutional change. There again, we now have the CPA plan at which the St. Helena Government are looking closely. Her Majesty's Government will look with great sympathy at any proposals put by the islanders for constitutional change. It is in our interests as well as those of the islanders that those matters should be satisfactorily sorted out so that the balance of responsibility reflects the reality of the day.

My hon. Friend the Member for North–West Hampshire (Sir D. Mitchell) raised a series of important points. He asked about the training and work experience scheme in this country. I assure him that the scheme is unlimited in terms of the numbers which we would take and it therefore offers great opportunities to St. Helenians to get the necessary work opportunity to stimulate investment so that their expertise can be used on the island.

Sir David Mitchell: Will my hon. Friend give way?

Sir Nicholas Bonsor: No, I do not have time.

I accept my hon. Friend's point about the age limit of 35. My officials are looking into that and I hope that we shall find ways to raise it. I accept that it would be useful if slightly older people could be included in the scheme.

With regard to the wharf, detailed proposals are being put forward to build a breakwater and to improve the anchorage at St. Helena so that we can get the tourists in on the cruise ships and make sure that ships can be loaded and unloaded, whatever the weather.

Finally, on Swegame, we are not prepared to allow an Internet lottery. It takes place on Gibraltar without the consent of the Government or the Governor of Gibraltar. We are investigating how that happened. We cannot yet resolve the difficulty of regulating an Internet lottery, but we hope to do so in the future.

House Condition Survey (Energy Reports)

12.30 pm

Dr. Lynne Jones (Birmingham, Selly Oak): Last week the *Birmingham Evening Mail* published a letter from Mr. Thornton of Weoley Castle, who is a war veteran in his seventies. He stated:

"At the time of writing, the temperature in the kitchen is 42 deg F"—

that is about 5.5 deg C—

"and in the bedroom it is 34 deg F"—

about 1 deg C above freezing.

As the Minister knows, such conditions do not meet even the minimum Government standards for safeguarding health. Sadly, Mr. Thornton's conditions are not an isolated case, as is amply demonstrated by the house condition survey report. I commend the Government for commissioning the detailed work in that hefty document. It has been a long time coming—the survey took place in 1991-92. Although the report states that there has been little change in the situation since then, a new survey is to be undertaken.

It has taken several years for the report to be published. Its publication was originally planned for the summer. I do not know why it was not ready then; the Government were probably aiming for it to be published in the recess. In the event, it was published two days after the Budget and, unfortunately, received little publicity. No one seems to have seen the Department of the Environment press release on the subject. I am pleased that this Adjournment debate allows me to give the Government the opportunity to discuss such an important report.

In 1983, the Conservatives promised to make Britain the best housed nation in Europe. The contents of the survey show how badly they have failed in that aim. The report is an indictment of almost 20 years of Conservative government. It shows that one in five dwellings in the social housing sector, two in five in the private rented sector, and even one in 10 in the owner-occupied sector have energy ratings that show them to be grossly inefficient. On the Government's standard assessment procedure scale, which goes from one to 100—100 being the most energy efficient—those are the proportions of types of homes that are less than 20 per cent. energy efficient. Although I gave the proportion of only one in 10 homes in the owner-occupied sector, that represents 1.3 million dwellings, which is the largest number of dwellings in any sector that are grossly inefficient.

The report states that when the temperature is 4 deg C, which is above the temperature that triggers cold weather payments to people on low incomes, 50 per cent. of owner-occupied housing, 62 per cent. of council and social housing in the housing association sector and 95 per cent. of private rented housing fails to achieve even the minimum standards to safeguard health as laid down by the Government. More than one in three households would need to spend more than 10 per cent. of their income on fuel to achieve the more comfortable standard heating regime. By that standard, more than 60 per cent. of lone pensioners underspend on heating. No wonder in the first two weeks of this year the Government's Office for National Statistics reported 10,000 excess deaths. Mr. Thornton is, indeed, not an isolated case.

The report states that, despite the mild weather in 1991-92, only 25 per cent. of the homes surveyed fully met the standard regime for temperature, and only 70 per cent. conformed with the minimum regime. It is reckoned that, to achieve the 30 per cent. energy efficiency savings laid down in the Home Energy Conservation Act 1995, expenditure of £80 billion will be required. The Government have accepted that target.

The Department of the Environment circular on the 1995 Act issued in early 1996 states that the Secretary of State takes the view that improving the energy efficiency of residential accommodation is important because of the environmental impact of energy use in the domestic sector—estimated to be responsible for more than 25 per cent. of emissions of the main greenhouse gas, carbon dioxide—and because of the desirability of ensuring that every household has access to affordable warmth. I am sure that all hon. Members support that aim, but the report shows how far we are from achieving it.

The guidance notes go on to say that the Secretary of State takes the view that an overall improvement in energy efficiency of 30 per cent. in residential accommodation covered by the Act in England alone is to be regarded as significant, and gives advice accordingly.

The report states that £25 billion to £80 billion is needed to meet that target. It also states that one in five homes cannot be improved to current building regulation standards, and recommends that they should be replaced with new homes. That would mean a massive increase in the house-building programme, in line with the building programme that occurred after the war.

I am sure that the Minister will say that the report tells us that most households are satisfied with their heating systems—only 13 per cent. are not. It is difficult to square that with the objective findings that show the appalling state of our housing stock in terms of energy efficiency.

In case study 4, which deals with a family of owner-occupiers who bought their low-rise flat from the local authority, the family stated in the questionnaire that they were fairly satisfied with their heating system, which was a rather old central heating system. The report notes, however, that at the start of the interview the family voluntarily identified heating as something that they were unhappy about. There seems to be a problem with the collection of the statistics. Nevertheless, I congratulate the Government on the report, which shows how much work needs to be done to bring our housing stock up to scratch.

What have the Government done to bring about such a sorry state of affairs? When I first became involved in politics as a councillor in Birmingham, we had a housing investment programme of £75 million a year. I have checked with Birmingham council, and the housing investment programme allocation for next year is £28 million. One must take into account the difference in prices between the 1979-80 figure of £75 million and the 1997 figure of £28 million, which demonstrates the enormous reduction in investment not just in the council housing sector but in housing associations.

In its 1992 election manifesto, the Conservative party claimed that it was spending £2 billion a year on the housing association sector. That expenditure was reduced to about £650 million in this year's Budget—a massive cut that exemplifies the Government's failure to honour their pledge to the country in 1992. It is just another in a series of broken Tory promises.

[Dr. Lynne Jones]

Reduced investment leads to all sorts of misery. I know from my surgeries the appalling conditions in which many of my constituents are living. Only 5 per cent. of council-owned stock in Birmingham has energy ratings that meet current building regulation standards of 70 per cent. energy efficiency. Some 15,000 homes are below the national average of 35 per cent. energy efficiency—which is itself too low and needs attention. It is reckoned that it will cost £1.3 billion to raise council housing in Birmingham to modern standards—and, as I have said, the council's housing investment allocation this year is only £28 million. That illustrates the Government's sorry record in this area, particularly their failure to honour their manifesto commitments.

The Government's energy efficiency programme also comprises the home energy efficiency scheme. The Chancellor increased spending on the scheme to £100 million in his 1994 Budget Statement—a mere drop in the ocean in view of the scale of the problem. However, the Government could not maintain even that level of spending and, despite promises from the Chancellor and two other Ministers to maintain it for three years, in November 1995 it was cut to £75 million. That caused many redundancies in firms operating home energy efficiency programmes. Expenditure has not increased this year, and remains at £75 million. We should contrast that figure with the £60 million in assistance provided to those on low incomes through the cold weather payments scheme.

We must invest in our housing stock. There are many ways to do it, but the Government are failing in that task. Although £80 billion sounds like a lot of money, the same sort of sum was spent on Trident. We cannot bring that money back, but it would be good if, as we approach the 21st century, the Government—hopefully, there will be a new Government after the election—would give a commitment to tackle the problem and make Britain the best housed nation in Europe. It is not an insuperable problem: it could be done. The Government recently announced their intention to spend £15 billion on the Eurofighter aircraft. Those aircraft were conceived during the cold war and are now unnecessary. That money could be used to improve the energy efficiency of our housing stock, which would have a favourable impact on global warming and do more to ensure global stability than military spending of that nature. Perhaps that funding could be targeted.

I am pleased that my right hon. Friend the shadow Chancellor has committed the next Labour Government—who I am sure will soon be in office—to a programme of energy efficiency funded by the windfall levy on public utilities. It is most appropriate to spend the excess profits of the gas and electricity industries on a programme to improve energy efficiency, reduce fuel consumption and make people more comfortable.

The debate gives the Government an opportunity to announce their plans for the future. They have failed to tackle the housing problem in their 18 years in office—I wonder what commitments they will make in their next manifesto. The Government must pull their socks up if they are to perform at a level anything like that needed to make Britain the best housed country in Europe—an aim that we must all share as we approach the millennium.

12.44 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I welcome this opportunity to debate the important subject of home energy efficiency. It will probably be no surprise to the hon. Member for Birmingham, Selly Oak (Dr. Jones) to learn that I do not agree with the conclusions that she has drawn from our report. I do not believe that any objective interpretation of that report supports her conclusions. Nevertheless, I welcome the opportunity to debate its important findings.

In the words of the hon. Lady, this is a very hefty report. It is the most comprehensive and detailed review of the energy efficiency of the housing stock yet published, and it represents a very careful analysis by the Building Research Establishment of a formidable body of survey data. As the hon. Lady said, we published the report in November last year. I assure her that there was no delay in releasing the information, and results were published as they became available. Early findings were published in the main report of the English house condition survey 1993 and further results were published in 1995 in the Department of the Environment's guide on energy efficiency in council housing.

The hon. Lady selected some figures from the report and placed her own interpretation on them. I do not deny that some households have faced difficulties, especially during the extremely cold weather that we have experienced in the past few weeks, but her selective use of the report's evidence fails to do justice to the subject and does not put the figures into proper perspective.

The starting point for the debate should be the fact that this country's housing stock is relatively old. That brings some advantages: many people value the style, space and arrangement of older houses, but they were constructed when fuel was cheap and when the technology of energy conservation was not well developed. The price we pay is a housing stock that is energy inefficient but which can be—and, crucially, is being—improved. Although the houses are technically inefficient, the survey shows clearly that the great majority of households—some 87 per cent.—are satisfied with their heating. Although we know that elderly householders face particular difficulties, the survey shows that more than 90 per cent. of householders over 60 years of age are satisfied with their heating.

I am especially encouraged by the fact that the figures have improved continually. A similar survey carried out in 1986 found that only 80 per cent. of householders were satisfied with their heating. That is some measure of the improvements that have been made since then. Successive reports of the English house condition survey have shown that great strides have been made in home heating standards in recent years. In 1971, only one in three homes had central heating. By 1991, the proportion of homes with central heating had risen to more than four in five and ownership of homes with central heating continues to grow.

Moreover, in 1971, nearly one in four households still heated their homes with coal fires. By 1991, that proportion had dropped to fewer than one in 15. Nearly 80 per cent. of households now enjoy the convenience and increased efficiency of gas-fired heating. Similarly, the standard of insulation has improved dramatically in the past 20 years. The number of homes with insulated lofts

has more than doubled from 42 per cent. to 90 per cent. The percentage with insulated cavity walls has increased tenfold in the same period and the proportion of homes with double-glazed windows has increased sevenfold.

Most households have derived the benefits of those improvements in increased comfort and, as a result of those improvements and the increasing use of domestic appliances, energy consumption has remained at broadly the same level. Without those improvements in insulation and in the efficiency of heating and other appliances, it is estimated that fuel consumption could have risen by 50 per cent. The switch from coal to gas has produced a significant reduction in carbon dioxide emissions and made a contribution to the substantial progress that we have achieved in meeting our climate change commitments under the climate change convention.

Our homes are generally much warmer than they were 20 years ago. That has direct benefits in comfort and health. Although housing conditions are not the sole cause of excess winter deaths, the fact remains that the number of such deaths has halved since the early 1970s. It is not unreasonable to assume that that is in part a reflection of improvements in the way in which homes are heated. Nevertheless, we recognise that while homes remain energy inefficient, some households will continue to face particular difficulties. That is why cold weather payments are made available to those who are most vulnerable in periods of cold weather. So far this winter, more than 5 million payments have been made, totalling £43 million.

We fully accept, as the report shows, that there remains a good deal to be done. The Government are pledged further to improve energy efficiency as part of our commitment to sustainable developments and to containing United Kingdom carbon dioxide emissions, taking into account resource and economic considerations.

The domestic sector is responsible for nearly 30 per cent. of carbon dioxide emissions. We have taken many initiatives to improve the energy efficiency of domestic dwellings. With the aim of increasing the energy efficiency of new housing and reducing carbon dioxide emissions, the Government amended part L of the building regulations dealing with the conservation of fuel and power in 1990, and again in 1994. The 1994 amendment extended the provision for energy conservation to the conversion of existing buildings. New homes are now highly energy efficient.

As the energy report shows, however, there are many vulnerable households living in older property that find it difficult to heat their homes adequately. The largest single programme in the Government's energy efficiency programme is targeted on those households. The home energy efficiency scheme provides grants for basic home insulation and advice for householders who receive an income-related benefit, a disability allowance or who are aged 60 or over. The budget is about £73 million in 1996-97, equivalent to about 400,000 grants.

Dr. Lynne Jones: Will the Minister explain why the Government did not honour their commitment to spend £100 million for three years after 1994-95?

Mr. Clappison: As the hon. Lady may know, that is linked to changes in the application of value added tax on domestic fuel. We have maintained our commitment to a substantial programme to help the households that I have described with home energy efficiency. The hon. Lady will be pleased to know that we have recently announced a 3 per cent. increase in the budget for 1997-98, to take spending up to £75 million.

The scheme is popular and well regarded, and has already helped more than 2 million households—10 per cent. of the stock—since it was set up in its present form in 1991. That represents 2 million low-income and disabled households which have been able significantly to increase their comfort levels and keep themselves warm. The environmental benefits of the scheme are, rightly, secondary to its social benefits. Even so, they are not negligible, as the measures are long lasting and will, over time, contribute significantly to reduced carbon dioxide emissions.

My hon. Friend the Minister with responsibility for energy efficiency recently announced significant changes to the home energy efficiency scheme to make it even better. From later this year we shall be introducing new measures, such as cavity wall insulation and heating control upgrades, in addition to the basic measures of loft insulation, draught proofing and pipe and tank lagging.

Home energy efficiency schemes will continue to provide a high-quality programme of improvements to the housing stock. In recent years, the scheme has been supported by other programmes of improvements, especially those promoted by the Energy Saving Trust in partnership with the electricity regulator and the regional electricity companies under the general title of standards of performance. We have recently announced further Government support for the Energy Saving Trust. About £71.5 million will be available to the trust from 1996 to the year 2000 to promote the efficient use of energy, an increase of £21.5 million on previous public expenditure plans for the years 1996 to 1999.

The Government have fully recognised the role that local authorities can play. Under the Home Energy Conservation Act 1995, which came into force in England in April 1996, local authorities are required to prepare and publish reports on the energy efficiency of all the residential accommodation in their areas. The reports must identify practical and cost-effective measures that will significantly improve the energy efficiency of those dwellings.

The Government have played a full part in ensuring that the aims represented by the Act can be achieved. We have issued guidance, prepared with the full co-operation of local authority associations and other bodies with an interest in energy efficiency, which has stipulated that a "significant improvement" will not be less than 30 per cent. Detailed assistance with the preparation of the report has been provided, including free software to help authorities to assess the housing stock in their areas.

As a further part of the framework supporting implementation of the Act, revised guidance to local authorities on developing and implementing effective energy efficiency strategies for all housing in their areas is in preparation. This will update and supersede the well received guidance that the Department first issued in 1993 on energy efficiency in council housing.

The result of the Home Energy Conservation Act will be a 10 to 15-year programme to bring about a comprehensive improvement to the housing stock. For the

[Mr. Clappison]

first time, statutory authorities have been given a duty to take energy efficiency seriously, and we have made it clear that we expect to see results.

The Act extends local authorities' sphere of influence into the private sector. It recognises the unique position of local authorities to bring a strategic oversight to energy issues. The great majority of homes are in private ownership, and that means that the responsibility for taking necessary action must rest with owner-occupiers and landlords. Local authorities, however, are well placed to encourage that action through information, advice, education and publicity, and the Act lays great emphasis on that. It also provides an opportunity for partnerships with a wide range of other agencies.

In addition to the activities to which I have referred, through the Home Energy Conservation Act, energy efficiency has also been achieved through the new estates renewal challenge fund competition. A total of £174 million was allocated in June 1996 under the first round of the scheme to 11 authorities to facilitate transfers of poor quality local authority housing to registered social landlords. Estates renewal challenge fund money is going towards essential improvements to the stock, which are necessary in many instances to bring homes up to modern standards and to make a transfer viable.

A number of round 1 schemes include measures such as new double glazing, roof insulation and insulation through the cladding of tower blocks. These and other such improvements will greatly improve the energy efficiency of the homes concerned. That will in turn improve the living standards of tenants, save them money in meeting heating bills and assist in making the estates attractive investments for the private sector. These are part of the wide range of activities that we are undertaking. There is also the work that we are doing through private sector renewals and the home improvements agencies, all of which is bearing fruit.

I hope that I have set out the positive measures that we are taking to improve existing stock. As I said at the outset, the starting point for the debate is the fact that much of our housing is relatively elderly.

I listened carefully to the hon. Lady's arguments. By implication—I noted this in passing—there was a strong and pronounced plea from the hon. Lady for additional public spending, including public spending on house building. She referred to the targets that have been set by the shadow Chancellor, but she knows that the activities that are to be funded through moneys raised through the windfall tax do not extend to house building.

Dr. Jones: Will the Minister give way?

Mr. Clappison: I shall not give way again.

The hon. Lady should know that we are meeting our target on social housing. It seems that she is making a plea for considerable increases in public spending in that area, as well as a diversion of expenditure from defence. It is not clear whether she wants a diversion of public expenditure or additional expenditure. The hon. Lady is nodding, which leads me to think that she is in favour of additional public expenditure. These are matters of interest. She made the charge that we have not spent sufficiently on social housing. She will know that we have set a target of 60,000 social housing properties below market rent, and we are achieving that without the additional spending and building that she seems to favour, which was a very pronounced feature of her speech. I hope that that fact will not be lost.

We have already achieved a great deal through a range of programmes and public spending and are bringing about a pattern of improvement that is—

Dr. Jones: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael Morris): I hope that it is a matter for the Chair.

Dr. Jones: The Minister is attempting to prevent me from making a contribution and from responding—

Mr. Deputy Speaker: Order. The hon. Lady knows that that has absolutely nothing to do with the Chair.

Mr. Clappison: I have given way to the hon. Lady once already.

I conclude by saying that we have done a great deal, and the objective interpretation of the report is one of improvements—

Mr. Deputy Speaker: Order. We must now move to the next debate.

US-UK Air Service Agreement

1 pm

Sir Peter Fry (Wellingborough): I am honoured that my right hon. Friend the Secretary of State will reply to my humble debate. It shows the significance and importance of the subject that I am raising.

The talks between Her Majesty's Government and the United States Government on changes to the bilateral air agreement between our two countries are of the greatest significance for civil aviation in this country. The move towards an open skies policy between us means not only that a new era has begun but probably that our Government will have to play the highest card left in their hands—control of access to Heathrow airport. Therefore it is surprising that this appears to be the first time that the negotiation has been debated on the Floor of the House, and then, alas, for only half an hour. I know that other hon. Members are anxious to take part.

The inevitable background to the talks and the proposed alliance between British Airways and American Airlines is the proposal that 168 slots at Heathrow will be transferred. This transfer is presumed to quieten concerns over the possible dangers to competition arising from the alliance.

Let me make it clear that I do not in any way endorse the view of the European Commission that the issue is its responsibility. A Commission that has allowed and condoned massive handouts to national airlines in France, Spain, Italy and Greece, to mention just a few, has no right to expect confidence in its ability to enforce fair competition.

In addition, I do not raise the issue to attack British Airways. I am well aware of its great success since privatisation. However, some considerations lead me to ask whether all the facets of the issue are being properly examined.

First, if confirmed by the bilateral talks, is the British Airways-American Airlines deal really in the best interests of the consumer? At the moment, the two airlines have a 100 per cent. monopoly of 13 transatlantic routes, and 80 per cent. of other routes, particularly the important ones—London-New York, London-Boston and London-Chicago.

Many of the slots that are supposed to be released will be only on a temporary lease and will not, in the eyes of many other airlines, really provide powerful enough competition, especially as they would have to be divided between seven competing airlines wanting to run new services from Heathrow, at least two of which are British. Such a monopoly on so many routes is not healthy. As we have seen over the years in Europe, we know to our cost that many fares are still too high. It is clear that at least three carriers are needed on each route to ensure adequate competition.

There is a further concern that British Airways, having given up some slots, could switch the use of other slots that it currently holds. There is a worry in some regions of the country that that could affect regional services, so they will require some guarantee or reassurance on that point.

If the intention is to strengthen competition, how can British Airways suggest that it sells its slots at about £3 million a time? That would amount to approximately £500 million for British Airways. I have never understood how any airline can claim to own something for which it has not paid, and which is of value solely because of Government action, for example licensing services into Heathrow.

As a member of the Select Committee on Transport, I asked the former Secretary of State for Transport, my right hon. and learned Friend who is now Foreign Secretary, what his views were. His response was similar to the remarks that he made to the American Chamber of Commerce on 24 July 1991. He said:

> "No airline has a legal right to a landing or take-off slot. Rather, airlines have permission, and this must be subject to the public interest . . . People, rather than airlines, come first. The government will decide aviation policy on the basis of what is best for the travelling public, and if this conflicts with the interests of any individual airline, the former will take priority."

He concluded by saying:

> "British Airways has benefited over the years from the competition it has received from smaller British airlines. The government will continue to seek to extend the opportunities for all British airlines in Europe, in the United States and right around the world."

Will my right hon. Friend tell the House whether Her Majesty's Government's policy on this point has altered? If so, when and why? If an airline sells only some of its slots and continues to use others, keeping the payments that are made for them, it has extra resources available to fight competitors.

My third question is whether Her Majesty's Government should make an agreement with the United States soley on the basis of the British Airways-American Airlines alliance. Many will argue that there are other considerations, such as the need not just to consider the consumer but to benefit other British airlines that also wish to use Heathrow more—British Midland would like to develop new European routes and says that it needs more slots to do so, and Virgin Atlantic also wishes to increase its intercontinental services—let alone meeting the need to make room for new services from new competitors.

Is there not a danger that if US negotiators feel that our overriding concern is to cement the British Airways-American Airlines deal they will not offer us much else in the negotiations? There are those who fear that a one-sided open skies policy would allow the United States to enjoy extra freedom rights beyond the United Kingdom to Europe and further afield, while British airlines, including British Airways, would gain no greater access to the US domestic market, which is by far the largest in the world with nearly half of all aircraft movements.

The possibility of giving away entry control at Heathrow has led others to ask for more meaningful access in the United States for all UK carriers that want it. The question of cabotage should surely be on the agenda for the intergovernmental talks.

I say to my right hon. Friend that I fully understand why the Government want to help British Airways in its competition with the biggest of the world's airlines, all of which are based in the United States. I suggest to my right hon. Friend that we should never forget that other United Kingdom airlines exist, and they deserve encouragement. I refer to his predecessor's speech from which I quoted.

At this moment we should recall the treatment of Laker Airways, which competitors froze out of the market, and where compensation was paid only long after the airline

[Sir Peter Fry]

ceased to fly. I hope that my right hon. Friend will agree that that episode was not the happiest memory in the history of British civil aviation.

My fourth question relates to the ownership of airlines. We know that current United States law forbids foreign ownership or control of a United States airline. That means that, unless the law is changed, British Airways—or any other British airline—can never take over any American airline. Certainly, BA cannot take over American Airlines. Can my right hon. Friend tell the House of any similar legal device that would prevent American Airlines, or any other foreign airline, from taking over BA? In view of what has happened in the public utilities, I suspect not. Moreover, I understand that between 20 and 25 per cent. of BA shares are already in the hands of American investors.

My fifth question relates to the Government's intention regarding the treaty negotiations, and the apparent advantages and disadvantages to be gained or lost from any change. In an attempt to obtain information, I tabled a question to the Secretary of State—Question 5657—in November. I asked

"what information he has asked the CAA to provide concerning benefits to the United Kingdom that would arise from the proposed British Airways-American Airlines alliance; and what factors underlie changes from the previous practice in respect of consultation with the CAA."

A junior Minister replied:

"It is for the competition authorities to analyse the proposed British Airways-American Airlines alliance. I understand that the CAA has contributed to the analysis carried out by the Office of Fair Trading."—[*Official Report*, 29 November 1996; Vol. 286, c. *420-21*.]

Not surprisingly, that reply did not entirely satisfy me, and shortly before the Christmas recess I tabled another question. I asked the Secretary of State whether his officials had discussed with the CAA

"the issue of commissioning a balance of benefits study in relation to the renegotiation of the US-UK Air Service Agreement (Bermuda II); and what assessment he has made of the adequacy of the analysis in relation to the bilateral talks."

The same junior Minister replied:

"Officials regularly discuss UK-US aviation matters with the Civil Aviation Authority, and such discussions have included the feasibility of an overarching 'balance of benefits' study of liberalising UK-US air services. We decided not to instruct the CAA to undertake such an analysis; the number of variables which would need to be taken into account, and assumptions which would have to be made, would make it impossible to model results which could be treated with any confidence. I am however satisfied that UK negotiators are fully briefed for the current series of bilateral talks."—[*Official Report*, 13 January 1997; Vol. 288, c. *111-12*.]

I find that reply remarkable. I have been given to understand that, in the past year or so, the Department itself has requested the CAA to undertake an analysis of the benefits or disbenefits of a European-US open skies agreement. That is clearly much more complicated than the UK-US bilateral. I have also been informed that the CAA has been prepared to produce such an analysis for the present situation. I feel that I must ask my right hon. Friend to explain why the Department abandoned the chance to obtain a balance-of-payments study.

Furthermore, if no such study or analysis can be conducted, will it not be more difficult for the House and all interested parties to judge how successful or otherwise the negotiations turn out to be? Even our own negotiators would surely have been assisted by an analysis. It could even be asked how my right hon. Friend himself can be sure that any agreement is in the best interests of the United Kingdom's airlines and consumers.

I realise that I have asked my right hon. Friend a number of questions that he may not have time to answer fully today, but I believe that they need to be answered, and I hope that he will assure me that answers will be forthcoming.

Let me repeat that I have great admiration for British Airways and its achievements. Some critics, however, feel that it has somehow managed to "sew up" the Department of Transport on the question of the bilateral, and I think that such suspicions will only be confirmed by cagey departmental replies to the questions being raised. According to some newspapers, the chief executive of British Airways has also "sewn up" the Labour party in exchange for his advice to the Leader of the Opposition. I sincerely hope that neither statement is true, but, if either were true, it would not reflect well on the civil aviation policies of either of the main political parties, both of which are now supposed to believe in competition and value for the consumer.

Mr. Brian H. Donohoe (Cunninghame, South): Will the hon. Gentleman give way?

Sir Peter Fry: I am sorry; I have only a short time left.

I believe that the guiding principles of our civil aviation industry should be fairer competition, less monopoly, greater opportunities for British airlines in foreign markets—including the United States—enabling new services and airlines to come into being, and the long-term consideration of the interests of the consumer. No one will be more delighted than me if my right hon. Friend can assure me that he agrees, and that those are the very principles that will be kept in mind during the current negotiations with the United States. I await his reply with interest, but, as I have said, I accept that he may have to expand on it at a later date.

1.15 pm

The Secretary of State for Transport (Sir George Young): I am grateful to my hon. Friend the Member for Wellingborough (Sir P. Fry) for raising what he rightly described as a very important subject, and bringing his insight and experience of civil aviation matters to our debate. If I do not manage to deal with all his questions, I will indeed write to him and be as helpful as I can.

Let me make two points clear at the outset. The first relates to the position being taken by the United Kingdom in its current negotiations with the United States, which will resume in Washington on 4 February. I hope that the House will understand that it would not be appropriate for me to go into details of the UK's negotiating position here: it would make life much harder for the Department of Transport negotiators if their US counterparts were able to formulate a position based on their reading of *Hansard*.

We have adopted a robust negotiating posture in the negotiations—so robust, indeed, that the Americans withdrew from them last August. We are beholden to no particular sectional interest in the United Kingdom. Let me respond to the point raised by my hon. Friend at the end of his speech by expressing the hope that the

UK Government will be able to reach a liberalising deal with the US, to the benefit of consumers, UK business and airlines generally; but I have no quarrel with his broad description of our overall objectives.

Mr. Donohoe: Will not the whole process of the bilateral discussions be improved and strengthened, given that the Governments of both countries have perhaps been dragging their feet in terms of the proposed alliance between British Airways and American Airlines? Will not attention be focused on the process in a way that it may not have been so far? That is why we have been negotiating, or attempting to negotiate, for so long.

Sir George Young: I think that I agree with the hon. Gentleman. My own view is that it is in everyone's interest for a liberalising agreement to be reached between the UK and the US, involving more competition, more services, more innovation and more competitive tariffs, but there are difficulties that need to be resolved before we can arrive at that point.

The second qualification that I need to make clear at the outset relates to the proposed alliance between British Airways and American Airlines. The Director General of Fair Trading is currently considering responses to his examination of the proposed alliance under the merger provisions of the Fair Trading Act 1973 and article 85 of the treaty of Rome. My hon. Friend will understand that, because of the formal position of my right hon. Friend the President of the Board of Trade, it would not be appropriate for me to comment on specific competition or consumer aspects of the proposed alliance. My hon. Friend dwelt on those aspects in some detail. I will, however, draw what he said to my right hon. Friend's attention, and see whether he can respond on issues for which he has ministerial responsibility.

It may help if I set out the current position on UK-US air services. Aviation relations between the UK and the US are governed by the Bermuda II agreement, signed in 1977, which has subsequently been amended on many occasions. As it stands now, the arrangement allows full access by US airlines to all airports in the United Kingdom except for Gatwick and Heathrow, which means that there are no restrictions on carriers mounting transatlantic services to airports such as Birmingham, Glasgow, Manchester and Stansted.

Capacity and designation restrictions apply at Heathrow and Gatwick airports. On the routes operated, rules specify the number of airlines which may operate and the capacity that each side may operate in relation to the other. Only a limited number of routes can be operated from Heathrow—to 12 specified destinations—which are restricted to two carriers from each side: British Airways and Virgin Atlantic Airways, for the UK; and American Airlines and United Airlines, for the US.

Bermuda II is a balanced agreement, providing UK and US airlines with broadly equivalent opportunities. Over the years, market share has typically been split 50:50, although recently the split has been 60:40 in the UK's favour—which is due partly to the capacity UK carriers provide the market by using larger aircraft and to the high quality of service provided by British Airways and Virgin. Anyone who has travelled across the Atlantic on either of those carriers does not need me to point out that they lead the world in the product they offer.

Since Bermuda II was signed, the market has grown threefold, and the consumer has been well served in choice of destination and competitive fares. It is a UK success story. One in every four passengers travelling between Europe and the US travels with BA or Virgin, and many passengers from continental Europe choose to fly over London with a UK carrier rather than with a carrier based in their own country.

I shall now deal with the point made by the hon. Member for Cunninghame, South (Mr. Donohoe) in his intervention. The Government are committed to liberalising the air service relationship between the UK and the US. We believe that the consumer is best served in an open and fair market, in which carriers can choose which services to operate. By allowing competition from both established and new entrant carriers, such a liberalised arrangement leads to increased choice, better service and lower fares.

The UK has long been in the forefront of pushing for liberalisation. Our experience of liberal markets has shown that more carriers come on to routes, fares become more competitive, service standards rise and everyone benefits—such as other businesses, the travelling public and, not least, the airlines themselves.

In 1993, the then Secretary of State for Transport, my right hon. Friend the Member for South Norfolk (Mr. MacGregor), and his US counterpart, the then Transportation Secretary, Federico Pena, made a public commitment to liberalisation of the UK-US market. The Government believe that liberalisation of that market must be based on a balance of opportunity for carriers of both sides. Crucial to that goal is the ability of UK airlines to obtain fair access to international travellers originating in or travelling to the large US domestic market, without which UK carriers would suffer a competitive handicap.

Nearly one third of all passengers start or end their journey in the US behind a gateway point. The Government believe that access to US "beyond gateway" traffic is important, and that one of the best ways of achieving such access is through alliances between UK and US carriers. That view has been taken by other Governments and airlines in Europe, where in recent years there have been a number of transatlantic alliances.

Recent attempts to liberalise the UK-US aviation agreement have not been entirely successful. After the 1993 commitment by the UK and the US to liberalise arrangements within a year, the UK proposed a phased liberalisation approach, built around British Airways's plans for further investment in USAir. The US broke off those negotiations in December 1993.

In 1995, both sides resumed a phased approach to negotiations, and, in June 1995, a limited deal was reached. The deal allowed a second US airline on the Chicago-Heathrow route and increased services by BA to Philadelphia; agreed expanded code-sharing opportunities for both sides; agreed some limited access to US Government traffic—known as "Fly America"—through BA's arrangement with USAir; and, perhaps most significantly, agreed regional liberalisation, enabling any number of US and UK airlines to operate from any point in the US to anywhere in the UK, apart from Heathrow and Gatwick.

The 1995 deal was followed by an immediate resumption of negotiations on further limited and balanced access to Heathrow and Gatwick, cargo services,

[Sir George Young]

charters and pricing, and some additional limited access to "Fly America" traffic was allowed. In October 1995, however, the US again broke off negotiations.

Since the 1995 breakdown in negotiations, the US-Europe market has developed. Several large alliances have been created, such as those between United Airlines, Lufthansa and SAS, covering the German and Scandinavian markets; Delta, Swissair, Austrian and Sabena, covering the Austrian, Belgian and Swiss markets; and KLM and NorthWest, covering the Dutch market. The US authorities have given anti-trust immunity to each of those alliances, enabling them to co-operate in such areas as routes and pricing, and to build large multinational networks.

We believe that the UK-US aviation market should not be viewed in isolation, but in the context of the overall European-US aviation market. The UK is strong in that market, as 40 per cent. of the US-Europe market travels to or from the UK. The next biggest share is held by Germany, which has 18 per cent. Heathrow is the pre-eminent international gateway for travelling to the US, and many passengers choose to do so via other points in Europe and beyond. Gatwick is increasingly important in that market, and regional airports, including Manchester, have benefited from recent liberalisation.

We are doing well, but strong competition is developing from the other European alliances and airports—such as Frankfurt, Charles de Gaulle and Schipol—which are challenging our pre-eminence. It would not be in the UK's interest to lose our strong position in that market. The alliances developed between other European and US airlines—some of which are very large—represent a competitive challenge to the UK's strong position, and undoubtedly they were formed, in part, to challenge our position. UK airlines can be expected to wish to make similar arrangements so that they can continue to compete strongly.

The Government believe that the proposed BA-AA alliance could provide the basis for liberalising arrangements with the US, provided that the competition authorities are satisfied with the alliance. In its report of 30 July 1996, the Transport Select Committee supported our position. It stated:

"We would not wish the UK to 'miss the boat' in these developments and believe the alliance between British Airways and American Airlines could be a means of ensuring that the United Kingdom continues to be a major player in the world air transport industry to the great benefit of the UK economy."

Formal negotiations with the US are under way—they will reconvene on 4 February 1997—and will be without prejudice to investigations by the relevant competition authorities. As I said, I cannot comment on specific competition or consumer aspects of the proposed alliance, but I should like to make one point clear. The Government firmly believe that the UK competition authorities possess the necessary powers to investigate and, if appropriate, to approve the proposed alliance. The UK's credentials on general airline competition speak for themselves. No member state in the Community has more consistently and actively been in favour of open competition on equal terms within the single European aviation market than the UK.

Control of aviation state aid is one sphere in which the Commission undeniably has responsibility to ensure free and fair competition. Over the years, however, the equivalent of many billions of pounds have been poured with the Commission's full approval into state-owned national carriers by some of our European partners. My hon. Friend the Member for Wellingborough mentioned that matter in his speech, and I should like to give the House some examples of aid packages authorised by the Commission. In 1993, the Commission authorised about £165 million to be paid, over three years, to Aer Lingus. In 1994, it authorised about £700 million to be paid, over three years, to the Portuguese airline TAP. In 1994, it authorised about £1 billion to be paid, over three years, to Olympic Airways. Again in 1994, it authorised about £2.4 billion to be paid, over three years, to Air France.

More recently, in 1996, the Commission authorised Iberia Airlines to receive about £460 million, with the possibility this year of receiving another £100 million. In addition to that distressing catalogue of single market distortions, the Italian Government have recently asked permission to inject about £1.2 billion into Alitalia. The Commission is investigating the matter.

In contrast, UK carriers have received not a penny of assistance from the UK Government. They have had to compete by funding their investment out of their own resources, knowing that they would go to the wall if they failed to keep pace with their subsidised competitors. I am proud that BA, Virgin, British Midland and so many other UK carriers have risen so successfully to that challenge. They are still disadvantaged, however, by the failure to get to grips with state aid elsewhere in Europe.

My hon. Friend asked one or two specific questions that I shall now answer. The Department has not asked the Civil Aviation Authority to undertake a balance and benefits study for the precise reason that he gave. I shall make inquiries about earlier studies into matters European and write to him.

There are restrictions that would prevent AA from taking over British Airways. European Union law requires effective ownership and control of an airline to be in the hands of EU nationals, so at least 51 per cent. of BA has to be in EU ownership.

Towards the end of his remarks, my hon. Friend mentioned the negotiations. I can confirm that the following issues are part of the current discussions: liberalised market access for transatlantic traffic, including the lifting of designation, access and capacity restrictions at Heathrow and Gatwick; a liberal pricing regime; a dispute resolution framework involving an independent panel to ensure swift action against any abuse of market power; rights beyond services between the UK and United States; access to the United States internal market—

Mr. Deputy Speaker (Mr. Michael Morris): Order. We must now move on.

Unemployment and Poverty (Cornwall)

1.30 pm

Mr. Matthew Taylor (Truro): Cornwall is a poor county and has several of the country's worst unemployment blackspots. In fact, Cornwall is as poor as any region in Europe, our unemployment rate is as high as that of rural Portugal, and incomes and wealth per head are as low as those of the Aegean islands. This poverty is made worse by high costs: housing is expensive, public transport is scarce and, to top it all, we pay the highest electricity and water bills in the country.

Since 1 January, we have been hit by a series of blows: the loss of more than 300 jobs at the St. Ivel factory at St. Erth; the fact that 300 or more jobs are to go in St. Austell's china clay industry; the loss of the air link to Heathrow, which is vital for local businesses; and the news that the A30 improvements at Goss Moor have hit another Government delay.

Officially, however, the south-west region stretches westwards from Cornwall to include the far more affluent counties of Gloucestershire and Wiltshire. As a result, according to the Government's official statistics, Cornwall is simply a small part of the country's third richest region. This merging of Cornwall with a group of far more affluent counties has served to disguise its high levels of poverty and unemployment. Even taking Cornwall and Devon together as a mini south-west region leaves the impression that Cornwall is better off than it really is. It is therefore worth spending a few minutes on hard facts.

Let us start with unemployment. Seasonally adjusted figures for the entire south-west region released earlier this month showed an unemployment rate of only 5.5 per cent., the second lowest in the country after East Anglia and lower than the national average. However, the level of unemployment in our county is more than 25 per cent. higher than the national average. Unemployment in Cornwall actually rose last month, and the county continues to have several of the country's top 10 worst unemployment areas. Already this year, more than 700 jobs have gone or are to go. They have been lost as a result of long-term changes in the local economy and they are unlikely to come back.

For me, however, the key figures relate to the long-term trends for Cornwall compared with the rest of the United Kingdom. Suffice to say that economic reports for the county in the early 1970s, which I have read, talk of the problems of over-employment, with a shortage of workers to fill available jobs. Now, on current figures, our unemployment rate is 25 per cent. higher than the national average, and the gap has widened under this Government.

In December 1981, on the narrow based definition of unemployment—the only definition of unemployment at the time—the national unemployment rate was 12 per cent. In Cornwall it was 16.6 per cent., just over 38 per cent. higher than the national average. As economies fluctuate, those figures will vary, but the differential should not change for the worse—indeed, we would hope to improve it. But, in December 1996, the gap had widened from 38 to 54 per cent. higher than the national average on the equivalent figures. The current figure of 25 per cent. is based on a different calculation of unemployment.

The problems are not confined to people out of work. Those in work in Cornwall can expect to take home far less than the national average wage. Average male weekly full-time earnings in Cornwall are now under 80 per cent. of the national average, and the gap has been widening. In other words, wages in Cornwall are falling ever further behind the national average, despite bills in Cornwall going up more quickly than the national average. Female workers do not fare much better—they are earning just over 80 per cent. of the woman's national average wage. The gap between average female full-time weekly earnings in Cornwall and the national average is wider now than at any time in the past 15 years—indeed, it is twice what is was in 1981.

High unemployment and low wages combine to give Cornwall an average disposable income as low as anywhere in the UK. In 1993, the latest year for which figures are available, the national average gross domestic product per head was £9,263—taking into account everyone in the country, working or not. In Cornwall, it averaged £6,596, only a fraction more than 70 per cent. of the national average.

Costs, however, are high in Cornwall—that applies to housing, getting around and bills. The best-known example is water. Since privatisation, water prices for domestic customers in England and Wales have risen by an average of 39 per cent. in real terms. In the region served by South West Water, however, the rise has been much higher. Since privatisation, average water bills have risen by more than 100 per cent. and are easily the highest in the UK. Local incomes do not reflect that fact, and neither pensions nor benefits are adjusted to allow for it.

The problem is the same in housing. The difference between average incomes and average house prices is, I am told, the highest in the country. This makes the actual poverty far worse in practice because people cannot afford the bills in the way they might be able to elsewhere in the country on the same income.

I hope that there is therefore no doubt of the high level of need in the county. That level of need implies an equally high level of help from the Government, but, time and again, Cornwall does not get the fair deal that I believe it deserves.

Cornwall's councils are still funded by an average of £100 less per person compared with the rest of England. The gap is even greater if we look further afield—the two Coopers and Lybrand reports commissioned by the West Country Development Corporation make it clear that the county does not get the help that similar areas, often facing fewer problems, get—for example, Scotland and Wales. The west country tourist board received only around £400,000 from the Government last year for the whole of the south-west, whereas Scotland received £16.9 million and Wales £14.78 million.

Mr. Paul Tyler (North Cornwall): My hon. Friend may have seen the figures that Ministers produced for me this morning on the level of Government investment in the promotion and development of tourism in England generally. It now stands, in real terms, at one third of the commitment that existed even in 1979 whereas in Wales, Scotland and Northern Ireland it has increased by 50 per cent. in real terms. It has increased to the ridiculously low level of 10p per head in England—and, of course, in this context, that includes Cornwall.

[Mr. Paul Tyler]

Mr. Taylor: My hon. Friend reinforces what I am saying.

Statistically, as Cornwall is lumped together with its wealthier neighbour Devon or with the wider, even more prosperous south-west region, the county does not get the help it could and should get from Brussels. The county's poverty entitles it to the highest level of European grant funding but it gets only a lower level because it is linked statistically with wealthier Devon. Equally, British Government funds have been axed this week as the Rural Development Commission announced that cuts have forced it to close its business support programme.

Today's announcement by the Cornish company St. Merryn Meat that its next major development of 700 jobs will be in Wales not Cornwall illustrates the problem. The company emphasises the good road links to Wales, yet we still struggle to get the A30 completed. The Welsh Development Agency gave it 20 acres of land—we do not even have a development agency.

What does Cornwall need to build jobs, increase wages and create prosperity? How do we overcome the problems of high and rising unemployment, and of increasing poverty against a background of rising incomes in the rest of the UK? Let me set out what might be seen as a manifesto for Cornwall, containing eight key policies to put our problems right. Perhaps I should say at the start that most of them are already supported by most people in Cornwall, irrespective of political party. They are mainly issues on which all Members of Parliament and councillors have fought together, but we need national Government support. So far, the Government have not been persuaded. I hope that whichever party is in government after the general election, we can persuade it to act.

First, we must have a commitment to maintain the air link to Heathrow. It is a vital lifeline for business people in Cornwall, providing frequent global links that allow easy access to worldwide markets, as the Secretary of State for Transport said in the previous debate. The loss of that air route would be catastrophic for many businesses in Cornwall and would make the area even less attractive to inward investors, who often regard access to Heathrow as essential. English China Clay International, for example, has told me in the past that a number of its operations based in Cornwall for its international work could not be operated without the air link to Heathrow. That is not the only business that could consider relocating some operations out of the area if the air link were axed. I have received many letters on the issue, as have other Cornish Members of Parliament.

Gatwick is not a viable alternative. A connection to Gatwick has been tried in the past and proved unviable. Gatwick does not have the same range, let alone frequency, of international flight connections as Heathrow. The Secretary of State has already admitted that he has the power to ring-fence the landing slots at Heathrow for us. So far he has refused to use it. It is time that he did so.

Secondly, a date must be set for starting improvements to the A30 at Goss Moor. After halting the design work more than a year ago, late last year the Government announced that it was to restart—a widely welcomed announcement. The county council had a contract to do this, which it was half way through when the Government previously stopped it. The county council could start again immediately, but the Government are now insisting that the work is re-tendered, so nothing will happen until well after the general election, probably not until 1998. The lack of an efficient road link to the rest of the country is hurting local business and hurting the surrounding villages, into which all the tall, heavy lorries from west Cornwall have to be diverted, because they cannot drive down the main road through the county.

Thirdly, the Millennium Commission has an important proposal for a university for Cornwall before it. The plan has widespread, cross-party support and should be actively supported by the Government. Expanding higher education opportunities in Cornwall would be good for business and good for jobs, stopping the considerable brain drain of the best of Cornwall's young talent out of the county, to which they rarely return.

A similar proposal was a Liberal Democrat manifesto commitment at the last election. This time, I hope that all parties will be able to unite around that promise, on the back of Millennium Commission support. A university for Cornwall would give a much-needed economic, as well as intellectual, boost to the county. The campus would generate hundreds of new jobs and would bring an estimated £20 million a year into the local economy.

Fourthly, we need a commitment to the Eden project, which is also before the Millennium Commission. It is a hugely exciting project that would be a vital boost to visitors to Cornwall, creating much-needed jobs in the St. Austell area, which has been hard hit by the loss of another 300 jobs in the clay industry—losses that can only worsen, as they have over the past 20 years. Once access problems are overcome to protect local residents—I am sure that they can be—the project will become a symbol of optimism for the county and could be a genuine boost to jobs, cutting unemployment and giving the kind of investment in the county that will bring other economic gains.

The fifth vital commitment for Cornwall is that the Government—any Government—should back Cornwall county council's bid to be classified separately from Devon for European funding. Treating the two counties as one area has masked the true extent of Cornwall's relative economic disadvantage. The Government are reviewing the situation. I hope that they will agree that Cornwall deserves a separate NUTS 2 classification, as it is called—I do not think that the name represents a particular view on Europe, it is just the name that it has been saddled with. That classification would give Cornwall the highest rate of European economic support—the so-called objective 1 status, granted in this country only to Merseyside and the Scottish Highlands. That would also reduce the problem of finding matching funding in such a poor area, lack of which is currently holding up many projects that could otherwise go forward.

Sixthly, any new Government must review the funding that Cornwall receives. With fewer police, less for schools, less for development and less for local services, Cornwall has failed to get a fair deal over many years. The two Coopers and Lybrand reports proved that, but still no real action is being taken.

The seventh vital issue is a review of the system of water and electricity charging. The current system leaves us with the highest bills in the United Kingdom, hitting

businesses and people alike. Liberal Democrats have already outlined how we believe that that could be tackled. Ours is not the only possible solution, but a solution is needed.

The final, and most important, commitment must be the creation of a Cornwall development agency. The advantages that such an agency, if properly funded, can bring to an area are clear. The successful records of similar agencies in Scotland and south Wales confirm their potential, but they must be backed by adequate Government funding. A Cornwall development agency could draw on local expertise to back local small businesses, as well as the larger employers in the area. It could be a one-stop shop, providing advice and financial support for businesses in the county. Drawing together funds already held by the training and enterprise council, the Department of Trade and Industry, central Government and Europe, it would have real financial clout. It is important to remember that it would not be an extra, but would replace many of the existing agencies.

Decisions could be made locally and fast by people based locally, fully in touch with the problems and needs of the community. Their jobs would depend on bringing investment that far west. Anyone in such a job based further east can justify their job by developments further east, which are easier to bring in. Few developments come to our side of the Tamar.

We are not suggesting breaking links across the border. Cornwall has shown, through the joint office in Europe, that we can build links, working with others, but the agency must concentrate on success in Cornwall. Its work must be based on local knowledge and activity, backed by existing funding. That funding is currently so widely spread between so many organisations that many of them can do little more than print letter heads and fund their bureaucracy before they run out of money, which means that much of it is wasted.

The issue is too important to Cornwall for simple party politics. As I have said, most of the ideas have cross-party support in the county, but not, sadly, at national level, which is what counts for getting the go-ahead. That is why the Liberal Democrats commissioned an independent group of leading Cornish businesses and development experts to draw up a report on how an agency could be set up and how it would work. That report is to be published next Monday and I hope that every party will take it seriously. Whoever wins the general election, the new Ministers will find the report on their desks, with Cornwall demanding action.

People in the county want the chance to show what we can do. We know that we can make a real success of our economy—the talent is there—but this manifesto for Cornwall can be achieved only by Government action, because the power for each decision lies in London, not Truro. If the answer is yes, poverty and high unemployment can become things of the past in Cornwall.

1.47 pm

The Minister of State, Department for Education and Employment (Mr. Eric Forth): I congratulate the hon. Member for Truro (Mr. Taylor) on obtaining this Adjournment debate. The issues that he has raised are obviously important for his constituency and the surrounding area.

As the hon. Gentleman knows, last week we announced another large fall in United Kingdom unemployment and a strong rise in the number of people in jobs. That good news applies to all regions, including the south-west, which has the second lowest seasonally adjusted unemployment rate in the country, at 5.5 per cent. As the hon. Gentleman acknowledged, unemployment in the south-west has been falling over the past six months by an average of around 3,500 people a month. The national and regional picture is positive.

However, I accept that unemployment is still too high. I fully accept that more needs to be done in Cornwall in particular, where unemployment regrettably rose last month, against the trend. However, the current unadjusted unemployment rate for Cornwall of 8.8 per cent. compares favourably with the figures of 10.2 per cent. in December 1995, 14.5 per cent. in December 1992 and a peak of 15.5 per cent. in January 1986.

The hon. Gentleman referred to recent redundancies in Cornwall and in his constituency. Of course, the recent announcements from English China Clay International at St. Austell, and St. Ivel at St. Erth, did not make for the best of starts to the new year for those affected by them. We always regret job losses and want to do everything possible to help. Programmes such as training for work, work trials, jobfinder's grants, and so on, are in place to come to the rescue of people who unfortunately find themselves out of work—particularly if it is for a long period. The English China Clay International and St. Ivel rationalisations will be treated as major redundancies, which means that the normal eligibility conditions for the Employment Service and training and enterprise council programmes will be waived. That is a very important consideration for the individuals involved.

With help from the Employment Service and Devon and Cornwall training and enterprise council, there is good reason to believe that people affected can expect—directly or after retraining or other support—to find other work in the foreseeable future. I understand that, with regard to the proposed closure of the St. Erth factory, new jobs will be generated at other St. Ivel and Unigate processing plants in the region and redundant workers from St. Erth will be given priority for those jobs.

I hope that the hon. Gentleman will acknowledge that the recent news on jobs in Cornwall has certainly not been all bad. As a result of the Inland Revenue at St. Austell winning its bid to house the self-assessment inquiries and stores section, 300 to 400 telephonist jobs are being created over the next couple of months. He will be aware that a number of new retail jobs can be expected as the new Treliske retail park nears completion. He must also be aware of the £4.8 million six-year CHEERS project, led by Restormel borough council and funded under the single regeneration budget, which is aimed at building and providing housing refurbishment and redevelopment to strengthen community involvement, improve employment and raise skill levels.

I make such comments not of course unaware of the pain and problems caused by unemployment to those affected, their families, and, indeed, across a much wider area, but I do not think that the prospects are quite as gloomy as the hon. Gentleman appeared to suggest. We know that not all people who are made redundant become unemployed and that most spells of unemployment tend—mercifully—to be short. Of those people who do become

[Mr. Eric Forth]

unemployed, a quarter leave unemployment in one month, half in three months and two thirds in six months. Those are well-established trends.

However, we need to face the fact that the sort of job rationalisations to which the hon. Gentleman has referred are part of the process of a dynamic and changing economy—indeed a changing region, as he pointed out. It is not for the Government to interfere with or second-guess commercial decisions made by companies. If we were to try in some way to force companies to keep unprofitable sites open, we would inevitably add intolerable burdens to those already on business and risk destroying jobs in the long term, as our partners on the continental mainland have discovered very much to their cost.

We have to recognise that some jobs will be lost and others created, and that the pace of it will vary from time to time in different regions of the country. I should point out that it is to our great credit as a nation that the traditionally large disparities in unemployment between regions have largely been evened out. The extent to which we have succeeded as a nation in ensuring that, by and large, people up and down the United Kingdom have broadly the same opportunity to work is quite remarkable—a startlingly different picture from that even 10 years ago and certainly 15 or 20 years ago. We should be happy and optimistic about that. We must face the fact that people cannot expect to have the same job throughout their working life, and in doing so we must try to ensure that, whether by education, training or different kinds of support, we can help people to make the adjustments that inevitably arise from such changes.

The hon. Gentleman said much about economic assistance to Cornwall and implied—indeed I think said—that Cornwall was not somehow getting its fair share of Government funding. The problems that Cornwall faces are widely recognised in a number of different ways. That is why so much of the county has assisted area status and is eligible for regional selective assistance. Indeed, I understand that nearly £5 million-worth of regional selective assistance grants have already been offered in 1996-97 to companies in Cornwall, generating more than £31.5 million of investment and creating or safeguarding more than 600 jobs.

A number of other sources of assistance include funding to help develop the local economy under objective 5b of the European Community's structural funds. The private-sector led £8 million Bodmin business park, currently under construction, is an excellent example of how that funding is providing opportunities for business and new jobs in Cornwall. Local partners can apply for challenge funds under the single regeneration budget, and there is the new local competitiveness challenge fund, which was announced in October, under which local partnerships can bid for support for programmes to improve the competitiveness of local businesses.

I gather that there has been some misunderstanding locally over the fact that the Rural Development Commission's rural business support fund for rural development areas has become part of the local competitiveness challenge fund, as was alleged in a local newspaper. RDC money has certainly not somehow been cut and therefore become no longer available to rural areas. On the contrary, money formerly available from the RDC is part of the local competitiveness challenge, ring-fenced for rural areas—although that certainly does not prevent rural areas from bidding for further money that is available from the total pot for local competitiveness challenge.

Mr. Matthew Taylor *rose—*

Mr. Forth: I cannot give way to the hon. Gentleman because I am going to try to answer all his points in the very little remaining time.

The hon. Gentleman will be aware that, in April, my right hon. Friend the Prime Minister appointed my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration as Minister with special responsibility for the south-west, focusing particularly on Devon and Cornwall. He was given responsibility for co-ordinating Government policy towards the region and for taking forward a "new deal" for the area. That was in recognition of the distinct identity and needs of the region and is a clear demonstration of the Government's support for the south-west.

Since taking up his appointment, my right hon. Friend the Minister has been able to deliver on many of the key strategic issues identified by the West Country development corporation as crucial to the region's economic development. Such issues have included improving vital communications to the far south-west by, for example, securing the restart of work on the dualling of the A30 between Bodmin and Indian Queens and securing £650,000 of European Union money for a feasibility study to speed up train services between Bristol and Plymouth.

My right hon. Friend the Minister has taken a close interest in tourism—a key part of Cornwall's economy—and announced in November a pioneering project funded by South West Water to regenerate Newquay and other seaside towns. A Government-funded strategic study of tourism in the region is also under way, which will provide the region's tourist industry with the best possible analysis of where growth opportunities exist. I would therefore urge the hon. Gentleman to keep in touch with my right hon. Friend in the weeks and months ahead. I shall of course bring the hon. Gentleman's points to his attention.

I might add that I am aware of the perception that the west country generally gets a raw deal compared with, for example, Wales and Scotland, to which the hon. Gentleman referred, when it comes to big inward investment decisions backed by Government funding. Part of the problem is the lack of very large sites for major developments. None the less, my right hon. Friend the Minister has secured progress on the Broadmoor farm site near Saltash by removing the Highways Agency direction to refuse planning permission, thereby paving the way for serious negotiations between developers and the local council. He has also secured early progress on the disposal of Seaton barracks—a prime inward investment site which, although in Plymouth, offers the potential to provide many additional jobs to Plymouth and the surrounding area. In addition, he has announced English Partnership's £5 million factories first initiative, which will provide a stock of readily available units of more than 10,000 sq ft in Devon and Cornwall.

I know, too, that Devon and Cornwall Development International is working hard with the local authorities to attract inward investment. There have already been some notable successes—such as that regarding the United States company Harman International in Redruth—which have been backed by regional selective assistance funds.

The hon. Gentleman mentioned the low pay earned by his constituents. Low pay is of course a relative term. There will inevitably always be some people whose pay is lower than others. The fact is that real earnings have increased at all levels since 1979 and real take-home pay for the bottom 10 per cent. of full-time workers is 14 per cent. higher for a single person than in 1979. More important, low pay does not necessarily mean low household income because household income comes from a number of sources. A family may have more than one wage earner or receive earnings plus state benefits. Even the European Community has recognised that, in the UK, unlike in most EC countries, low pay is a relatively minor cause of low living standards. Here in the UK, the single main cause of low income is not having a job. The best way of helping the lower paid is surely through the creation of the right conditions for a growing economy and the removing of barriers to employment.

The most effective way of raising the living standards and prospects of unemployed people of working age is to help them to get to work. We set up a comprehensive range of measures to help people to provide a better standard of living for themselves through work. The new jobseeker's allowance, for example, helps people to plan the most effective route back to work and creates a better framework of advice and support for the jobseeker.

We provide help through the benefits system to ease the transition from unemployment to work through such measures as family credit and the back-to-work bonus. The Government are currently piloting earnings top-up—an in-work benefit for single people and couples without dependent children—which makes working more worth while and widens the range of potential jobs for unemployed people. From April, the new child maintenance bonus will provide a bonus of up to £1,000 for people with care who leave benefit for work and who were receiving child maintenance while on income support or the jobseeker's allowance.

I hope that the hon. Gentleman will therefore accept that the Government recognise the difficulties that Cornwall faces and are responding to them—perhaps not quite in the way in which he has suggested, but in a way that will be more effective in the short, medium and long term. I hope that he and the local community recognise and support the important work that my right hon. Friend the Minister is undertaking, and that all local agencies, like those in London, will do everything possible to respond to the problems that he has drawn to the House's attention.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

TRADE AND INDUSTRY

Mid Kent Water Company

1. **Dame Peggy Fenner:** To ask the President of the Board of Trade when he expects to make a decision on the Monopolies and Mergers Commission report on the bid for Mid Kent Water by General Utilities and Saur Water Services. [10587]

7. **Sir Roger Moate:** To ask the President of the Board of Trade when he expects to announce his decision on the takeover proposed for Mid Kent Water by General Utilities and Saur Water Services. [10595]

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): My right hon. Friend the President of the Board of Trade announced his decision to block the proposed bid for Mid Kent Holdings plc by General Utilities plc and Saur Water Services plc on 21 January. That decision was in line with the recommendation in the Monopolies and Mergers Commission report which he published on the same day, and the advice of the Director General of Fair Trading and the views of the Director General of Water Services.

Dame Peggy Fenner: I thank my hon. Friend for that prompt reply, and I welcome the decision. In view of the fact that, collectively, the two companies have a 38 per cent. holding in Mid Kent, may I ask my hon. Friend what reassurances he can give to the company that that situation will not happen all over again?

Mr. Taylor: My right hon. Friend the President of the Board of Trade has made it clear that the proposed bid by General Utilities and Saur for Mid Kent will be blocked and that undertakings will be sought by the Director General of Fair Trading from both companies. Those undertakings will be intended to ensure that those aspects of the proposed merger that the MMC identified as operating against the public interest are effectively prevented now and in the future.

Sir Roger Moate: I, too, congratulate the Secretary of State on a decision that will be warmly welcomed in much of Kent, and is clearly in the best interests of Kent and competition policy generally. Does my hon. Friend accept that that situation has arisen because rival companies have pooled their shareholdings to undermine previous undertakings? In the absence of the compulsory divestment of shares—which my right hon. Friend the Secretary of State is not seeking—how can we be sure that the situation will not arise again? Can my hon. Friend ensure that the undertakings will prevent the bid from being repeated or, indeed, being repeatable?

Mr. Taylor: The honest and candid answer to my hon. Friend must be vigilance on his part, and on the part of my right hon. and hon. Friends who represent constituencies in Kent and of the Director General of Fair Trading. If he or his constituents suspect that something that they do not want is about to occur, they must tell the Director General of Fair Trading straight away.

Electricity Industry

2. **Mr. Hanson:** To ask the President of the Board of Trade what representations he has received regarding takeovers and mergers in the electricity industry. [10588]

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Ian Lang): In the past six months, I have received some 80 representations regarding takeovers and mergers in the electricity industry. In addition, the Director General of Fair Trading has noted some 100 representations when advising me.

Mr. Hanson: Given that 50 per cent. of UK electricity companies are owned by foreign-based companies, does the Secretary of State feel that the Government have helped to defend the interests of British consumers by allowing the companies to be purchased? Is he aware that it is illegal for non-US citizens to buy shares in such companies in the United States?

Mr. Lang: First, I have had assurances from the American Secretary of Commerce, Mr. Mickey Kantor, that British companies can invest in electricity companies in the United States; and, secondly, the question of ownership does not affect the interests of the consumers. What matters to consumers is that the company is efficiently and competitively run. When the Labour party was last in power, electricity prices rose repeatedly by substantial amounts, but since privatisation, prices for both domestic and industrial consumers have fallen.

Mr. Couchman: Are there lessons to be learnt about hostile and predatory bids as referred to by my hon. Friend and neighbour the Member for Medway (Dame P. Fenner)? Does my right hon. Friend feel that those lessons might suggest that such actions, which are so detrimental to both companies and their customers, should be examined as a matter of urgency?

Mr. Lang: Of course I will take careful note of what my hon. Friend says and consider it, but what delivers the best results to consumers is a free and open marketplace in which competition is the yardstick by which the Government decide whether it is necessary to intervene in a merger or takeover bid. I have measured my responsibilities against that criterion of competition, and it is notable that, in almost all the decisions that have been taken, the Director General of Fair Trading, the Director General of Electricity Supply and I have been of one mind.

Boeing-McDonnell Douglas Merger

3. **Mr. Pike:** To ask the President of the Board of Trade what assessment his Department has made of the implications of the Boeing-MDD merger for the British aerospace industry. [10589]

The Minister for Industry (Mr. Greg Knight): The proposed merger would be of great significance to our aerospace industry, which competes with Boeing and McDonnell Douglas, mainly through participation in the airbus consortium, but also works with them, notably in supplying equipment. The proposal is being considered by the United States competition authorities, and may also be

considered by the European Commission. My Department is currently examining the implications with United Kingdom industry.

Mr. Pike: Does the Minister recognise that the merger will be a dominant feature in the aerospace industry for both civil and military aircraft and that the Government must ensure that the airbus consortium and our aerospace industry as a whole are able to compete, so that a monopoly is not created? Aerospace is crucial to Lancashire and to the country and we must ensure that it can survive.

Mr. Knight: The hon. Gentleman has had a long interest in the matter, and of course I take note of, and will bear in mind, what he says. The European Commission has not yet been notified by Boeing; when it is, we expect to play a part in the consultations and discussions, and we shall take account of what UK industry has to say. Indeed, if the Consortium of Lancashire Aerospace, with which I know that the hon. Gentleman is associated, wants to make any representations, I shall be delighted to hear from it.

Sir John Cope: This announcement, together with Boeing's cancellation of its work on its very large aircraft, makes it important that the Government should back our aerospace industry, and especially Airbus Industrie, with its plans for the stretch A340 and a large aircraft. Launch aid—or more properly launch loans—is extremely important to those two projects, and the recent announcements from America make it essential for the Government to back them.

Mr. Knight: I hear what my right hon. Friend says; he is right. I have every confidence in the British aerospace industry. To recap for the benefit of the House, since 1979 we have given about £1.25 billion in launch aid to help the industry and we shall certainly continue to consider projects that are brought to our attention, including projects involving research and development under CARAD—the civil aviation research and development programme.

Mr. Barry Jones: Does the Minister appreciate the fact that 2,300 of my constituents have a strong interest in the response of the Government and of Airbus Industrie to the merger to which he has referred? What chances do my constituents, who make the wings for airbus, have of making the wings of the new jumbo jet that Airbus Industrie has planned?

Mr. Knight: That must be a matter for Airbus Industrie. We have been in the forefront of trying to persuade the consortium to convert to a company—in effect, a limited company—so that it is better able to compete with Boeing. It has been doing well and it needs to continue improving; we shall give every encouragement to ensure that that happens.

Mr. Atkins: Has my right hon. Friend considered the implications of the proposals of the right hon. Member for Dunfermline, East (Mr. Brown) for the military and civil projects of the British aerospace industry, which the Government have supported through thick and thin? They would be prejudiced, if not terminated, if there were a Labour Government.

Mr. Knight: My right hon. Friend makes a valid point. If Britain had the misfortune to elect a Government whose spending proposals exceeded the taxation that they imposed, where would they get the money? Perhaps they would get it by cancelling projects such as Eurofighter.

Regional Policy

4. **Dr. Moonie:** To ask the President of the Board of Trade if he will make a statement on the significance of the European Commission's first cohesion report for the regional policy of the United Kingdom. [10590]

9. **Ms Quin:** To ask the President of the Board of Trade if he will make a statement on the impact of the European Commission's first cohesion report on regional policy in the United Kingdom. [10597]

Mr. Greg Knight: As I informed the hon. Member for Wolverhampton, South-East (Mr. Turner) on 4 December, *Official Report*, column *696*, the European Commission's cohesion report shows that the UK is one of the few EU countries where regional unemployment differences have decreased. It also shows that, since 1989, there has been a narrowing of relative gross domestic product per capita between UK regions.

Dr. Moonie: How does the Minister explain the fact that, according to the report, the gap between the richest and poorest regions in the UK has widened over the past 10 years? Does that not betray the abject failure of his regional policy?

Mr. Knight: I suggest that the hon. Gentleman rereads the report because it deals not with wealth and poverty but with differences in wealth. [HON. MEMBERS: "Oh!"] There is a difference, which I shall explain. If the UK experienced growth in every region but some regions grew slightly faster than others, it would be a matter for comment in the report. That has happened in many UK regions. The report is an interesting discussion document, but it ends in 1993 and does not take account of the recovery since then.

Ms Quin: Contrary to what the Minister says, the report also shows that the gap between rich and poor has widened and that the number of people living below the poverty line has increased. Given that the report fits in well with reports from the Institute for Fiscal Studies, the Joseph Rowntree Foundation and others, will the Minister not dismiss the report but admit that there is an urgent problem that must be tackled?

Mr. Knight: I am not dismissing the report, which is a useful discussion document. I simply do not draw the same conclusions as do some Opposition Members. The report also shows that, in 1983, eight UK regions were among the 25 EU regions with the highest unemployment levels. By 1993, there was none, such has been our success in creating employment. The report also reveals that the long-term unemployed have shared in the UK recovery: the number is down by 500,000 since its peak in 1986.

Sir Michael Neubert: What effect would it have on regions in England, especially northern England,

if employees in companies in the Scottish region were subject to additional personal taxation? Would not a tartan tax provide an unfortunate and unfair inducement to investment in England?

Mr. Knight: My hon. Friend makes a good point. The tartan tax would have an effect similar to that of a minimum wage. It would mean that the most vulnerable people in work would be sacked.

Mr. Wilkinson: When considering the long-term implications of the report, will my hon. Friend bear in mind that the United Kingdom has, in comparison with many continental countries, done exceedingly well? If the momentum to greater prosperity in Britain is to be maintained, there is no point in the UK continuing to provide more and more taxpayers' money for a fund that, if successful, will lead to jobs being transferred from Britain to other parts of the Union.

Mr. Knight: I hear what my hon. Friend says. It is important that, across Europe, the British idea of reducing state aid is applied. That policy must continue. Once temporary problems have been sorted out, it is our policy to ensure that state aid in EU member states is reduced, and eventually eliminated. That is the way to secure long-term jobs that are based on the productivity, success and competitiveness of private companies.

Mr. Wigley: Is the Minister aware that the gross domestic product per head in Wales has dropped from 92 per cent. of the European Union average 15 years ago to only 83 per cent. now? We were overtaken last year by the Irish Republic, which in the past 12 months has accelerated ahead to the extent that it now has a GDP per head 9.3 per cent. greater than Wales yet the Irish Republic is receiving all the benefits of the cohesion funds. Can the Minister ensure that the benefits from the European Union come to areas such as Wales which have a need in terms of GDP per head when the fund is renegotiated in 1999?

Mr. Knight: Wales has done well in the recent past, but one of the problems that the cohesion report identifies is what happens to aid to EU member states when circumstances change. The report mentions Ireland as an example of where perhaps in the present circumstances a country should not receive the aid that it has received in the past. That is something that we shall want to see clearly dealt with in future discussions.

Mr. Batiste: Can my right hon. Friend confirm that youth unemployment in Britain is about two thirds of the European average? Is that not the most powerful reason for rejecting the job-killing social chapter so beloved of the Labour party? With its inflexibilities, the social chapter does so much to damage the prospects of the least well-off and most vulnerable in society.

Mr. Knight: My hon. Friend is right. Youth unemployment in the United Kingdom is only two thirds of the EU average. We need to do more, but the figures show that the number of 16 to 18-year-olds in education and training in the United Kingdom continues to rise. That is good news.

Mr. Harvey: What steps do the Government take to monitor where regional selective assistance and other Government regional aid goes? How confident is the Minister that, since the redrawing of the assisted areas maps, the Government's effort in the regions is going where it is wanted, unlike the sort of measures to which he has referred in his answers?

Mr. Knight: The hon. Gentleman makes a fair point. We have a network of monitoring committees which assess the value of schemes which can apply for structural funds. From time to time, the Department asks for reports back on how the schemes have been implemented. That dialogue must continue so that we can ensure that we are getting value for money, and that structural funds go to the areas of greatest need.

Mr. John Marshall: Does the report make the point that, while in the 1970s unemployment in Scotland was much higher than in other parts of the United Kingdom, that is no longer the case? Is that not the most effective form of regional policy, which the hon. Member for Kirkcaldy (Dr. Moonie) should have had the grace to welcome?

Mr. Knight: That is indeed the case. The report reveals that the United Kingdom has more of its working-age population in work than any other large EU country. In the United Kingdom, the proportion is more than 68 per cent. In France, it is only 60 per cent. and in Germany, it is only 65 per cent.

Mr. Hoon: The EU Commission's cohesion report highlights Britain's relatively poor national and regional economic performance over the longer term in comparison with other EU member states. Does the Minister agree with the report of the Commission on Public Policy and British Business that that is the result of

"a disproportionately high number of underperforming British companies—underinvestment—insufficient high quality training and education—unsteady government policy"?

If the Minister, like the Deputy Prime Minister, cannot bring himself to agree with the conclusions of that independent report produced by some of Britain's most distinguished business leaders, does he agree with his Government's third competitiveness White Paper, which concludes that

"The same factors mean that Britain has a much larger proportion of poor company performance than France, Germany or Italy"?

Mr. Knight: I certainly do not agree with the conclusions of the socialist think tank report. Employment is the key issue which runs through every page of the cohesion report. What is clear from the report is that here in the United Kingdom we are winning on the employment front. We are winning on youth employment, employment for women and getting the long-term unemployed back to work. That is what matters.

Inward Investment

5. **Mr. Hawkins:** To ask the President of the Board of Trade how many jobs have been created and safeguarded as a result of inward investment since (a) 1979 and (b) 1992. [10592]

Mr. Lang: Since 1979, the Invest in Britain Bureau has recorded more than 853,000 jobs associated with inward

investment decisions, of which over 352 relate to the period since 1992. The United Kingdom is still the number one location in the European Union for investment from Japan, the United States and Korea. That is an enviable record, which the Government are determined to maintain in the face of increased competition from our European partners.

Mr. Hawkins: I thank my right hon. Friend for that answer. Does he agree that, in the years leading up to 1979 under the last Labour Government, the received wisdom of every international commentator was that Britain was the sick man of Europe, and we were down at the bottom of the league tables with Turkey? Is it not the case that the Government's policies have transformed the position and attracted vastly more inward investment and that, in particular, manufacturing industry and the motor trade throughout the country, including Vauxhall in the north-west, have done tremendously well? Will my right hon. Friend confirm that he will continue to pursue those policies?

Mr. Lang: My hon. Friend is right. Because we have helped the United Kingdom's economy to become more competitive and rejected the social chapter and the other burdens that the Labour party and the European Union would impose on us, we have, in the words of Mr. Jacques Delors, turned the United Kingdom into a "paradise for inward investment". My hon. Friend mentioned the motor industry and I am sure that he welcomes yesterday's announcement by Nissan, which will create some 3,500 jobs, and the recent announcements by Ford-Jaguar, Vauxhall, Rover-BMW and Toyota. Like so many other manufacturing industries in this country, the motor industry is now buoyant and successful because of the Government's policies.

Mr. Sheerman: The Secretary of State surely knows that we are all in favour of inward investment, but the Government use it as a fig leaf to cover the nakedness of their policy on indigenous investment. The Government's investment record is rotten and rates poorly against those of all our major competitors. The Government use inward investment as a cheap shot—almost as cheap as the antics of the Deputy Prime Minister yesterday.

Mr. Lang: The hon. Gentleman is talking nonsense. He should reflect on the fact that, while unemployment has been rising throughout the European Union for the past few years, it has been falling in the United Kingdom, and that the UK is attracting more than 30 per cent. of all the inward investment into the European Union and more than 40 per cent. of all the American and Japanese investment into the EU. That is a judgment from the world on the competitiveness, efficiency and success of the British economy as a good place to manufacture and invest.

Mr. Dunn: Does the Minister agree that we will use every opportunity to attract inward investment, including the refusal to introduce a windfall tax? Will he take the opportunity to condemn the insider dealings of Robert Ayling, who appears to have struck a deal with the Labour party to his own benefit, at the same time earning himself £750,000 a year for bowing and scraping to the Leader of the Opposition?

Mr. Lang: I agree with my hon. Friend that the windfall tax would penalise consumers of essential utilities, would be arbitrary in its impact and would be unfair on investors and consumers of essential utilities in this country. It is a policy to which the Labour party is committed as part of its high-spend, high-tax approach to the running of this country.

Mr. John D. Taylor: The Government's record in attracting inward investment to the United Kingdom has been remarkably successful in recent years and most people recognise that, but will the Secretary of State bear in mind that one negative factor could damage us in the years ahead—the imbalance between corporation tax levels in the United Kingdom and those of some of our competitor nations?

Mr. Lang: I am surprised to hear the right hon. Gentleman say that, because our corporate taxes are among the lowest in Europe. When we came into office, the corporation tax rate was 52p in the pound, and 42p in the pound for small businesses. Those rates have been dramatically reduced. The corporate tax rate for small businesses is now 23p in the pound and that is one of the reasons why so many businesses have taken root—there are now over 1 million more than there were, including those in Northern Ireland.

Sir David Madel: Does my right hon. Friend agree that more jobs will be created and safeguarded as long as we keep interest rates low and stop the pound becoming overvalued? Will he ask the Governor of the Bank of England to pay exceptional attention to the views of industry on what our interest rates should be?

Mr. Lang: I am sure that my right hon. and learned Friend the Chancellor will take note of my hon. Friend's point. However, I am sure that my hon. Friend will also reflect on the fact that the capacity of Governments to influence exchange rates is extremely limited. The present exchange rate is a reflection of the strength and growth of the British economy and it helps us to fight inflation. The improved productivity and competitiveness of our economy enables us to continue to manufacture and export at present levels.

Dr. Howells: Do the figures on inward investment include the purchase of privatised utilities by American and French companies? Do those purchases actually create jobs, given the massive hurdles that those British firms are forced to climb over before being allowed a share of the American and French utility markets? Why have the Government displayed such indolence and half-heartedness in fighting to win for British business fairness in competition and equality of access to the hugely protected markets of France and Germany?

Mr. Lang: The hon. Gentleman seems to be completely unaware of the dramatic successes that privatised industries are having in worldwide markets. When I was in India the week before last, representatives of British Telecom were with me and they secured a £60 million deal. The same is true in other industries: for example, the water industry has people on overseas missions all over the world, winning business for this country.

Investment involving the purchase of British companies is also inward investment that brings new assets and new money into the country, creates new jobs, invests in new

machinery and new technology and helps to contribute to the remarkable growth in output, exports and employment that we have secured in the past few years.

Government Policy (North-West England)

6. **Mr. Thurnham:** To ask the President of the Board of Trade what recent representations he has received about the impact of Government policies on businesses in the north-west; and if he will make a statement. [10594]

Mr. John M. Taylor: Ministers at the Department of Trade and Industry regularly receive representations about the impact of Government policies on businesses, including those in the north-west. I look forward to hearing more views from north-west business people when I visit Bolton early next month.

Mr. Thurnham: When the Minister visits Bolton town hall in 12 days' time, I hope that he will enjoy a good helping of Bolton's excellent black pudding with his breakfast. Will he welcome the proposal to set up a national museum of food in Bolton, which is famous not only for its black puddings but for its excellent bakeries?

Mr. Taylor: The hon. Gentleman may like to know that, only this morning, I had the menu for that breakfast altered to ensure that it will include black pudding. To set up a museum of food in Bolton is a splendid idea and I wish it well.

Mr. Dover: Is the Minister aware that the effect of Government policies on the north-west and on Lancashire in particular has been to bring about an enormous increase in the number of small businesses there? In my own patch, there are 6,000 and that number is rising every month. Over the past 14 years, that has helped to bring down unemployment from 11 per cent. to only 4.5 per cent.

Mr. Taylor: My hon. Friend is right. The north-west has experienced a net increase of 35,000 jobs in two years and regional selective assistance of £31 million has, by itself, created 6,500 jobs. The north-west has excellent communications, high value-added, high investment and tremendous tourist potential.

Mr. O'Hara: The Minister will be aware that the Ford Motor Company has announced plans to shed 1,300 jobs at the factory at Halewood in my constituency in order to concentrate production of the new Ford Escort in Spain and Germany. Can he explain how it makes sense to export 1,300 jobs from my constituency to Germany and Spain in order to produce for import into this country the car that is the second-best seller in this country, that sells more here than in any other market and that costs £500 to £1,000 less to produce here than on the continent? Will he meet a deputation comprising my colleagues and me to talk about this serious matter?

Mr. Taylor: Those decisions are made by the Ford Motor Company and they are based on its commercial judgment. Ford is taking those measures to improve the plant's competitiveness with the aim of securing its long-term future. The Government are committed to assisting Halewood to meet Ford's competitiveness agenda.

Dame Elaine Kellett-Bowman: Is my hon. Friend aware that Government policies have greatly increased prosperity in my constituency, not least in Garstang? Unfortunately, in contrast, Labour-controlled Wyre borough council's vicious policy of imposing parking charges in Garstang, where hitherto parking was free, will ruin the economy.

Mr. Taylor: My hon. Friend is probably best placed to put pressure on that local authority, but she may like to let me have more details on the matter. In the meantime, I know that she will give it a hard time.

Mrs. Roche: How can the Minister be so complacent, given that small businesses in the north-west will be faced with the catastrophic effects of the closure of Ford in Halewood? According to the Department's figures, there are one in 20 fewer VAT-registered small businesses in the Wirral than there were in 1992. Does not that show why businesses in the north-west and elsewhere are saying that enough is enough with this failing Government?

Mr. Taylor: That is as absurd a question as one is likely to hear. Small businesses thrive in the north-west because of its competitiveness. The hon. Lady mentions Halewood, about which my right hon. Friend the Minister for Industry said he would receive a delegation. Ford is not closing the plant, but is making adjustments in the light of its judgment. We shall assist in securing Halewood's long-term future.

Mr. Nigel Evans: Does my hon. Friend agree that the Labour party ignores all the good news in the north-west? He mentioned the 35,000 jobs that have been created over the past two years, but, as a result of inward investment since 1985, 17,334 jobs have been either created or safeguarded. One important industry is the aerospace industry—not just British Aerospace but the Consortium for Lancashire Aerospace, which comprises more than 130 smaller companies with a turnover of more than £4 billion. It would damage those industries and jobs in the north-west greatly if the Labour party were elected and slashed defence expenditure, bearing in mind the fact that it would have to get the money from somewhere.

Mr. Taylor: Like my hon. Friend, whose remarks I endorse, I do not understand why the Labour party always wants to sell the north-west down the river. I presume that Labour Members would take the same attitude if they were in government. I want them to know that the north-west has high morale. Lancashire, Cumbria, Cheshire and Merseyside are wonderful counties and they are all in good heart—much better heart than I see on the Opposition Benches.

Research and Development

8. **Mrs. Clwyd:** To ask the President of the Board of Trade what has been the percentage change in total Government spending on research and development since 1985. [10596]

The Minister for Science and Technology (Mr. Ian Taylor): Estimated Government expenditure on research and development in 1996-97 is 36 per cent. higher than the cash expenditure in 1985-86.

Mrs. Clwyd: The Minister was unable to answer the question that I asked. The answer is that there has been a

decrease of 16.5 per cent. since 1985. Is it any wonder that, because of cuts in Government-funded research and development, we have fallen from 13th to 18th place in the world prosperity league?

Mr. Taylor: The hon. Lady forgot to ask the question that she obviously wanted to ask because she did not put the words "in real terms" in her question. There has been a real-terms cut in total Government R and D mainly because of cuts in the defence industry, which I have not heard many Opposition voices oppose. She therefore should not try to be too clever on that account. The science base is at the heart of Britain's efforts to be competitive in the long term, and expenditure on it under this Government has risen by 15 per cent. in real terms during that period.

Mr. Bernard Jenkin: Would it not be more significant to ask what our gross R and D spending is as a proportion of gross domestic product? Is it not broadly in line with our European competitors? Is it not typical of the Opposition that they ask about Government R and D spending as though that will solve all our problems, whereas it is private sector investment that creates jobs?

Mr. Taylor: It is axiomatic that the Government aim to invest in research and development and thereby to stimulate industrial investment. Industrial investment in the United Kingdom still has further to go, although in recent years there has been a year-on-year increase. I have never denied that my message to industry is that it should invest more intensively in R and D. The Government's record is extremely good and compares favourably with Government expenditure in countries such as Japan and the United States. I intend to ensure that the UK research base is the finest, as we believe it to be. That will come about through the schemes that we are delivering to bring the science base and industry closer together.

Public Sector Research Establishments

10. **Mrs. Anne Campbell:** To ask the President of the Board of Trade if he will make a statement on the progress of the Government's prior options reviews of public sector research establishments. [10598]

Mr. Ian Taylor: The Government are considering the prior options review reports. We are determined to achieve the greatest possible benefit from the substantial resources devoted to public sector research establishments. We expect to make further announcements about outstanding decisions in the near future.

Mrs. Campbell: Has the Minister read the comments of the Select Committee on Science and Technology, which described the scale and conduct of the reviews as profoundly unsatisfactory? Is he aware of the disruption that has been caused? Does he plan to make a further announcement before the general election?

Mr. Taylor: I always treat with great respect the views of the Science and Technology Committee and always look forward to appearing before it. There have been misunderstandings about the objectives of the prior options reviews. As the Government consider that £690 million of expenditure on R and D through the research departments should be undertaken efficiently, prior options are clearly important. However, we are nearing the end of the process in the current round, and in the very near future—certainly before the general election—I expect to make an announcement concerning those institutes on which we have not yet made any public statement. I draw attention to the announcements that are already on record. Some of the research departments haye stayed in the public sector, some have undergone management adjustments and some have been moved into the private sector.

Mr. Patrick Thompson: Will my hon. Friend pay tribute to the people working in the public sector research laboratories in Norwich? Will he confirm that the Ministry of Agriculture's Central Science Laboratory will stay in Norwich? It would be very good news if it did. Bearing in mind what my hon. Friend has just said, how much longer will people in Norwich who are working in the other research laboratories have to wait for final decisions affecting their future?

Mr. Taylor: I am delighted to say that on 9 December my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food announced the future of the Central Science Laboratory as an agency with various management tasks ahead of it. The new facilities in York are of great importance—I shall be visiting the York region this weekend—but I am pleased to say that the excellent work on food science will remain in Norwich. I intend to make other announcements as soon as possible.

Mr. Ingram: One of the central questions that the Minister must answer is what cost-benefit analysis he is using to justify the Government's continued obsession with the privatisation of large swathes of the nation's public sector research establishments. Have not millions of pounds from a hard-pressed science budget been wasted, and thousands of scientists demoralised in pursuit of the Government's flawed policy? The Government should provide encouragement and support for the PSREs, not uncertainty and continuing confusion about their future.

Mr. Taylor: I do not recognise that situation. A review process is not always enjoyable, but some of the research establishments report that the review has given them a more tightly defined mission statement, and they welcome the opportunities that have emerged from the prior options process. I challenge the hon. Gentleman, who has forlorn hopes of his party one day occupying the Government Benches. His question shows that he is not prepared for that transition. If £690 million is to be spent on research establishments, it is the duty of any Minister for Science and Technology to ensure that the money is spent efficiently. We are doing that. We have found new ways of delivering quality in science. I am certain that, as a responsible Minister, I had to undertake that process.

Manufacturing Investment

11. **Mr. Lewis:** To ask the President of the Board of Trade what has been the change in the level of manufacturing investment in the past 12 months. [10599]

The Minister for Trade (Mr. Anthony Nelson): The figures for the past 12 months will not be available until

those for the last quarter of 1996 are published next month. However, the conditions for investment are extremely favourable and the Confederation of British Industry expects manufacturing investment to grow by 8 per cent. this year and next year.

Mr. Lewis: When will the Minister accept that the Government's record on manufacturing investment is abysmal? Even the Secretary of State admitted not long ago that the Thatcher Government had a poor industrial investment record. Why is that situation unchanged?

Mr. Nelson: Like other Opposition Members, the hon. Gentleman never knowingly misses an opportunity to talk Britain down. Business investment grew by 5 per cent. last year and whole economy investment is six times higher than under Labour. Instead of decrying our excellent performance on the manufacturing front, he would do better to celebrate some of the excellent investment in manufacturing industry in his constituency. For example, Omega Engineering recently established a 250,000 sq ft European manufacturing plant in his constituency. Is that not better news than his question suggests?

Mr. Jacques Arnold: Is not the CBI's forecast of an 8 per cent. increase in manufacturing investment this year and next year one of the best results to be found in the European Union? What does my hon. Friend think would happen if industry were hit by windfall and other corporate taxes, as proposed by the Opposition this year?

Mr. Nelson: Yes. The performance of industry—particularly of manufacturing industry—would be severely prejudiced by such factors. My hon. Friend is right to draw attention to the CBI's studies in that respect. In the past 24 hours, its quarterly survey has confirmed that confidence in manufacturing industry has risen and that output is up. The number of jobs in manufacturing industry has increased by 130,000 in the past three years. That is good news on the manufacturing front, and it reflects the success of Conservative policies in government.

Mr. Corbett: I welcome the increased investment in the manufacturing sector and the forecast that that will continue, but can the Minister predict when manufacturing investment will return to its 1979 level?

Mr. Nelson: The important statistic is the investment in business as a whole. Those who produce computer games or sell computer software services will find that the distinction between the two in terms of employment and investment is becoming increasingly artificial. Whole business economic investment is growing substantially. Our output and exports are at record levels. International confidence, as reflected in investment, is also at a record level. That speaks well of the performance of our industry and of Government policies in action.

Mr. Ian Bruce: Has my hon. Friend assessed the effect on jobs of taking £10 billion from the publicly owned utilities, which invest in manufactured goods from British industry? How many jobs would be lost if £10 billion were removed from their investment and devoted to £10 billion-worth of make-work schemes, such as those offered by the socialists opposite?

Mr. Nelson: The Opposition have not accounted for any significant losses in employment resulting from their plans, which would wreak havoc with investment, activity, profitability and the future of many utility companies. They have led the way with investment in recent years. Let us not forget that, during the difficult years of the recession, those utilities maintained high investment and employment. The price of their success is the prospect of a Labour Government introducing a swingeing tax thereon. That would be disastrous for their prospects, for consumer prices and, most of all, for the many people employed in those industries.

Mrs. Beckett: Is it not true that just over a year ago in the Budget the Government predicted a 10 per cent. increase in manufacturing investment this year, whereas the most recent figures show a decline of 16 per cent. for the same quarter? The Government claimed that an increase would be an indicator of success, but they have said nothing about the decline. Will the Minister confirm that the most recent figures for this quarter compared with the last show a decline not only in manufacturing investment, but in business investment and in whole economy investment? The Minister cited the CBI's prediction for manufacturing investment, but the Government have not predicted what will happen to manufacturing investment. Can the Minister make such a prediction today? Does it not appear that, according to the latest information—whether it be on investment, output, which is static or which is going down, or the forecast export levels in the CBI survey—we are reaping the rewards of this Government's utter neglect of manufacturing over many years?

Mr. Nelson: No. The right hon. Lady is wrong on just about every count. She should update her briefing before she reads it out. She did not refer—*[Interruption.]* Perhaps the right hon. Lady will give me a chance to reply to her question. The CBI quarterly survey became available yesterday. She may not always believe what the Government say, but she should not deride what the CBI says. It states:

"Manufacturers' optimism grew for the third consecutive quarter. Manufacturing output growth is expected to accelerate over the next four months."

The predictions are that it will rise by 8 per cent. this year and next year. Average unit costs and prices have fallen. For the past year, manufacturing output has risen significantly. That is one reflection of the huge improvements in productivity that have taken place within that sector, which have been fuelled by inward investment. It is a great success story for Britain and Conservative policies. The Labour party should not and must not deride it.

Scientific Research

12. **Mr. Bayley:** To ask the President of the Board of Trade if he will make a statement about the implications of the Budget for Government-funded scientific research. [10600]

Mr. Ian Taylor: The Government's commitment to research and the science and engineering base remains as strong as ever, with total Government funding of science and technology being sustained in 1997-98.

As my right hon. and learned Friend the Chancellor of the Exchequer said in his Budget statement,

"our universities and colleges make an important contribution to the economy . . . We want to ensure that the British science research base remains the best in the world, which it certainly is at the moment."—[*Official Report*, 26 November 1996; Vol. 286, c. 159.]

Mr. Bayley: May I welcome the Minister's earlier expression of support for the Ministry of Agriculture, Fisheries and Food's Central Science Laboratory in York? Does he join me in recognising the importance to the economy of such public sector science and the additional 750 private sector bioscience jobs in the York area? Will he explain why the Government present an improvement in the science budget when the figures published after this year's Budget, compared with those published after last year's Budget, show that the Government will invest £25 million less in science over four years than they were planning previously?

Mr. Taylor: I am happy to endorse the hon. Gentleman's comments about the Central Science Laboratory and about the work that it undertakes. There was never any question about the excellence of that work. The prior options review was designed to ascertain how best to maintain that excellence in terms of basic research, and how the laboratory could connect with the private community that the hon. Gentleman mentioned in the biotechnology industries. That case-by-case analysis has been the hallmark of our prior options survey.

There is a cash increase in the science budget as a whole, year on year, compared with the lower inflation figures that were originally taken into account. The overall settlement of the public expenditure survey round shows the importance that science has within the total package of Government expenditure.

I draw attention to the extra £100 million that my right hon. Friend the Secretary of State for Education and Employment has found, including an extra £20 million for equipment. Again, it is important to strike a balance, and the settlement meets some of the comments made by the Committee of Vice-Chancellors and Principals.

Science in this country is doing extremely well. Researchers are doing a brilliant job in so many of the areas identified in the foresight programme. The year of engineering success was officially launched today; we should all take pride in talking up the work of the science community.

Manufacturing Industry

13. **Sir David Knox:** To ask the President of the Board of Trade when he next expects to meet the President of the Confederation of British Industry to discuss the manufacturing sector. [1101]

Mr. Lang: My ministerial colleagues and I regularly met the Confederation of British Industry to discuss a range of issues. In 1997, the CBI expects manufacturing output to grow by 3.5 per cent. and manufacturing investment to grow by 8 per cent.

Sir David Knox: Does my right hon. Friend agree that reasonably stable exchange rates are particularly important for the manufacturing sector? Is he concerned about the effects of the recent rise in the value of the pound on manufacturing industry?

Mr. Lang: The rise in the pound is clearly a reflection of the world's perception of the strength of our economy and currency. A strong currency reduces input costs for manufacturing industry when importing from abroad. Manufacturing is now at an all-time high. It has increased by 9 per cent. since the recovery began. Given the high quality of productivity and the prospects for order books, I believe that the capacity exists to maintain that level.

Mr. Pearson: Is the Minister aware of the widespread concern and dismay among trade associations about the Governments's proposals to turn the trade fairs and missions budget into a competition, at the behest of the Deputy Prime Minister? Does the Minister realise that that will prevent necessary long-term planning and will jeopardise future success? Why does he not tell the Deputy Prime Minister to get the tanks off his lawn?

Mr. Lang: It is the policy of the Government, to which the hon. Gentleman referred, to which all Ministers subscribe. It is important to use Government funds as efficiently and cost-effectively as possible. The broad thrust of our policies—creating challenge schemes, getting the best value for the taxpayer—has been welcomed by industry, and that is reflected in its success in using the resources that we provide.

Mr. Harry Greenway: Does my right hon. Friend recall that, in 1979, it took five men to produce a tonne of steel in this country compared with one man in Japan? Production output per man in the two countries is now equal, if not better in this country. Is that not a matter for great congratulation and a complete condemnation of a Labour Government and socialism?

Mr. Lang: My hon. Friend is absolutely right to draw attention to the success of the steel industry, which is partly the result of privatisation and the release from the shackles of state ownership to which the Labour party subjected it. That success in productivity applies right across the manufacturing sector. Manufacturing productivity has risen by 80 per cent. since the Conservative Government came to power. We have largely closed the productivity gap with Germany and France, which widened under the last Labour Government. Whereas the Organisation for Economic Co-operation and Development table put the United Kingdom in 14th place in productivity growth under the last Labour Government, we are now top of the table.

Mr. Campbell-Savours: Will the President of the Board of Trade join me in drawing the attention of the Confederation of British Industry and the international business community to the fact that west Cumbria has hundreds of thousands of square feet of modern industrial space waiting to be occupied by industries that we want to grow and make successful? We have a flexible, able and capable work force who want to work, and a development agency equipped to put together effective packages to help industries to come to our area. Will he help us now in this major effort to bring jobs to my under-employed community?

Mr. Lang: I welcome the hon. Gentleman's endorsement of the success of Conservative policies,

which have delivered precisely the qualities to which he drew attention. I am sure that his reference to the available manufacturing space in Cumbria will have been noted, and as the manufacturing sector is expanding—it is up by 130,000 jobs in the past three years, which was never experienced under a Labour Government—the potential of Cumbria will no doubt come to the attention of expanding manufacturers before long.

Retail Sales

14. **Mr. Amess:** To ask the President of the Board of Trade if he will make a statement on recent trends in retail sales. [10602]

Mr. John M. Taylor: There has generally been good growth in retail sales in recent months compared with the similar period in 1995. The latest official statistics show sales volumes 3.5 per cent. higher than a year ago.

Mr. Amess: Is my hon. Friend aware that many retailers in Basildon, Leigh-on-Sea and Southend are reporting an upturn in trade, in spite of it having been a very difficult time for them? Does he share their anxiety that the threatened imposition of the social chapter, the minimum wage and new taxation policies advocated by the Opposition might damage the recovery?

Mr. Taylor: I have a message for the voters of Basildon, Leigh-on-Sea and Southend: they are right to be anxious. I am anxious—my hon. Friend is right to be anxious—that nothing so dreadful should happen to these good people that they should be burdened with a Labour Government.

Mr. Sutcliffe: As we are talking about retail trends, is the Minister aware of the problem affecting mail order companies? Has he made representations to the Treasury on the problems that the industry faces and the huge effect that they could have on the jobs and services that it provides? Will he make representations to his colleagues in the Treasury to ensure that the VAT argument is sorted out?

Mr. Taylor: I am aware of the problems—as they are perceived to be—to which the hon. Gentleman refers, but he is right to identify them as matters for the Treasury. I would not be offended if he made his own direct representations.

Mrs. Peacock: How much of the increase in retail sales was funded with cash, and how much was funded on credit?

Mr. Taylor: I do not have the figures with me, but I believe that all the evidence suggests that increasing use is being made of credit facilities—not least, of course, of credit cards.

Trade (Thames Valley)

15. **Mr. Rendel:** To ask the President of the Board of Trade what plans he has to improve trade between Thames Valley businesses and the rest of Europe. [10603]

Mr. Nelson: A dedicated export team has been set up at business link Thames Valley. An export development counsellor has been appointed and will take up his position in February, and there will be a Thames Valley export forum later this year.

Mr. Rendel: Is the Minister aware of research carried out recently by Bath university—not least on behalf of the Thames Valley economic partnership—which suggests that 60 per cent. of Thames Valley businesses are now trading with Europe, and that half those businesses find that their greatest problem is exchange rate fluctuation? What measures is the Minister taking to ensure that the number and extent of such fluctuations that his Government's economic incompetence has caused will be reduced in the future?

Mr. Nelson: I am aware of the report. The hon. Gentleman is right to say that there are numerous exporting companies—some 3,000, in fact—in the Thames Valley area. Half those companies are exporting to Europe, and are doing extremely well. Their success is reflected in the fact that a considerable number of American technology companies have set up in Newbury and Bracknell in particular, all as a result of Government policies. The hon. Gentleman laughs, but that is a fact. It is happening in his own constituency.

As for the future, the macro-economic stability of our economy is the surest guarantee that our export performance will continue, that the competitiveness of British goods and services abroad will continue to increase and that the substantial confidence in this country's capabilities—not least in the Thames Valley—that is demonstrated by investment from abroad will be maintained. All that is a good-news story.

Mr. Lidington: Does my hon. Friend agree that the trading competitiveness of small and medium enterprises throughout the Thames Valley would be gravely damaged if the minimum wage and social chapter were introduced, as advocated by the hon. Member for Newbury (Mr. Rendel) and his party? Is it not true that Liberal Democrat policies would mean longer dole queues in Newbury and throughout the Thames Valley region?

Mr. Nelson: My hon. Friend is right: the Liberal Democrats never knowingly undertax either. Whether through tax or through regulation, they would certainly propound policies that would damage the export prospects of numerous businesses, particularly small businesses. Many small businesses cannot afford to export at long distance, and tend to go to our doorstep markets in Europe. They would be the most severely affected by such policies. The hon. Member for Newbury nods in support; I hope that his constituents will understand the employment and investment implications that would be involved if those policies were ever pursued.

Power Supply Interruptions

16. **Mr. Tipping:** To ask the President of the Board of Trade what assessment he has made of the risk of interruptions to electricity and gas supplies in winter 1997. [10605]

Mr. Nelson: There is sufficient electricity generating capacity and gas supply to meet foreseeable demand,

but my Department keeps the situation under review in consultation with the Office of Electricity Regulation, the Electricity Pool and the Office of Gas Supply.

Mr. Tipping: Will the Minister agree to look again at the issue of interruptible gas contracts? Can it be right that combined cycle gas turbine stations depend on such contracts, and will receive extra payments when they use alternative fuel?

Will the Minister also comment on the fact that hospitals have left themselves in an exposed position by depending on such contracts? That clearly gives cause for concern. What steps will the Minister take to try to resolve the difficulties?

Mr. Nelson: Although it is principally a matter for the parties, the Government properly take an interest in it. We were particularly interested in the report produced by Ofgas in December, which concluded that supply interruptions were most unlikely for customers on firm contracts. As the hon. Gentleman will know, the network code ensures continuity of supply in extreme weather. Every indication has shown that the code is working well, but the Government are not complacent about any of those matters—particularly the contracts to which he refers—and will keep them carefully under review.

Mr. Nigel Griffiths: Does the Minister think that contracts for 250 hospitals should be interruptible? Hospital staff—such as those in Melrose this morning, at the Borders General hospital—have told me that they have only a 10-day supply of oil left to power their back-up generators, whereas British Gas has advised them that interruptible contracts allow hospitals to be cut off for 45 days. There are 250 other hospitals in the same position.

Mr. Nelson: The hon. Gentleman is most irresponsible if he is an alarmist on such matters.

Mr. Griffiths: How dare the Minister.

Mr. Nelson: I dare because the hon. Gentleman is irresponsible. He does not mention the fact that there have not been such interruptions, or that there are perfectly satisfactory and substantial back-up fuel supplies. He also does not state that such contracts offer distinct cost advantages to those who must be careful with how much they spend from the public purse. He peddles fears—which are not founded on reality—on matters of real concern to patients of the health care services.

Royal Yacht

3.30 pm

The Secretary of State for Defence (Mr. Michael Portillo): With permission, Madam Speaker, I should like to make a statement on the royal yacht.

Britannia has just left Portsmouth for her last voyage around the globe. Since the royal yacht was commissioned 43 years ago, she has travelled more than 1 million miles and undertaken almost 700 royal visits overseas—serving both as a royal residence and as a setting for official entertainment by Her Majesty. The royal yacht has also played an important part in national events, such as the silver jubilee and the anniversary of D-day and of VJ-day. She will be at the ceremonies marking the end of British sovereignty over Hong Kong.

Britannia has also lent her prestige to the promotion of British exports worldwide and the attraction of inward investment to Britain, and she has hosted numerous commercial events. The benefits that Britannia has brought to the British economy are invaluable.

It was therefore with great sadness that we announced, in 1994, that Britannia would be decommissioned this year. Although a beautifully maintained ship, she is old. She is increasingly difficult to maintain, and a major refit would be required to convert her to modern sea-going standards.

The decision stands to decommission Britannia. However, the Government have decided to commission a new purpose-built royal yacht, and have so informed Her Majesty the Queen. We have taken the decision because we believe that a royal yacht is an important national asset, which projects a prestigious image of Britain, adding powerfully to official occasions and assisting greatly in promoting British economic interests. Her Majesty the Queen has made it clear that she expects such a role to be the primary purpose of the new yacht. Moreover, the new yacht will at times provide Her Majesty with a suitable residence overseas, thus contributing to the impact of her visits and enabling her to represent our nation in an appropriate setting.

The vessel will be a symbol of the Crown, of the kingdom and of its maritime traditions. It will be designed to exhibit an enduring level of style, elegance and dignity appropriate to that role, and should act as a showcase for Britain's design and engineering skills. Her Majesty the Queen and the Duke of Edinburgh will be consulted on the design.

The Ministry of Defence will procure the new royal yacht. After a study to enable us to draw up a formal specification and a competition, a contract will be placed with a British shipyard. She will be crewed by the Royal Navy and fly the white ensign. The Queen will contribute to the furnishings and fittings of the state rooms and the royal apartments, drawing some items from Britannia.

We have considered carefully what would be appropriate for Britannia after decommissioning. The Government do not believe that it is appropriate to sell her to a new owner for private use. She will not put to sea again, but we are interested in proposals for a suitably prestigious use for Britannia in the public interest in the United Kingdom. Such a scheme would need to take account of the plan to transfer royal fittings to the new yacht. Any proposals for Britannia would need to guarantee that the yacht would be kept in excellent condition. If that cannot be assured, it would be better to see her scrapped than to see her deteriorate.

That leaves the matter of paying for the new yacht. The running costs should not be much more than half those of Britannia. They will be accounted for by the Ministry of Defence. For the capital cost of about £60 million, we have received many interesting proposals for private funding. The Government are grateful for them all, but we believe that a new royal yacht—a symbol of the nation's pride—should be funded not by sponsorship or subscription, but by the nation. The capital cost will be met from public funds in the reserve.

Britain can look forward to a new royal yacht in the new century. I trust that she will enter service in time for Her Majesty's golden jubilee in 2002.

Dr. David Clark (South Shields): I thank the Secretary of State for bringing the House this news, but we are disappointed that there has been no discussion whatever with the Opposition on the matter. As you know, Madam Speaker, it has been the convention that policy regarding Her Majesty is an all-party matter. Why was the Secretary of State not prepared to discuss the issue with the Opposition?

We, too, appreciate how valuable the Royal Yacht Britannia has been over the past 43 years. We recognise that she epitomises all the best traditions and the excellence of the British maritime industry from shipbuilding to ship repairing and, indeed, the manning and crewing of the vessel. She has epitomised the excellence of British craftsmanship and we wish her well in her final voyage.

The Secretary of State said that Britannia is to be decommissioned when she comes back from Hong Kong. Could he perhaps give us some information about what will fill the gap between the end of this year and the commissioning of the new royal yacht that he envisages in about three years' time? Will he also give us an idea of when he hopes to issue the tender and when he anticipates the contracts being signed?

Why has the Secretary of State rejected in such a cavalier manner the injection of private capital—[*Laughter.*] I have been told over the past few years that the partnership of private and public capital is the most efficient way of conducting public business. I recall being told by the Secretary of State that the best way of providing accommodation for our service families was by the injection of private capital. If it was good enough for the accommodation of our service families, why has he not considered it for the royal yacht?

As I understand it, the Secretary of State has announced that the royal yacht will be financed from existing public expenditure. He has admitted that the project has been under consideration for more than two and a half years, so why were the figures not included in the Budget? Will he also confirm that the £60 million to come out of the reserve will not be available for emergencies in the years ahead?

Mr. Portillo: The hon. Gentleman will forgive me if I miss a point or two. Part of his statement was drowned by laughter and I was not able to pick up every point, but I shall try to do my best.

After Britannia returns from Hong Kong, she will still have a programme running to the end of the year, probably within British territorial waters. After the end of 1997 and until the new ship enters service in 2001 or 2002, there will be a gap, with no royal yacht on the seas. That will not be as long a gap as the 14 or 15 years between the end of the Victoria and Albert and the commissioning of Britannia.

The hon. Gentleman asked why we had rejected out of hand the idea of using private capital. We did not reject it out of hand; we considered it carefully, but we did not believe it appropriate. [HON. MEMBERS: "Why?"] If Labour Members had not learnt their capitalist lines like parrots, they would understand that some uses of private finance are appropriate and some are not. A royal yacht to support Her Majesty and this nation in our economic and export efforts is not an appropriate use of private money. I am very grateful to all those who stepped forward with suggestions for using private money, but it is not appropriate.

Dr. John Reid (Motherwell, North): Why?

Mr. Portillo: If the hon. Gentleman does not realise why, he has simply learnt his lines and spouts them and no longer thinks—if he ever did. *[Interruption.]*

Madam Speaker: Order. I shall be calling hon. Members to put questions. Wait for it.

Mr. Portillo: The hon. Member for South Shields (Dr. Clark) asked how long it would take to build the yacht and when contracts would be let. I have told him that it should be in service in 2001 or 2002. It will take about two and a half years to build and the period up to the beginning of building will be taken up by deciding on the specification and by the competition.

The hon. Gentleman also asked why we did not discuss the matter with the Opposition. I do not regard today's statement as a constitutional one. I regard the yacht as an important aid to Her Majesty and to this country's economic interests, but not as a constitutional matter. I have come to the House and made a clear statement at the earliest opportunity. I should like to contrast that with the announcement of the previous royal yacht, when a Labour Government, during the 1951 general election campaign, issued a press notice from the Admiralty announcing that there would be a new royal yacht. In comparison, I have made a clean breast of my proposals to the House. The hon. Gentleman ought to study his history better before making such imputations against the Government.

Mr. Douglas Hurd (Witney): Is it not characteristic that new Labour should have announced its conversion to private finance on the wrong occasion? May I congratulate the Secretary of State on the Government's decision, including the decision on finance, which seems to me entirely right? I accept entirely what my right hon. Friend says about the usefulness to British finance and industry of Britannia and her successor, but at the heart of the issue, is there not the deeper point that a royal yacht is the best way of enabling the sovereign of our country to remind us—and, indeed, the world—of the links between these islands and the sea, which are fundamental to our past and our present?

Mr. Portillo: Indeed. My right hon. Friend is absolutely right. We are a maritime nation, a nation of traders, global thinkers and global doers. The royal yacht will help to emphasise all that and enable us to extend the hand of friendship and connection to our many allies and friends around the world. I am so pleased to have my right hon. Friend's support—not least for the funding, which is wholly appropriate to the dignity of the monarchy and the vessel that will support them in it.

Mr. Menzies Campbell (Fife, North–East): I fear that the Secretary of State might be embarrassed by the amount of congratulation on his conversion to the virtues of public funding for such a matter. Does he share my disappointment that the hon. Member for South Shields (Dr. Clark), for whom I have the greatest respect, did not seem able to match his commitment? Is not the virtue of what the Secretary of State has proposed the fact that the vessel can assist Britain's economic and trade interests and provide dignified and often secure accommodation for the royal family while they fulfil their duties abroad? In view of the fact that the yacht's running costs are to be met from the defence budget, is it envisaged that the vessel should have any role in time of war?

Mr. Portillo: On the last point, it is not envisaged that the vessel should have any role in time of war. I cannot of course predict the future, but it is not expected that she will double as a hospital ship, for example, as was the plan with Britannia. The hon. and learned Gentleman is absolutely right that the vessel is secure accommodation for Her Majesty. She will be escorted and protected by the Royal Navy. It is an admirable way in which to protect our economic interests and to underline our ties with the Commonwealth. The Commonwealth values the vessel as well as our own country.

Given all those advantages and the vessel's versatility, it is indeed disappointing that Her Majesty's loyal Opposition were not able to say today that they support it and would continue the project were they elected.

Mr. Barry Field (Isle of Wight): May I thank my right hon. Friend for today's decision? It will mean much rejoicing in the Isle of Wight. Will he forgive me for mentioning pounds, shillings and pence? As the new royal yacht will play a bigger role in promoting Great Britain plc than Britannia, may I remind my right hon. Friend that the arrival of Britannia in Cowes week every year makes a substantial contribution to the Isle of Wight's economy? I would hope that I could hang on his words and that, perhaps, Britannia will sail on in UK waters beyond 1997. That would make a big difference to us on the island. Her arrival is very much treasured every year by my constituents.

Mr. Portillo: My hon. Friend has been a notable and strong advocate of the replacement of the royal yacht and I can understand its impact on the Isle of Wight, as on all of us. However, I want this statement to be entirely straightforward and without ambiguity. We do not intend that Britannia should run on beyond the end of 1997. I do not want to mislead my hon. Friend on that; I want to make it perfectly clear that there will be a new royal yacht in 2001 or 2002.

Mr. Alan Williams (Swansea, West): It is hard to conceive of who has been more ill advised,

[Mr. Alan Williams]

the Government in offering the matter to the palace in an attempt to bring it into the political game, or the palace in making the mistake of accepting it.

Dame Elaine Kellett-Bowman (Lancaster): Unworthy!

Mr. Williams: I am allowed to make my point. Is it not a fact that, over the next three years, there will be unprecedented cuts in social services? I cannot understand a sense of priority that diverts £60 million more away from such services. Halving the running costs will still cost £10,000 a day. If the royal yacht is a symbol, it is one of extravagance and irrelevance.

Mr. Portillo: I found the right hon. Gentleman's comments ungenerous, inaccurate and wrong. It is entirely the Government's decision as to whether there is a royal yacht, and although we have informed Her Majesty, Her Majesty did not request this. Her Majesty's assent is not required in that sense. Her Majesty is pleased with the decision, but it is not a matter for her. Any blame to be attached should be attached to the Government only. The right hon. Gentleman is not right to bring Her Majesty's name into the matter, as he sought to do.

This is public expenditure and we are entitled to talk the language of priorities and proportion. The social security budget is £90,000 million a year. We are talking about spending £60 million for a yacht that will last about 30 years—a capital cost of £2 million a year. I am sure that one after another, hon. Gentlemen and hon. Ladies will rise in the Chamber to pay tribute to the many ways in which this vessel will contribute to our nation economically, but also to the way in which it will contribute to our prestige, status and pride. I know that I have lost the right hon. Member for Swansea, West (Mr. Williams) now, because he does not understand those three words.

Mr. Peter Viggers (Gosport): Nowhere will my right hon. Friend's statement be more welcome than in Gosport, with its Navy connections and loyal traditions. May I ask further about the future of Britannia? Her home port has been Portsmouth and she has been berthed in Portsmouth harbour for many years. Nowhere would her future be more secure and more applauded than in Portsmouth harbour, as a centrepiece of the exciting millennium project there. Will my right hon. Friend confirm that that suggestion will be given full consideration?

Mr. Portillo: Certainly it would be given consideration. I was in Portsmouth recently on HMS Victory, and I am aware of the marvellous heritage of the city and of the ships berthed there, which represent some of the maritime history of this nation. However, I must repeat the conditions that I made clear during my statement. The proposal must take account of the fact that at least some of the fittings will have been stripped out from Britannia. The yacht must have a prestigious use; it must be in the public interest; it must be in the United Kingdom; and we need a sponsor who can guarantee the excellence of her condition. I stress again that it would be distressing for all of us to see Britannia deteriorate—we would rather see her scrapped than deteriorate.

Mr. Peter Shore (Bethnal Green and Stepney): The present Britannia has made a valuable contribution to Britain's presence overseas, both diplomatically and commercially, and I have no doubt that the Government have made a good decision in ensuring that we have a worthy successor. May I particularly congratulate the Government on their conversion to the use of selective public sector purchase? May I ask the Secretary of State to give the assurance that the yacht will be built in a British shipyard? Will he make it absolutely clear that on no account will he allow the European Commission to insist upon open competition among European shipyards? Will he give a pledge that, even if Mr. van Miert refers him to the European Court of Justice, he will not allow the Commission to interfere and to get away with it?

Mr. Portillo: I am grateful to the right hon. Gentleman for the generous way in which he welcomed the statement. The yacht will be built in a British shipyard—for security reasons, the yacht should be built here. In any case, this will be a royal yacht and it is appropriate that it should be built in a British shipyard. If there were any challenge to that decision, I would defend it every inch of the way.

Mr. David Martin (Portsmouth, South): I welcome my right hon. Friend's statement about the existing royal yacht and its replacement, and I particularly welcome the fact that the yacht will continue to be crewed by the Royal Navy. Will he confirm that I will have his personal support for the proposal that the new royal yacht should be home based at Portsmouth, as the existing yacht has been for so many years?

Mr. Portillo: My hon. Friend has been generous in his welcome for the statement, and he has been a great advocate for today's decision—as many others who have spoken today have been. I ask him by all means to open his campaign today, but not to press me for a final decision on that—although I understand perfectly the strength of his claim.

Ms Rachel Squire (Dunfermline, West): I certainly welcome a statement that will bring work to Britain's hard-pressed shipyards, which have suffered so severely from the cuts in the Government's defence expenditure. I should welcome the return of the Royal Yacht Britannia to the Clyde, where she was constructed so skilfully and ably many years ago. However, the Secretary of State should give the House more details on why it was decided to use public money for the capital costs of Britannia.

Mr. Portillo: On the last point, I repeat that it was because we thought that it was appropriate to the dignity of the monarchy. On the earlier points, if the hon. Lady is concerned about our hard-pressed shipyards, I would remind her that those at Barrow would not be building a fourth Trident boat if it were not for the fact that there was a Conservative victory at the previous general election.

I remind the hon. Lady that it is the pledge of her Government—[HON. MEMBERS: "Aha."]—of her party if it were in government, to have a defence review. The hon. Member for South Shields has said clearly that it would be a review with painful consequences. If her party were to win the general election, she would discover soon enough what those painful consequences were, because they would be visited on her constituents by the cuts that would be made by a Labour party in power.

When the shadow Chancellor was asked directly by Jim Naughtie on the "Today" programme yesterday whether he would have to cut defence in order to fund everything else within unchanged public spending ceilings, he simply refused to answer. He dare not answer the question, because it is clear that defence is the place from which any other spending increases would be funded. Defence under Labour would be a soft touch for any Chancellor.

Sir Patrick Cormack (South Staffordshire): May I thank and congratulate my right hon. Friend most warmly? Does he, however, accept that Britannia is part of this country's maritime heritage and that it would be as appropriate to maintain it at public expense, either as part of the complex at Portsmouth or at Greenwich, as to pay for the new yacht? Will he think carefully about that and about keeping Britannia in service until the new yacht is ready?

Mr. Portillo: I am glad that the statement pleased my hon. Friend, but it is a statement with firm edges. We do not intend to keep Britannia in service beyond the end of 1997, and we do not believe that it would be a suitable use of public funds overall to keep it as some kind of museum. Others may wish to make proposals for a public interest use of the yacht, and I dare say that those people could apply for funding in the usual way—to the national lottery, for example—but we do not intend to launch a Government initiative to keep Britannia in any particular form. The challenge to those who would come forward is clear: suggest a use that is prestigious and suitable and by all means apply for the funding that is available; but any proposal must keep Britannia in excellent condition.

Mr. Dennis Skinner (Bolsover): Why did the Secretary of State, in responding to my right hon. Friend the Member for Swansea, West (Mr. Williams), have to turn to insolence, pomposity and arrogance, knowing that out there in Britain, probably 30 or 40 per cent. of the people—it may be more—do not agree with the monarchy? Those views should be expressed in the House. The Prime Minister, on being elected, talked about a classless society.

Is it not right that some of us should say that £60 million should not be spent on a yacht for the royal family when it could be spent on kids who are being lined up in hospital and kicked out; on people who are waiting in corridors on trolleys; on schoolchildren who do not have pencils or even classrooms, in some cases; on pensioners, who are being robbed blind; or on the 4 million people who do not have a job? Surely there is a case to be made that the yacht should not be built. There is a language of priorities that says that we should not spend any more money on this aristocracy, which has been pushing its own self-destruct button for the past decade.

Mr. Portillo: There is a language of priorities and there is a language of proportion. The hon. Gentleman has no sense of proportion. He equates the billions of pounds that we put into the health service and social security with a few million pounds that will be spent on this project over several years and which is, in any case, economically justified. There is more to it than economics. There is national esteem and pride, which he does not share or even understand. Some might think that he was arrogant in pontificating with such self-satisfaction and certainty about the views of 30 or 40 per cent. of the population. I criticised the right hon. Member for Swansea, West not for his views but because he blamed Her Majesty for a decision that was not hers.

Sir Keith Speed (Ashford): Does my right hon. Friend accept that the all-party maritime group, which I chair, welcomes this decision, for which we have campaigned for more than two years? The new yacht should not only be built in Britain, but contain the finest British marine technology, to show the rest of the world that we still lead in maritime affairs.

Mr. Portillo: Speaking from his position and with his background, my hon. Friend's approval is especially welcome. I emphasised in my statement that the ship will provide a showcase for British skills, engineering and design. That, too, will be of great benefit to our nation.

Mr. Andrew Faulds (Warley, East): May I assure the right hon. Gentleman that most people throughout the country will warmly welcome this statement? Does he accept from me that most people throughout this country very much appreciate the services rendered by Her Majesty the Queen and Prince Charles to Britain? Does he not agree with me that the Carlton TV programme was a load of unutterable rubbish and totally unrepresentative of British public feeling? *[Interruption.]* I will be heard. Does he not finally agree that very few people in this country want to see a series of political presidents?

Mr. Portillo: If I may add to that, very few people in this country want to see a brave Labour Member who speaks up for the monarchy being barracked by his colleagues in the way that the hon. Gentleman was. I appreciate his remarks. Apart from their feelings about the monarchy, many people will look forward to the 400 or 500 jobs that I estimate will be created by the contract. As was said by the hon. Member for Dunfermline, West (Ms Squire), who has left the Chamber, the shipyards will welcome the work.

Sir Hector Monro (Dumfries): Does my right hon. Friend accept that, with the exception of a few Opposition Members, the nation will warmly applaud the Government's decision? Her Majesty the Queen and other members of the royal family will be able to visit the Commonwealth and other nations in a royal yacht that is fit to show the fine maritime heritage of this country. Could he say a little more about the design of the yacht? May I hazard the thought that, after free competition, and bearing it in mind that Britannia was built on the Clyde, the new royal yacht might also be built there?

Mr. Portillo: Certainly, the Clyde would be a candidate, but there must be a competition and a specification. In welcoming my right hon. Friend's remarks, I must make it clear that the new yacht's specification will be different from that of Britannia. In those days, the designers envisaged that the royal family would travel long distances on board. Today, they travel by air and use the yacht as a residence. Modern technology will allow lower running costs and a smaller crew. There will be substantial differences, but some important things will stay the same. The yacht must be

[Mr. Portillo]

prestigious. It must carry status. It must have royal apartments and state rooms that are suitable. It must create a great impression when people visit it, as something special, something remarkable, and something uniquely British.

Rev. Martin Smyth (Belfast, South): May I, on behalf of not only my party but well over 1 million people in Northern Ireland, warmly welcome the statement? Even 77 years after the Republic separated from the kingdom, there are those in the Republic who still have royal yacht clubs and other titles because they, too, are royalists. May I express the hope that when the time comes for the competition, Harland will be one of the bidders, maintaining a tremendous tradition? As a Belfast Member, I hope that there will be those with the vision to bring Britannia to the new Lagan waterfront, which is making Belfast boom. Amidst all the cringing, it is encouraging to realise, when people think that we are bankrupt, that the £90 million is coming from the reserve.

Mr. Portillo: It is £60 million. I welcome what the hon. Gentleman says. I know that the decision will be welcome to his constituents and to, I think, the vast majority in the Province. He rightly points out that it will be welcome north and south of the border in the island of Ireland. I am pleased that he reminded us of that. I thank him for the two bids, one in respect of Britannia and the other in respect of the new yacht. They have been carefully noted. Again, I recognise that those claims could be very strong.

Mr. Michael Colvin (Romsey and Waterside): Does my right hon. Friend agree that many of our people, including some living in the constituencies of Opposition Members who poured scorn on the decision, owe their jobs in part to the £2 billion of trade that the royal yacht has won overseas during the time that she has been operating as our national flagship? Does he further agree that in future the Britannia replacement should be called our national flagship, because that is what she is, rather than a yacht, which conjures up visions of junketing around the Mediterranean? If my right hon. Friend is thinking in terms of berthing her, she should be berthed in London as our national flagship, where most people can see her, rather than being tucked away in Portsmouth.

As my right hon. Friend is canvassing opinion on laying up the old Britannia, rather than confining his market to the United Kingdom, will he bear in mind the dependent territories? The rundown of his Department's expenditure in Gibraltar has led to that dependent territory having to switch its emphasis to creating an offshore finance centre, which is precisely the sort of economy that the royal yacht has hitherto been used to promote. Perhaps if he is looking for a fitting final resting place for Britannia, Gibraltar should be the place for her to berth. That would be welcome and it would give just the right message to Spain.

Mr. Portillo: I am tempted to call, "Any more bids?" I heard very well what my hon. Friend said, but I reiterate what I said in the statement—that we shall be looking for a use of public interest in the United Kingdom, and that stands. I cannot accept that anything that was in Portsmouth would be tucked away. I understand the promotion of the case for London. It is not within my authority by any means to propose that the royal yacht should be called anything other than the royal yacht. That is a contentious suggestion.

My hon. Friend is right to recall how much the royal yacht does for the promotion of trade and how much good it can do for the dependent territories. However, I do not want the yacht to be seen simply as a commercial transaction, simply in pounds and pence. It also involves questions of our feeling about ourselves as a nation, and that matters, too.

Miss Kate Hoey (Vauxhall): I warmly welcome the announcement to replace Britannia. Anyone who has seen the thousands of people who flock to see Britannia anywhere in the world—I particularly look back to the pictures from South Africa last year—must know the importance not only to the economy but to the whole image. Given the announcement last week of £500 million—a large amount—to be spent from the millennium fund in Greenwich, which is a project that we can support, although there are certainly some queries about the amount, why has the Secretary of State not considered taking £60 million from that fund, so that the money comes from public money, but money that has been paid for by people through the national lottery?

Mr. Portillo: The answer is simple. The legislation governing the national lottery does not allow us to use it as a substitute for proper public spending, and that is an important rule. This is a burden that properly falls on the nation and the taxpayer. While it would have been possible to think about private finance, it is not possible to use the national lottery for that purpose.

I very much welcome what the hon. Lady said and I am hoping that, given the pressure this afternoon from at least some Labour Members, by the end of the statement we might hear from the Labour Front-Bench team that it has decided that it wants to back the Government's action and to confirm that, in the unlikely event that Labour was elected, it would maintain the pledge that we have made today. Although it is clear that the Labour party is badly split on the issue and that the old republican guard is here in strength, none the less many hon. Members such as the hon. Lady would welcome such a commitment.

Mr. John Wilkinson (Ruislip–Northwood): In congratulating my right hon. Friend on his admirable decision, which was announced in the most felicitous language, may I be practical and ask that the specification include a helicopter deck? Secondly, could the ship's company of the Royal Navy, who take a great pride in fulfilling that most important role for the duration of their tour, from time to time include distinguished members of the Royal Naval Reserve, who would enormously appreciate the honour of serving on board?

Mr. Portillo: I can accept my hon. Friend's first suggestion straight away. Of course, a helicopter deck should be part of a modern ship. The possibility of arriving and leaving by helicopter and, indeed, of evacuating by helicopter in an emergency, should be part of the design. My hon. Friend's second suggestion is extremely important, and I should like to consider it. I mentioned state rooms and, of course, there must be

provision for a band to play on board, because that is an important part of the image, prestige and projection associated with the royal yacht.

Mr. Gordon Prentice (Pendle): Given that the public are paying for the yacht, will they be able to visit it when the Queen is not in residence, which will be most of the time? Has the Secretary of State given any thought to a dual use—what about using it to take disadvantaged children from our inner cities to a foreign destination for a holiday?

Mr. Portillo: I must make it clear to the hon. Gentleman that we have never considered financing the yacht out of swaps, as I believe he used to do in his early days. The royal yacht attracts many people, all over the world. I would not propose making any great changes in the usage of recent years. No doubt the way in which the yacht is used will evolve over time, but it is important that it should be there principally for the promotion of Britain and of her economic interests abroad.

Mr. Bill Walker (North Tayside): Does my right hon. Friend understand that the Scottish people will be delighted at the proposal to replace the Royal Yacht Britannia? They will hope that it will be based on the Clyde after it ceases to be operational. Secondly, they will hope that the Clyde will have the opportunity to build the new ship, just as we built Britannia. We should also like my right hon. Friend to note that the Scottish national party has called for a bicycling monarchy, and there would be no prospect of a new Britannia being built on the Clyde with such a monarchy.

Mr. Portillo: Let me assure my hon. Friend that no part of the specification will include room for bicycles. During my hon. Friend's remarks, I heard my right hon. Friend the Secretary of State for Scotland say, "Hear, hear." I am sure that he was doing that clearly within the bounds of collective responsibility, but none the less my hon. Friend was well heard on the Front Bench.

Mr. John Home Robertson (East Lothian): I welcome the statement, although I have some suspicions about the motivation that may lie behind its timing. Will the Secretary of State say a little more about what he regards as being appropriate or not appropriate in respect of total or partial private financing? Why is it not appropriate to have any private financing for the royal yacht, given that he recently decided that it was entirely appropriate to sell all the married quarters of all our soldiers, sailors and airmen in England and Wales to Nomura, a Japanese bank?

Mr. Portillo: I do not think that it is the duty of the state to own houses, but I do think that it is the duty of the state to support the monarchy.

Mr. Robert Key (Salisbury): May I congratulate my right hon. Friend on his personal commitment to this project over the past two and a half years and on winning the arguments that must have occurred in the Cabinet? Given that the new royal yacht can be built in only one location, can he give an undertaking that there will be a proper symbolism in its construction and fitting out of the fact that it represents the United Kingdom of Great Britain and Northern Ireland? Can he remind the House of any conventions that might exist on what the royal yacht should be called? Have the Government given any consideration to that matter and has Her Majesty expressed an opinion?

Mr. Portillo: We do not yet know the name of the yacht. Undoubtedly, that question will be considered and many suggestions will be made; Her Majesty will certainly be consulted. My hon. Friend, who also fought hard for this decision, makes an excellent point that the yacht must be representative of the United Kingdom of Great Britain and Northern Ireland. Her Majesty the Queen is the Queen of the United Kingdom and her yacht should reflect that.

Mr. Paul Flynn (Newport, West): Was the Secretary of State in the House on Friday, when we witnessed another spending decision? A Bill on the wind chill factor, which was presented by one of my hon. Friends, sought to provide £60 million to give essential life-saving help to poor pensioners. The question that the country will ask about Government priorities is why the Government do not have £60 million to give to poor pensioners, but do have it to allow one family to travel in a billionaire life style.

Mr. Portillo: Yes, but the cold weather payments scheme was invented by the Conservative Government—it did not exist when the Labour party was last in office. Time and again, it has been improved in its generosity and extent. The Labour party did not make those payments. When the hon. Gentleman blathers on, as he has just done, let him admit all that the Government have done in providing a social security budget of £90,000 million. Let him then go away and talk the language of comparisons and proportion, about £60 million over 30 years for a royal yacht.

Sir Cyril Townsend (Bexleyheath): While regretting the lack of forward planning some years ago, despite prodding from Conservative Members, which means that inevitably there will be a delay, I warmly welcome this sensible decision. Does my right hon. Friend agree that the offers of financial support from commercial and City organisations that were put to the royal yacht parliamentary group and others are a signal of how much interest is felt in such sectors for the concept of a royal yacht? Does he further agree that having a royal yacht is a tried and tested formula and a goed way of presenting the latest in British technology and expertise?

Mr. Portillo: First, I congratulate my hon. Friend on his recent knighthood—this is my first opportunity to do so. He is right to say that tremendous interest was shown in the matter, and the interest expressed by the business community tells us a lot about what is happening in the general community and about the spirit in this nation. I entirely reject the remarks of the hon. Member for Bolsover (Mr. Skinner) in that respect. The yacht is tried and tested; the nation has benefited from it; it has helped our sovereign in her work; and I believe that almost the whole House will warmly welcome today's announcement.

Mr. William O'Brien (Normanton): May I support the introduction of a vessel that will be unique to the United

[Mr. William O'Brien]

Kingdom as an aid for the royal family? It has been suggested in the past, however, that the royal vessel could be used as a training ship when Her Majesty was not using it. There is also the question of the royal family's future. We are told that the royal family will have to use passenger trains and that no extra provision will be made for special aircraft. The Secretary of State says that it is important that the royal family should have a vessel financed from public funds, but that it is not important for the royal family to have their own train. What is the difference?

The nation will be confused about why we are taking this stand today when, in the recent past, the royal family have been told that they should use public transport. Why could not the royal yacht be financed by private sector money, given that the Government say that the royal family want to be involved with the private sector and move away from dependency on the state? Why have the Government changed their stance on that issue?

Mr. Portillo: First, I remind the hon. Gentleman of what I have already said several times: this decision was for the Government, not the royal family. The Government believe that it is for the nation to finance something that so closely touches the monarchy's dignity. I can continue to repeat that all afternoon if the hon. Gentleman likes, but it remains our firm position.

The hon. Gentleman asked why we did not choose the training ship design, which was an imaginative idea. We took the view that the vessel's primary purpose is to combine use by the monarchy with promotion of Britain abroad and of our economic interests. To confuse that primary purpose with something quite different, which would be difficult to make compatible, seemed to make the matter too complicated and likely to fail in its primary purpose.

As Secretary of State for Defence, I am responsible for announcing this decision, which has been taken by the Cabinet. We have taken that decision because of all the reasons that I have given about how the yacht helps to project Britain and the monarchy abroad. Those reasons stand on their own legs and are self-explanatory.

Dame Elaine Kellett-Bowman (Lancaster): May I assure my right hon. Friend that nowhere will the Government's decision to build another royal yacht be more happily received than in Lancaster, with its special relationship with Her Majesty in her style as Duke of Lancaster?

Mr. Portillo: I am most grateful to my hon. Friend. The connection between Lancaster and Her Majesty is clear and well known. I am relieved that, to the best of my knowledge, Lancaster has no shipyard, so I do not have to chalk up another bid.

Several hon. Members *rose—*

Madam Speaker: Thank you very much.

BILL PRESENTED

Government Communications Headquarters (Restoration Of Trade Union Rights)

Mr. David Winnick presented a Bill to provide for persons employed at the Government Communications Headquarters to have the right to belong to an independent trade union of their choice; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Thursday 1 May, and to be printed [Bill 76].

Building Societies (Distributions)

4.22 pm

Mr. Douglas French (Gloucester): I beg to move,

That leave be given to bring in a Bill to amend the law in respect of distribution of assets on the take-over or conversion of a building society.

The Bill's aim is to remove a serious injustice being done to tens of thousands of building society customers by the way in which building societies choose to allocate shares as they abandon mutual status and convert to public companies. The House will be aware of recent announcements by the Halifax, the Alliance and Leicester and the Woolwich building societies, each setting out a slightly different methodology, and of the preparations being made for flotation by the Northern Rock.

Under section 100 of the Building Societies Act 1986, building societies have considerable discretion as to who may qualify for shares and to what extent. The Act is more prescriptive when it comes to cash bonuses arising from the takeover of a building society but the same injustice arises and the Bill covers both circumstances.

The broad principle adopted, with variations, by the societies is that the first-named person on the account is the member, and members may qualify once only as saver and as borrower, irrespective of the number of accounts held.

The problem arises with joint accounts and trustee accounts, where the trustee is the first name on the account and the underlying beneficiary is the second or subsequent name. In some cases the trust is a formal relationship, as between a solicitor and a client. In most cases, it is an informal relationship where, in order to help an elderly, disabled or handicapped person who cannot look after his or her own account, a relative or carer becomes the trustee with the responsibility to sign the account.

If the carer as trustee has only one account, he or she will have a fiduciary duty to ensure that the beneficiary receives the share allocation. If the carer as trustee is the first-named person and has more than one account, even though those accounts may be entirely unconnected, only one share allocation will be made.

The problem is most acute in cases of multiple trusteeship. The matron of a nursing home, for example, may have been asked to look after the accounts of, say, 20 elderly patients. She will find that there will be only one allocation of shares to be divided up between all the patients. The same applies to the warden of a hospice, the manager of an old people's home, or a solicitor or accountant who is a trustee for a number of clients. Charities, associations and youth clubs can all be placed at a disadvantage.

Under the terms of the Halifax conversion, some recognition is given to the aggregate balance of the accounts, but no such provision is made by the Alliance and Leicester.

Sometimes anomalous situations arise from a detail as elementary as the design of the form completed by the customers when opening their building society accounts. That applies particularly to accounts opened for children. Some of those accounts are adversely affected, but others are not.

Unfortunately, second-named account holders cannot risk taking the obvious step of changing the order of names on their account in anticipation of future flotations. If they do that, they may break the continuity of the account and render it ineligible anyway.

To tackle the problem, my Bill requires building societies to recognise the legitimate entitlement of underlying beneficiaries to receive the same allocation of shares as every other customer, where it can be shown that they would have been the first-named account holder and qualified in their own right, but for the presence of a trustee. The Bill requires converting and merging building societies to establish a reserve or suspense account charged against assets, from which to meet legitimate claims from underlying beneficiaries of trustee accounts.

No onus at all is placed upon the societies to track down those who may be eligible. That would be an impossible task and a daunting prospect, and may well explain why societies have been unwilling to face up to the problem, of which they have been only too well aware.

Instead, the Bill requires societies in the course of normal notification to their members to tell them that claims within the specific definition will be considered, and that claimants should submit details of their circumstances and allow time for the society to satisfy itself that the criteria have been met. The society can then make a payment of equivalent value out of the fund set aside for the purpose. It will not cost the society anything extra. The society will, after all, only be returning to its mutual members the fruits of mutuality.

The most significant although not the only category of people to benefit from the Bill will be the disabled, the handicapped, the sick, the elderly and those who, through misfortune, are unable to look after themselves. That is why leading charities, such as Mencap, SENSE, and the Royal National Institute for the Blind, are strong supporters of the Bill.

One must ask how the building societies could have felt comfortable producing a share distribution formula that they knew was likely to exclude those most needing to benefit. We might also ask why at least one society, with expensive advice at its disposal, should have told its members that they were constrained by legislation from addressing the problem. In fact, nothing in current legislation prevents converting building societies from including in their share distributions the second-named account holder or beneficiary in circumstances where they would have qualified if they had been named first.

For share distributions, my Bill requires building societies to do what the law already permits them to do. For bonus distributions, my Bill amends the 1986 Act to make it possible and then requires building societies to act. Such a procedure will prevent building societies from attracting a great deal of unwelcome and unnecessary criticism of the type that so marred the Lloyds bank takeover of the Cheltenham and Gloucester. It will help to preserve the high esteem in which the building society movement has been held for so long but which has been severely tested in recent times.

The procedure outlined in my Bill could have been adopted voluntarily by the Woolwich, the Halifax and the Alliance and Leicester. With the benefit of hindsight, I am sure they would now acknowledge that they underestimated the public's strong belief in fair play. Fortunately, the Alliance and Leicester is showing clear

[Mr. Douglas French]

signs of a change of heart, but the Halifax still perceives technical obstacles. Even though those societies have already sent out their conversion documents, I hope that—within the constraints of company law—they will make every effort to find a formula that enables them to follow the requirements of my Bill.

There is an opportunity for a go-ahead society to blaze a trail and set an example of best practice. I hope very much that that will happen. However, once the Bill is passed, societies that convert or merge in future will have no choice: they will have to recognise the rights of underlying beneficiaries, and a massive injustice will have been corrected. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Douglas French, Sir Andrew Bowden, Mr. John Butterfill, Mr. David Evennett, Mr. John Greenway, Sir John Hannam, Mr. Hartley Booth, Mr. David Hunt, Mr. Peter Luff, Sir Geoffrey Pattie, Mr. James Pawsey and Mr. Michael Stephen.

BUILDING SOCIETIES (DISTRIBUTIONS)

Mr. Douglas French accordingly presented a Bill to amend the law in respect of distribution of assets on the take-over or conversion of a building society: And the same was read the First time; and ordered to be read a Second time upon Friday 14 February, and to be printed [Bill 77].

Orders of the Day

Finance Bill

(Clauses Nos. 40, 62, 68, 82 and 92 and Schedules Nos. 7 and 13.)

Considered in Committee.

[MR. MICHAEL MORRIS *in the Chair*]

Ordered,

That the Order in which proceedings in Committee of the Whole House on the Finance Bill are to be taken shall be Clause 82, Schedule 13, Clause 62, Clause 92, Clause 40, Clause 68, Schedule 7.—[*Mr. Wells.*]

4.35 pm

Mr. Alistair Darling (Edinburgh, Central): On a point of order, Mr. Morris. I understand that it would be convenient and appropriate to discuss schedule 13 while debating whether clause 82 should stand part of the Bill. The clause is short and the meat of the argument is to be found within the schedule. The amendment refers to the schedule. I would not anticipate two separate debates.

The Chairman of Ways and Means (Mr. Michael Morris): The Chair is happy to accede to that request, as long as all parties are agreed that that course should be followed. It seems that there is no disagreement. That being so, we shall take schedule 13 with clause 82.

Clause 82

WRITING-DOWN ALLOWANCES ON LONG-LIFE ASSETS

Question proposed, That the clause stand part of the Bill.

The Chairman: With this it will be convenient to take the following: Schedule 13—Capital Allowances on Long-Life Assets.

Amendment No. 3, in schedule 13, page 188, line 18, at end add—

11. The Treasury shall produce a report each year which—

(a) describes the response of companies to the withdrawal of fiscal support for investment in long-life assets made effective by this Schedule, and

(b) assesses the costs of operating the provisions of this Schedule and whether they are generating test cases before the Commissioners and the Courts.'.

Mr. Darling: The clause and the attached schedule, according to the Chancellor of the Exchequer in his Budget speech, are designed to ensure that the writing-down allowances that various Finance Acts provide for should be brought into line with normal accountancy practice. I think that, as a matter of principle, no one would argue with that. We have no objection in principle to the clause, but we would like to take the opportunity to raise a number of matters that arise from the operation of the clause and the attached schedule, and at the same time try to elicit from the Minister further clarification of what the Government intend.

The Committee will see, when examining the amendment, that it is intended, if agreed to, to allow the Government to bring forward, in effect, a report on the effect of the workings of the clause and the schedule. Whenever Parliament provides for allowances, or restricts

or curtails allowances, it is important to be sure about the effect of what is proposed. There are many occasions when proposals are brought before the House of Commons and passed into law which turn out a year or two later not to have the intended consequence.

Perhaps it would be convenient to dispose of the principle of allowances, a principle on which I think there is broad agreement on both sides of the Chamber. The principle is that allowances should be designed to assist and encourage investment. They should be carefully worded so that they achieve the specific aim that lies behind them. They should not be allowed to distort investment decisions. Equally, the cost of the allowance should not be disproportionate to the gain. That has happened in the past. The Government's objective is to stop the cost of the allowance becoming disproportionate to the benefit gained. That is something that would generally be supported. Allowances should be in place to assist and encourage the investment process. At the same time, they should be fair. That is a point to which I shall return shortly.

Mr. Tim Smith (Beaconsfield): It is my recollection that not so long ago the Opposition argued for enhanced capital allowances—indeed, a possible return to 100 per cent. first-year allowances. I certainly remember that in 1984, when we moved to a lower rate of income tax and lower capital allowances, there was opposition from the Labour party. Is it now the Opposition's policy to pursue what I would consider to be a more sensible approach, which is to follow accounting depreciation?

Mr. Darling: I suppose it was predictable that the hon. Gentleman would not be able to resist departing from a serious matter to make rather a silly point. If he cares to write, I shall look into what happened in 1984. I was not a Member of this place at the time and I do not remember what happened that year.

Successive Governments have accepted that capital allowances can be justified provided that there is a relationship between the cost of the allowance and the gain. That is the intention, which we want to support. It has always been the position that the Government of the day must review the working of allowances to ensure that they are cost effective and are achieving what was intended initially. Successive Governments have supported that principle.

It is clear that the level and rate of allowances will vary from time to time. I repeat, however, what I said at the outset of my remarks. I do not know whether the hon. Member for Beaconsfield (Mr. Smith) was listening at the time. I said that there is much to be said for ensuring that allowances do not distort investment decisions, and that there should in general be an alignment between what is normal accounting practice, normal business practice and the provisions of the appropriate Finance Act. There is no difference between us on that. Having established that principle—we do not need to waste time arguing the point—I shall deal with a number of points, some of which may interest the hon. Member for Beaconsfield, who tabled amendment No. 11, because he is on to the same point.

What immediately strikes anyone reading this provision is that although the intention is that the law will follow established accounting practice, that does not, I understand, happen. Let me give an example. The aeroplane manufacturing industry has drawn the Government's attention, and certainly our attention, to the fact that although aircraft are an asset and are capable of lasting more than 25 years, and therefore are caught by the provisions of the Bill, many operators in the United Kingdom do not use their aircraft for anything like 25 years; they sell them after 15 years. Therefore, they believe that they are discriminated against. Perhaps they have a point.

I can understand the Government's view that lines have to be drawn somewhere, but considering that railway rolling stock is exempt, I just wonder what the Government's rationale is. Although aeroplanes are caught by the provisions of the Bill, it is arguable that a great deal of an aeroplane that is still flying 25 years after its original manufacture may not be 25 years old, because parts will have been replaced during its working life. The same cannot be said of a railway carriage, a large part of which is the same railway carriage as left the workshop many years earlier.

Perhaps there is something of which we are not aware that has led the Government to exempt railways but to include aeroplanes. It will be interesting to hear from the Financial Secretary the Government's thinking on that point. If there is a rational explanation, I am sure that we will all accept it. Aeroplane manufacturers are concerned that they will be discriminated against. Perhaps I should return to one or two of those points later. It would be helpful to know why railways have been exempted.

I understand why ships have been exempted, because every year in Committee and in the proceedings relating to the Finance Bill we debate shipbuilding, and hon. Members on both sides of the House have been sympathetic to the plight of British shipbuilders. It will be interesting, however, to know why the Government want to exempt railways. Some people have unkindly suggested that it is a favour to those who have acquired the privatised railways, that they need these incentives to make ends meet, or perhaps they were promised this during the privatisation process. We are not all cynical, however, and it may be wrong to suggest such things, but it is difficult to see why so many other people have been included whereas railways have been exempted.

I notice in the explanatory memorandum that the Government issue to all members of the Committee that the rules will apply, in the words of the memorandum,

"only to companies that invest heavily in long life assets."

The memorandum does not, obviously, have the force of law, but what Ministers say can be of help in interpreting what Parliament means, which brings me to my second point.

In regard to what is said in the memorandum, the terms and language of schedule 13 are vague. I understand that of necessity it may not be possible to have the precise language that one might like, but bearing in mind the fact that investment decisions may well turn on the allowances that are available, it would be helpful if the Minister could say what he believes the words "invest heavily" actually mean. Presumably an aircraft manufacturer, for example, will almost exclusively invest in assets that have a long life. What do we say to someone who makes the components of an aircraft that might or might not last 25 years? I do not know. Some parts may well last that long; others will not. That is clearly of some importance.

[Mr. Darling]

The same is true of the oil industry. It has been put to me by people involved in the oil industry that many of the decisions as to whether to invest in a new field are highly marginal. There are many considerations, of which capital allowances are only one, but it could be the critical factor. Some of the plant that is required will last more than 25 years; some will not. It will be helpful—I cannot find this in the schedule—to know in precise terms what the Government have in mind, and the definition of the assets that are to be caught.

Apparently, there is a further problem. Under the Bill, the test of the lifetime of an asset is whether it is capable of lasting for more than 25 years. I understand that it is normal business practice to write down plant according to the lifetime anticipated by the user or owner of the asset. Let us take the example of an aeroplane again. An aeroplane may be intended to operate for 15 or 20 years; the asset is then sold to someone else, who may use it for five or six years, and subsequently sold again and again, being used for progressively shorter periods. As the Bill stands, it is possible that people in possession of assets that are capable of being used for more than 25 years will find that, through no fault of their own, they will not receive the full allowances.

4.45 pm

In view of what I said at the beginning of my speech, I should point out that I am not arguing that allowances should be granted indiscriminately when they may not always be justified; but there seems to be an anomaly in both the scope and the definition of the clause and schedule. Although the stated intention is to align accounting practice with the practice of the law, many individuals will find that their practice still bears no relation to the new law. We should not enact a measure that would distort decisions.

Aeroplanes are, by definition, very mobile. Unlike power stations or water pipelines, they do not have to be in this country. It has been said—although such threats should always be taken with a pinch of salt—that some operators might decamp and set up abroad in order to avoid these provisions and, in a global economy, we must of course be very aware of the tax competition issues that may arise.

I dare say that the Minister will have an answer to all those points, but it would help the Committee—and, perhaps more important, those who will have to put the measures into practice—to know what the Government intend, and how they propose to deal with the anomalies to which I have referred.

Some operators and owners, such as the utilities, have assets which, on any view, are likely to last for more than 25 years. In the case of others, such as the telecommunications industry, it is a moot point: there could be considerable argument about how long modern telecommunications equipment is supposed to last. Those who listened to the "Today" programme this morning will have heard an argument about the erection of telecommunications beacons in a park in Yorkshire. It was argued that they would last only another five years, but they are clearly capable of lasting for 25 or 30 years.

A theme that has recurred during debates on Finance Bills over the past few years is the desire not just to simplify the body of tax law, but to pass legislation that has some degree of clarity; but clarity is sadly lacking in clause 82. It is possible that the Government introduced the clause and schedule simply on cost grounds, but, if that is the case, let us hear it: let us not pretend that there was some other motive. If, on the other hand, the intention was to align accountancy practice with the practice of the law on allowances, will the Minister explain the apparent anomalies—as between railways and aeroplanes, for example—and will he explain what the taxpayer is supposed to do when he has an asset which he has no intention of operating, for any purpose, for anything like 25 years, although the law assumes that it will last for longer than that? That leads to a question that specifically concerns aeroplanes. What are people supposed to do when an asset that may be in the sky 25 years after its frame took to the airways is not the same asset as was originally built? I am sure that other Committee members wish to speak to clause 82 and to amendment No. 3. It would be helpful, however, if the Financial Secretary would explain what the Government have in mind with their provisions.

Mr. Martin O'Neill (Clackmannan): I listened very carefully to the remarks made by my hon. Friend the Member for Edinburgh, Central (Mr. Darling). Unsurprisingly, he dwelt on the example of aircraft, which is a good example for the reasons that he gave—its mobility and the possibilities of life extension and, although it will still be an aeroplane, of changing almost all its features. The latter feature of aeroplanes may be an argument against applying these provisions to them; I am unsure on that point. It is clear, however, that what is good for trains should be good for aeroplanes. Anyone who has travelled on the west coast main line will know that the life of those assets is considerably longer than 25 years. The railways provide some obvious examples for this debate.

It is always strange when Ministers suggest that legislation will be clarified by a comparatively modest amendment which, upon examination, only adds to the confusion. That is why we should like to have an annual report. If the Government's notional majority were to prevail and clause 82 were retained, it should be incumbent on the Government and on successive Governments to report on changes in the law. It is therefore desirable that we should receive an annual report on developments. Such a report would be to the advantage of the House, to potential investors and, not least, to the accounting profession.

My hon. Friend the Member for Edinburgh, Central mentioned the utilities and the oil industry; he also mentioned this morning's very interesting radio report about beacons for mobile telephones. We should also like to know the status of assets in the cable industry—which is busy digging up our country's roads and destroying trees. Asset life in that part of the telecommunications industry might be of considerable length, and I hope that it is. I do not want my street dug up again, and—given cable operators' tendency to drill holes through any wall they encounter—my wife does not want them anywhere near our house again.

In the utilities and telecommunications sectors, the burgeoning cable industry is entitled to receive some indication of how assets will be treated so that it can determine whether the provisions might frustrate

development of exciting new technology. Interaction between home, office and shop, for example, could revolutionise the way in which we live and work.

My hon. Friend the Member for Edinburgh, Central also mentioned the oil industry. I am sure that he will recall that, some years ago, in Scotland, we attended a seminar hosted by a major oil company at which we heard a debate on investment intentions between senior executives of that company. It was clear that executives from the company's American headquarters were mesmerised by the "upstream" and "downstream" arguments on a proposed tax change. The headquarters executives were not interested in the somewhat refined debate on the relative importance of the Government's then proposed tax changes, and their patience was fairly short. If they had thought that tax advantages in the North sea were considerably less than those in south-east Asia or in Australia, they would have been quite happy to move their investment programme to a location that was more cost effective on tax. It is therefore important that the Minister gives an idea of the impact not only on the oil industry but on the petrochemical industry—the downstream industry in which the UK has assets.

I have a constituency interest in that many of my constituents work at the Grangemouth complex, which is on the edge of my constituency. It is one of the major facilities for harnessing and taking advantage of the products of the North sea oil industry. The investment programmes there are of considerable significance, and I do not think that the industry would wish to be disadvantaged by the changes that appear to be in train and which would be available to some industries and not others.

By the same token, we should consider the effect on power stations. Although this is not important at the moment, because the level of power station construction is not quite what it was in the early 1980s, it is clear that, come the end of this century and the beginning of the next—the date might coincide with 2010—a number of new plants will have to be constructed because the life of the existing ones will have been pretty well exhausted. New plants will have to be brought on line. If there is not to be a beneficial tax regime for companies that invest in this sphere, we might face a shortfall in generating capacity.

The construction of power stations involves petrochemicals and electricity generation. Even allowing for the new technologies involved in the generation of electricity, the construction of power stations is a major source of employment. The construction of the kit used in power stations is also a source of employment. It would be dangerous for the Government to highlight one industry—the railway industry—but discount the possible impact of those changes on others.

I am anxious for the Government to make their position clear. We are not happy with the vagueness of

"investing heavily in long-life assets".

It could be open to all kinds of abuse and misinterpretation. It is therefore essential that the House has the opportunity to review at regular intervals the impact of the proposed changes. The best way to do that would be with an annual report.

The amendment is therefore sensible, easily operable and one from which the House, the accounting profession and industry would benefit. I see no reason why the Minister should not accept it. If he can tell us what

"investing heavily in long-life assets"

means with a degree of clarity and concision uncharacteristic of Ministers on most issues, we shall be pleasantly surprised and perhaps reassured. If we do not get that reassurance, I hope that the amendment is accepted. It has considerable merit and would certainly go some way to reassure the people on whom this country depends for employment and wealth creation.

Mr. Tim Smith: I take the view that, as far as possible, the taxable profit of a business should, for the purpose of corporation tax, be as near as possible to the reported profit that appears in the accounts. Of course, it is not possible to achieve that in practice for very good reasons. In practice, one takes the reported profit in the accounts, adds the depreciation and then deducts the capital allowances to which the company is entitled. However, as far as possible the capital allowances should be roughly the amount of the depreciation that appears in the accounts. Clause 82 and schedule 13 take the capital allowances system a step further down that road.

For that reason, the proposed reform is sensible, but we should recognise that it is a reform that can be made only in an era of low inflation. The hon. Member for Edinburgh, Central (Mr. Darling) took exception to my question about the history of this matter, but it is significant that, 20 years ago, we could not have had the system that we have today. In fact, 20 years ago, when the rate of corporation tax was 52 per cent. and inflation fluctuated between 15 per cent. and 25 per cent., not only did we have to have 100 per cent. first year allowances for all capital investment, we had to have something for stock relief, recognising the fact that replacing stock costs a lot of extra cash in a high inflation era.

At that time, it was not good enough just to look at the reported profits of a company; the cash flow also had to be examined. In the 1970s, plenty of profitable companies had negative cash flow because of the effects of inflation on the need to maintain fixed capital and working capital.

5 pm

The 1984 reform was important because it reduced the standard rate of corporation tax significantly, and reduced capital allowances. That was a welcome change, because it removed distortions from the system. As has rightly been said, having capital allowances significantly higher than the accounting depreciation introduces distortions into the system, which result in commercial decisions being taken for tax reasons rather than for good business reasons. I am glad that we have reached a stage at which the total capital allowances available to a business will be roughly equivalent to the accounting depreciation that appears in the accounts.

I should like to mention one or two issues that arise from the schedule. The first relates to aircraft, which the hon. Members for Edinburgh, Central and for Clackmannan (Mr. O'Neill) have mentioned. There are exceptions in the schedule for trains and ships. The best way to deal with aircraft seems to be to make an exception for them, too.

The determining factor in deciding how much depreciation will be charged in the accounts is not how long one owner expects to use an asset—so it is not open to an airline that expects to use an aircraft for 15 years to decide to depreciate it at 6 per cent. over 15 years—but the expected useful life of the asset, regardless of how

[Mr. Tim Smith]

long the current owner expects to use it. That is the problem for airlines. Although an airline may expect to use an asset for only 15 years, the life of an average aircraft these days may well be 25, 30 or even 35 years. United Kingdom airlines tend to buy new aircraft. A new 747, for example, might be owned by British Airways for 15 years and then be sold—probably abroad, although that is not particularly significant—to another operator, who operates it for another 10 or 15 years.

The problem needs to be tackled, and I hope that my hon. Friend the Financial Secretary to the Treasury will be able to do so. I do not understand why the Inland Revenue favours a reducing balance method. Why do we have 6 per cent. on a reducing balance? Would it not be more straightforward to allow 4 per cent. on a straight line basis over 25 years, and at the end of 25 years the asset could be written off? That is straightforward.

The Confederation of British Industry observes in its representations on the schedule that, at the end of 25 years, there is a substantial unrelieved cost. At the start, there is 6 per cent. relief, but that is 6 per cent. on the reducing balance. The CBI points out that, at the end of 25 years, a 6 per cent. reducing balance allowance leaves approximately 20 per cent. of the value unrelieved, whereas accounting depreciation over the same period would have written off the expenditure fully. I do not know how much longer it would take after 25 years at 6 per cent. on the balance for the expenditure to be written off completely. It could easily be another 15 years. It would be simpler to have a straight line basis of capital allowances. I wonder whether my hon. Friend the Financial Secretary could comment on that.

Another important detail relating to the transitional arrangements has been drawn to my attention. Proposed new paragraph 38H of schedule 13, at the top of page 187, provides:

"This Chapter does not apply—

(a) to any expenditure incurred before 26th November 1996"—

Budget day—

"or

(b) to any expenditure incurred before 1st January 2001 in pursuance of a contract entered into before 26th November 1996."

That sounds straightforward, but it has been pointed out to me that some large capital projects—the provisions are directed principally towards such projects—such as the construction of a large power station might be organised as a series of contracts. There might be five or six. Although the project would be agreed, the contracts might not all be signed at the start. On 26 November 1996, it is possible that a company might have agreed a project with a construction company but contracted only for the first or second stages. Will my hon. Friend the Financial Secretary consider whether that is a genuine point of practical concern? I do not know. I have raised it with him because it has been raised with me.

Mr. O'Neill: I am interested in the hon. Gentleman's point. There is another aspect to that problem. A power station can be built with different generating sets added over time. To get the show running and to generate some income, as well as electricity, the first set is put in and then funded out of the next one, which may come several years later. A continuing programme of expansion can be carried out under the umbrella of the original contract.

Mr. Smith: If it was clear that there was one contract and everything was carried out under that umbrella, there would not be a problem, as I understand the schedule. However, if there was something less than a contract—a commitment that was not contractually binding under which the project would not be viable if the whole undertaking was not proceeded with—there may be a problem. I do not know, but I hope that my hon. Friend will consider that.

Cable has been mentioned. I wrote to my hon. Friend the Financial Secretary in December about a problem that is of particular concern to Cable and Wireless, although it may be a problem for all cable companies. I shall not go into the detail, but I hope that my hon. Friend will be able to respond to that.

Having said all that, I think that the changes proposed in the schedule are sensible. They can be made only in a low inflation environment, but it is sensible to try to have the profit for the purposes of corporation tax as near as possible to the reported profit in a company's accounts. For that reason, I welcome the proposals.

Mr. Ian Pearson (Dudley, West): The schedule adds a further eight and a half pages to the Capital Allowances Act 1990. No doubt it will also add substantially in due course to the voluminous case law on the issue.

It is clear from its size that the measure is not business-friendly. Capital allowances are complicated and present significant difficulties for small and medium-sized businesses in fathoming what allowances they can use for tax purposes.

The issue is of concern to many tax practitioners. In their book, "Practical Capital Allowances", Peter Newbold and Martin Wilson write about some of the practical difficulties. They say:

"It is common practice to speak of 'preparing' a capital allowances claim. This pre-supposes that particular types of assets qualify automatically for particular types of allowances, and that a claim consists of no more than assembling and presenting self-evident facts.

In the 1990s, the process is much more complicated. Both tax law and building design have moved on to a new plane of complexity, and the 'grey areas' have grown—the facts are often less evident than they once were. . . .

A claim for capital allowances must be 'developed' before it can be developed and it must be 'planned'. This clearly involves a good deal of work, and the question is often asked whether the cost (in both time and money) is justified."

That is a very real concern for a number of United Kingdom businesses, especially small and medium-sized ones in the west midlands.

Mr. Tim Smith: Does the hon. Gentleman agree that the exemption in the schedule for any business that spends less than £100,000 in one year on capital investment means that it is unlikely to apply to all small businesses and many medium-sized businesses?

Mr. Pearson: No, I do not agree. The £100,000 limit will not exempt a significant number of medium-sized businesses—certainly companies that are still small but

operate in a group structure. If the hon. Gentleman looks at the schedule, he will find that it places very severe restrictions on companies that operate group structures.

I would accept the principle behind the clause and the schedule if it really brought the tax treatment of long-life assets more closely in line with normal accountancy practice. The hon. Member for Beaconsfield (Mr. Smith) welcomed it, and like him I want taxable profit more closely to approximate accounting profit. In the same speech, however, he rightly made the point when referring to the CBI's submission, that, at the end of a 25-year period, as a result of the reducing balance system proposed in the schedule, about 20 to 21 per cent. of the value of the assets will not be relieved from tax. That does not seem to be getting close to mirroring tax treatment with accounting profit. The Government must be honest and give the real reason for the schedule. If it is a clever tax wheeze to raise £1 billion in two financial years, they ought to come clean and say so.

Mr. Darling: Following the point made by the hon. Member for Beaconsfield (Mr. Smith), I am prompted to ask my hon. Friend to look at section 38C of schedule 13, where he will see that there is a further problem concerning the £100,000 figure. Although it would catch a contract that spanned several accounting periods and treats them as being one accounting period, what would happen if concerns so arranged their affairs to have a series of separate contracts? In speaking in support of the amendment, my hon. Friend will know that we do not want to reach a point where we are creating a very healthy living for lawyers who argue such matters. Some certainty would be very helpful. Although I appreciate why the Government are trying to be helpful in exempting small firms, they could unwittingly be creating a gravy train for lawyers.

Mr. Pearson: I thank my hon. Friend for his comments, which are not only valid but have independent support. Andrew Dilnot of the Institute of Fiscal Studies said when questioned by the Treasury Committee on the issue of capital allowances and long-life assets that the provision would indeed create a gravy train for tax lawyers and accountants. He was far from convinced that the projected yields of £325 million in 1998-99 and £675 million in 1999-2000 would be achieved. We should listen to what he says. Tax lawyers and accountants are already gearing up to offer companies advice on how they should organise their tax affairs. Some of the utilities with which I have discussed the issue certainly feel that there are ways around the system and that it will not affect their businesses to any substantial degree.

5.15 pm

I turn to some of the detail of schedule 13, which raises fundamental issues that require scrutiny. It is unfortunate that, since this is the first clause and schedule to be discussed in Committee, it will not receive the level of detailed analysis that it deserves if we are to make good law in the area. I draw the Committee's attention to section 38A(2)(a) and (b), which revolve around who determines whether assets will have an economic life of at least 25 years and what we mean by a "useful economic life".

It seems clear that individuals and—probably—partnerships will decide themselves whether assets are caught by the legislation because, with the coming self-assessment regime, it will be up to them to determine such tax matters. Similarly, tax lawyers and accountants will advise companies, and undoubtedly some very interesting discussions will be held between companies and their firms of auditors as to how tax treatment of certain assets should be determined and accounted for.

The point is well made by the Institute of Directors in some of the concerns that it has been expressing about the Budget. It says that consultation with industry and tax advisers on how the rule can be implemented is desperately required. I very much endorse that. I will be interested to hear what plans the Financial Secretary to the Treasury has to consult those who will be affected by the legislation and whether further consideration should be given on Report to some of the problems that are likely to be associated with it.

Another key point to make about the section is that, although many major manufacturing companies will not keep assets for 25 years, they are nevertheless likely to be caught by the legislation because it may well be deemed that the asset has a "useful economic life" of 25 years. The most recent Government research that I have seen shows that the average age of plant and machinery in the United Kingdom is about 11 years.

Some of our leading manufacturers certainly have very clear investment programmes. I cite GKN plc as an example. It will clearly make significant capital investments in plant and machinery but will be upgrading and disposing of it well within a 25-year period. How will the section take account of obsolescence so that a machine that could last for 50 years can be replaced by a more advanced one within 15 or 20 years? What happens if everybody agrees in good faith that an asset will last for 30 years, but it lasts for only 20 years? Would the taxpayer be compensated for the loss of cash flow as a result of having only 6 per cent. allowances during this period?

Section 38A(4) and (5) deal with expenditure incurred on long-life assets in relation to composite assets, and state that apportionments should be "just and reasonable." This is peculiarly ill-defined, and it has some important knock-on consequences. Section 66 of the Capital Allowances Act refers to building alterations and states—in summary—that where a person carrying out trade incurs capital expenditure on alterations, it counts as plant and machinery. A company installing a major new manufacturing cell—which would be counted as plant and machinery, but may have a useful economic life of less than 25 years—may have to make substantial alterations to a building to install that cell. Those alterations would then be caught by the new regulations. At present, building alterations can qualify for the 25 per cent. writing-down allowances, but they will not in future. Companies that are likely to make alterations when investing in plant and machinery will be disadvantaged as a result of this part of the Bill.

Section 38B provides exemptions for dwelling houses, retail shops, showrooms, hotels and offices. I accept the point about dwelling houses, but it is not immediately obvious why it is right and fair to exempt retail shops, showrooms and hotels—or, indeed, offices. A number of large hotel groups and companies are making major investments in long-life assets, such as offices, and these

[Mr. Pearson]

will not be caught by the legislation. But a manufacturing company investing in plant and machinery to create wealth in the United Kingdom will be hit by the legislation. That does not seem to be a fair basis in law.

Section 38B(3) is welcome, as it provides exemptions to the shipbuilding industry. However, it is not immediately obvious why shipbuilding should be exempted, but dry docks—where ships go to be refurbished—are to be classified as long-life assets and caught by the Bill. If we intend to do something to help the shipbuilding industry—we have had discussions during debates on previous Finance Bills on the need to support shipbuilding—it is slightly anomalous that dry docks will not be relieved in the way that the shipbuilding industry is. In case law, I cite Inland Revenue Commissioners v. Barclay Curle and Co. as holding that dry docks are plant and machinery. Grain silos are also classed as plant and machinery and they will be similarly affected by the new legislation—even though they are used for the purposes of loading and unloading ships. We need clarification.

We also need details on the subject of investment in sports grounds. Section 70 of the Capital Allowances Act 1990 provides that investment in safety in sports grounds can be treated as plant, but there is no exemption in the legislation for such investment. In future, such investment is likely to get relief at the 6 per cent. rate rather than at the current 25 per cent. rate. Is that what the Government intend? Are they aware of the problem? Will they do something about it?

I also wish to highlight the potential problems in relation to the private finance initiative, and I will be very interested to hear the Minister's response. A number of PFI contracts for the hospital sector—which are being signed rather belatedly—are from major companies that will invest in long-life assets, and certainly in assets with an expected useful life of more than 25 years. Before this Budget there was an understanding that they would get capital allowances at the 25 per cent. rate. It seems to me—there is nothing in the schedule to suggest otherwise—that PFI projects in the health service could be damaged by the change in tax treatment proposed by the legislation. We need urgent clarification on this.

Perhaps the Minister will talk to his civil servants and respond in writing to the next few points that I wish to raise. Section 38C(3)(b) and (4)(b) of schedule 13 talk about expenditure incurred by an individual being subject to the relevant limit, which is set at £100,000. Section 38C(3)(b) says that this is subject to the individual devoting

"substantially the whole of his time in that chargeable period to the carrying on of that trade and profession".

What happens if the individual—or partnership—does not devote

"substantially the whole of his time in that chargeable period to the carrying on of that trade and profession"?

Section 38C(5)(a) talks about excluding expenditure

"on the provision of a share in machinery or plant".

Why will expenditure on such shares be excluded? We could be talking about a 50 per cent. share of a £20 million capital investment. That does not seem to me to be obvious.

Finally, I wish to highlight the point that I made at the start of my speech in relation to groups of companies and associated companies. It seems to me that the legislation will affect company decisions about whether businesses should be part of groupings or not.

That could happen, because the legislation states that the £100,000 limit should be divided by the number of companies in the group, so for four businesses in a small group the maximum capital allowance in any one-year period would be £25,000. If that is so, it is fundamental, because small companies operating in group structures could be caught by the legislation. Will the Minister clarify whether my reading is correct and respond on whether that seems fair?

5.30 pm

I am slightly concerned about the cliff edge of the de minimis limit, in that long-life expenditure of £100,000 will result in allowances of £25,000, but £100,001 will produce an allowance of only £6,000. Many companies will be concerned about contract values around the margin if they are considering investments of about £100,000, and that could have some serious tax consequences.

We need some clear answers about the real purpose of the clause and of the schedule to which the amendment refers. If it is to bring tax treatment more closely in line with normal accountancy practices, there are, as the hon. Member for Beaconsfield said, better ways of doing that than using a reducing balance method that leaves 20 to 21 per cent. of the asset value unrelieved after a 25-year period; if the real reason is that it is a nice little earner for the Treasury and a good tax wheeze, why does not the Minister say so?

The Financial Secretary to the Treasury (Mr. Michael Jack): Many probing points have been made, and I want to say at the outset how much I welcome the opening comments of the hon. Member for Edinburgh, Central (Mr. Darling). I was grateful for his remarks on the broad principles underlying the measure. He went to the heart of the matter when he rightly said that capital allowances should not be allowed to distort investment. I believe that he said that in the context of the previous reforms, and he certainly attached his remarks to the reform before us today.

One of the underlying themes of the debate has been, why we are doing this? The hon. Member for Dudley, West (Mr. Pearson) asked a moment ago whether it was a wizard wheeze to raise lots of money, and my hon. Friend the Member for Beaconsfield (Mr. Smith) suggested that it might be a timely reform to bring into line with accounting principles the way in which tax allowances treat long-life assets. It is very much that principle that has driven us in our considerations on the measure.

The current economic circumstances make it more propitious to advance that line of argument. It is important to refresh the Committee's memory about the rate of corporation tax. While we have been the Government, the mainstream rate has decreased from 52 per cent. to 35 per cent., and the small companies rate from 33 per cent. to 23 per cent.

For all those who express doubt or indeed dissent about aspects of the measure, however detailed, the acid test to which we return is whether enacting this reform in

addition to our previous reforms to the tax allowance system allows us to sustain, and indeed—for small and medium-sized companies—to improve the corporation tax regime, to the extent that, by my assessment, we have the most generous small companies corporation tax regime and the most competitive mainstream corporation tax rate of the major economies.

When business people were asked where they prefer the balance to lie between allowances and a lower rate of corporation tax, by and large they preferred the lower tax. The measure allows us to sustain that position. There is no hiding from the fact that money will be raised, as that will clearly happen if we reduce an allowance—in this case to bring it, as far as the tax system is concerned, into conjunction with the accounting principles involved—and we make no apology for that result, because the corollary is a further improvement in the small companies corporation tax rate.

I hope that I have dealt with the points made by several hon. Members. The hon. Member for Edinburgh, Central said that whatever we did should be fair and should assist and encourage. I share that view: the tax regime on companies should be fair and it should assist and encourage investment. Everyone participating in the debate has expressed a genuine wish to remove distortion by virtue of tax allowances. As my hon. Friend the Member for Beaconsfield said, that is what the reform has done. On those points, I believe that the probing questions of the hon. Member for Edinburgh, Central have been answered.

The juxtaposition of aircraft and railways was mentioned, and there was some comment on ships, the oil industry and the cable industry. I shall try to deal in detail with the points raised on those issues. I was grateful for the supportive comments of the hon. Member for Edinburgh, Central, who acknowledged that it was appropriate to exclude shipping in this context. He has long experience in that area, and clearly recalls the changes that were made in response to representations from the shipping industry: in the previous Finance Bill we made changes in the roll-over relief arrangements, and it would clearly not be appropriate to undo by the current measures the good that we did on behalf of the industry at that time.

On railways, there is no fiendish plot artificially to favour those involved in rail franchising. First and foremost, circumstances in the railways are rather different from those in the mainstream industries affected by the proposal. The Committee will reflect on the fact that the railway industry has historically been a loss maker. However much we may have debated the rights or wrongs of privatisation, we set out with a genuine intention to try to improve our railway system through privatisation and the franchising operation.

Mr. Darling: I may have misunderstood the Government over the past three or four years, but I thought that the privatisation process was intended to ensure that profits, not losses, were made. I wonder, therefore, about the justification for excluding the railways, because I understood that they were to be in exactly the same position as, for example, an aircraft manufacturer or operator, and that they were to make profits. The hon. Gentleman seems to be acknowledging that they will never make profits and that they will have to be subsidised. That is a concession, is it not?

Mr. Jack: The hon. Gentleman has spent a great deal of time considering particular points of detail in the Bill, and indeed in the schedule, but perhaps it escaped his attention that the provisions last until 2010, when they are to be reviewed, and that is precisely because we see the potential of increasingly improved finances in the railways. The Government are providing grants, which are now paid through the franchising director for the provision of loss-making services. If these measures increase the costs of the railway industry, those costs will simply come back to us through the subsidies that will be paid to the franchises that are to be negotiated. That is a sensible move. I emphasise that we expect the railway system to move into profit in due course. To judge by some of the excellent commercial ventures that have already been started by various franchise winners, the process is well under way.

Mr. Paddy Tipping (Sherwood): I listened carefully to the Financial Secretary. He seems to have made two fairly clear commitments. If I am wrong, perhaps he will clarify the matter. Is he saying that all the railway companies will be in profit by 2010? If he is, is he guaranteeing that when the matter is reviewed in 2010, they will be put on the same taxation basis as everyone else?

Mr. Jack: I refer the hon. Gentleman to paragraph 4 of the Inland Revenue press release of 26 November, which states:

> "Capital allowances will continue to be given at 25 per cent. a year on sea going ships and railway assets bought before the end of 2010, when this exclusion would fall to be reviewed by the Government of the day."

That was my point. I have expanded on the reasoning behind the shipping and railway exclusions.

If I understood him correctly, the hon. Member for Edinburgh, Central continued to probe the meaning of investing substantially in long-life assets. Those words are meant to make it clear that the sorts of enterprise concerned are exactly what the proposal says that they are: those that invest in long-life assets. In some trades, professions and activities, assets have a short life. We will discuss the question of life because many of his points revolved around the definition of long-life assets. That is why we recognised that there should be a cut-off—the de minimis exclusions—to try to take out the small and medium enterprises from the proposals.

Hon. Members have touched on how the proposals affect individual companies, and the hon. Member for Dudley, West mentioned groups of companies. Groups of companies that spend less than £100,000 a year on long-life assets, other than assets wholly excluded in the rules, are excluded. It would be to his advantage to examine the information in notes on clauses. The definition of the scope involved was "sizeable expenditure" on assets that are treated in accountancy terms as being long life. We are talking about industries that invest in substantial structures, such as heavy machinery and pipelines. The oil industry was mentioned, as were aircraft.

5.45 pm

I hope that the answer to the question of the hon. Member for Edinburgh, Central suggests itself. In the real

[Mr. Jack]

world, certain assets are deemed to have a life of 25 years or more, and it tends to be the bigger end of the investing spectrum that is affected.

Mr. Darling: May I seek clarification of that point, because it may help those who have to implement it? Does investing heavily refer to the value of the investment or to the nature of the business or individual? If the Minister personally decided to build a power station, would that be investing heavily? If a railway company that never bought any carriages suddenly bought one, would that be a light investment, even though it was a long-life asset? Is it the value of the investment or the practice and nature of the business that decides whether an investor is heavy?

Mr. Jack: There are two parts to the definition. It is determined, first, by the life of the asset, and, secondly, by the value. The point of the de minimis exclusion was that many small investments need not be caught by the provision. Serious sums above £100,000 a year would be regarded as starting on the trail of heavy monetary investment. However, to be caught, the life of the asset must be considered. If, in terms of accounting practice, it has a life of 25 years, it will be deemed to be a long-life asset and will therefore be caught. To answer the hon. Gentleman's point, if companies do not invest, they will not be caught.

Sir James Molyneaux (Lagan Valley): I apologise for my absence from the start of the debate; I was chairing a Committee.

On the life of assets, is there not a strong case for differentiating between turboprop and jet aircraft, as the former tend to have a much longer life?

Mr. Jack: I shall pre-empt some more detailed remarks that I was going to make on that. For light aircraft, matters such as the number of flying hours can be taken into consideration. It is for the company to decide all such matters when it starts in its accounting principles to deal with long-life assets. If there is a dispute about assets being long life or short life, the discussions with the inspector of taxes come into play. If no agreement is reached between the inspector and the taxable entity, the matter can be referred to the commissioners for further adjudication.

At the start of the debate, we discussed bringing tax allowances into line with accounting principles: accountants will identify the asset at company level and decide whether it is appropriate to write it down in the company's accounts as a long-life asset. It is at that point that the tax treatment is triggered. We have brought the principles together as detailed in schedule 13.

I want to pick up a point made by the hon. Members for Edinburgh, Central and for Clackmannan (Mr. O'Neill). Major components of aircraft such as engines can be treated separately. When such significant components are replaced, they can be treated as any other replacement part would be under a tax regime different from the long-life tax regime. An oil rig or exploration device may be made up of a series of separate modules, and the test would apply to each part. The principles are fair in their practical application.

Mr. Tim Smith: Is my hon. Friend saying that it would be open to airlines to break down an aircraft into its component modules? If the engines had a life of only 15 years, could they claim capital allowances at the current rate on the engines but claim for the fuselage under the new arrangements?

Mr. Jack: Engines are generally treated as separate entities for tax purposes. That would not apply to the rest of the aeroplane. I hope that that is clear.

Mr. Darling: The engines and fuselage are treated as different parts because they are made by different companies. My limited knowledge of aircraft manufacture is almost wholly gleaned from a recent visit to Rolls-Royce. I am no aircraft engineer, but I know that many other parts of the aeroplane can be separated. Is the Minister saying that many other parts of the aeroplane can be separated? For example, I understand that the most important part of an aeroplane is its wings. Those who make the wings tell me that the wings affect how the aeroplane flies and performs. The bit in the middle that we all sit in is of lesser interest.

How can the Minister take the separation of the component parts of an aeroplane or anything else so lightly? Surely lawyers will have a field day arguing that the components of an aeroplane, a power station or anything else are separate assets and that the value of not one of them exceeds £100,000. The Minister can see what arguments might be open to accountants and lawyers. Will he be a little more helpful on what line the Revenue will take? We need some certainty.

Mr. Jack: Those of us who use aeroplanes—I think that the hon. Gentleman occasionally travels home in one—would regard the placing of the pilot as rather more important than he implied. My remarks were predicated on the Inland Revenue's current tax treatment of significant and separate components. If the hon. Gentleman knows anything about aircraft, he will know that engines are taken out and new ones are put in as part of maintenance operations. A wing is an integral part of the structure of the aircraft: people would not normally take one out and put another one in. He and I can debate that, but I have British Aerospace's military aircraft division headquarters in my constituency, so I perhaps have a shade more knowledge of aircraft maintenance procedures than he has. I do not want to get into such a debate, Dame Janet, or you will rightly call me to order.

The hon. Member for Edinburgh, Central spoke generally about the mobility of airline industry investment. My hon. Friend the Member for Beaconsfield (Mr. Smith) voiced a concern that has been expressed by the industry. The sum total of the effect of the proposal on the United Kingdom airline business on an annualised basis will be £25 million, against a total investment of some £2 billion. That represents an on-cost of £1 per passenger per year. Although the industry is bound to express concern, that figure puts it into perspective.

The financing of aircraft, which is also affected by the proposal, is an international activity. People go around the world with their various lease arrangements, almost collecting tax allowances as they go.

The hon. Member for Clackmannan drew the Committee's attention to the cable industry, and he expressed concern about how the proposal would affect it. It is important to put the matter into perspective.

The annual capital expenditure of the cable industry runs at some £2 billion, and £6 billion is to be spent over the next three to five years. Given the current annual turnover of about £1 billion—which is growing—the effect of this tax proposal on the cable industry will be containable. It is not a showstopper, given the size of the investment.

We return to the question of non-distortion. It is fair to say that we have not tried to make artificial distinctions between one type of industry and another, apart from those of which I gave the Committee details a few moments ago. Given the size of the commitment, there is not a problem.

The hon. Member for Clackmannan also drew the Committee's attention to the effect of the proposal on the oil industry and asked whether any calculation had been done to measure it. I hope that my comments will reassure him. The tax effect is the equivalent of less than one third of 1 per cent. of the industry's turnover. Any industry is bound to mount an argument for special pleading, but I genuinely do not believe that the oil industry can argue that the effect of the proposal is such a serious matter.

There is, however, an important point of principle. The hon. Member for Edinburgh, Central was right to draw the Committee's attention to the need for an allowance regime that does not distort. It is important that decisions on major investments are not made by virtue of the tax allowances; sometimes, far bigger costs have to be taken into account. One of the biggest single costs to the airline industry is the amount of fuel used on a journey. One of the most important factors affecting profitability is—to use the colloquial expression—the number of bums on seats, which has a far greater effect on determining investment decisions. Airlines seek aircraft of a more modern design to save fuel, or with more capacity so that more passengers can be carried. Such considerations are more important than the effect of the tax allowance. It is important that decisions on investment should not be distorted by the allowance.

Mr. O'Neill: I am grateful to the Minister for trying at least to give some figures. The sums that he gave were somewhat vague. One does not know what would be the significance for investment in, for example, the North sea. We have to take account of the globalised character of that industry. At the margin, a project might be disadvantaged by even a fairly modest change in the tax regime. Such a project may be in competition with another in Alaska or the Gulf of Mexico, and it might be to the company's advantage to move there. Oil companies care not where they get their oil but about the money that they get from the projects in which they invest. That is the point that I was trying to make.

The Minister has not quite fiddled the statistics, but he has given a meaningless figure that needs either to be clarified or to be discarded as irrelevant.

Mr. Jack: I am not prone to deliberately misleading the Committee, but I have been informed that the hon. Gentleman was right when he said that my figure was meaningless: it referred to the airline industry, not to the oil industry. I take this opportunity to apologise to right hon. and hon. Members for my error. It adds to my argument about the airline industry and acknowledges the point that the hon. Gentleman made.

Mr. Denis MacShane (Rotherham): Resign.

Mr. Jack: For a third of 1 per cent., that is going a bit far.

I am advised that the change mentioned by the hon. Member for Clackmannan is unlikely to cause any project, certainly in the North sea, to be dropped. I shall consider whether I can make any further points, with perhaps greater accuracy, to quantify the effect of the measure.

I have dealt with the points made by the hon. Member for Clackmannan about the cable industry. I was pleased to have the support of my hon. Friend the Member for Beaconsfield. He raised a number of issues on aircraft and I hope that I have dealt with them. I was also grateful for his assistance in answering the point made by the hon. Member for Edinburgh, Central about aircraft being sold on. He answered it with clarity and knowledge.

My hon. Friend also made some points about ships and railways, with which I hope I have dealt. He asked why we had chosen the figure of 6 per cent. Capital allowances on machinery and plant are calculated by pooling expenditure. That method is generally preferred by taxpayers as it is simple to operate, but it means that allowances are given on the reducing balance basis rather than on the straight line or any other basis that may be used in commercial accounts. It is misleading to look at the period over which the expenditure is written off on the reducing balance basis. In theory, it is infinite. In practice, it is not possible to determine because the identity of the expenditure is lost in the pool.

The better comparison is with the net present value of allowances. On that basis, 6 per cent. gives the best fit with commercial depreciation for an asset with a working life of 25 years or more. That is the technical explanation. I draw my hon. Friend's attention to the Inland Revenue press release, which explains the transitional rules. I suspect that he would also have liked to mention the effect of the proposals on theatres, but did not have the time. I acknowledge his interest. If he will be kind enough to inform me of his concerns, I will be delighted to write to him about them. To pick up on some of the other transitional points that he mentioned would add an undue complication to our proceedings. I know that he would like all the matters to be dealt with through a tax law rewrite, but that is complex.

6 pm

Finally, the hon. Member for Dudley, West took us at some length through the central issue of how one determines the life of an asset. He read out a number of quotations. The straight question of who decides the useful economic life of an asset that needs to be determined when the accounts are drawn up. That is one for the accountants, who are used to it and understand it. As I said, if there is a disagreement, it is the role of the tax inspector and the commissioners to sort it out.

The hon. Member for Dudley, West asked whether inspectors would be bound by the expected economic life used in the accounts. That will be strong evidence of whether the 25-year test is made, but the inspector must

[Mr. Jack]

be able to query the figure if he is not satisfied that it is reasonable. Those are fairly simple and straightforward statements.

Mr. Nicholas Winterton (Macclesfield): I have been involved in industry, as has the hon. Member for Dudley, West (Mr. Pearson). How can my hon. Friend the Minister believe that in this modern age any asset lasts for 25 years? If we are to remain efficient in this competitive age, we need to replace machinery of almost any sort within 10 years. Writing off assets over 25 years is a total nonsense, and puts this country at a grave disadvantage with our competitors.

Mr. Jack: My hon. Friend is right. If he is drawing the Committee's attention to the fact that machinery may be built that has an obviously shorter operating life, to take account of technological advance, that clearly is a matter for the accountant. I remember this argument being used when I was involved with the glasshouse industry. It was made clear that some of the structures might not last all that long. The advice to that industry was clear—take it up with the tax inspector.

Mr. Winterton *rose—*

Mr. Jack: I hope that my hon. Friend will forgive me if I do not give way again, as I want to draw my remarks to a conclusion.

The life of an asset was a central part of the remarks of the hon. Member for Dudley, West. I shall certainly study carefully some of the further technical points that he made and, if he will excuse me, I shall write to him about them. I commend the clause and the schedule to the Committee.

Mr. Pearson: I thank the Minister for his brief final comments and for explaining the meaning of life to the Committee. I appreciate that he will write to me about some of the technical issues, and so will not mention again building alterations, dry docks, grain silos and the treatment of groups of companies. Will he comment on how the Bill affects the private finance initiative, with particular reference to hospitals?

Has the Treasury taken into account in its estimates of cost savings the way in which contracts will be redesigned to take account of the new legislation? It seems clear that, when putting in a new production line or a manufacturing cell, whereas one might have awarded a £2 million contract for 10 different machines and all the links, one will now use 10 or 11 different contracts plus an assembly contract to get around the legislation and claim the allowances.

Mr. Winterton: I am grateful to the hon. Gentleman for giving way when my hon. Friend the Minister would not. Is not one of the problems the fact that accountants make these decisions rather than production managers or engineers, who have more knowledge of the benefit of equipment than accountants, who merely look at the figures and the bottom line? Would the hon. Gentleman, whose interest and involvement in industry and in rugby football I have considerable respect for, comment on that matter before the Minister responds?

Mr. Pearson: The hon. Gentleman is right, if he is making the general point that too many accountants run businesses and that too few people with a knowledge of production and manufacturing industry are on the boards of companies.

I should appreciate a response from the Minister on the PFI and hospitals, on the extent to which the Department has taken account of the real world and on how contracts will be redesigned as a result of the legislation. It is easy to draw a coach and horses through some of the Bill because of the way in which it is drafted.

Mr. Jack: We do not hide the fact that the Bill will affect the PFI and contracts where long-life investment exceeds £100,000. As the hon. Member for Edinburgh, Central said, the quality of the investment is what should see the thing through. The matter should not turn on the question of tax allowances, which is why we are removing this distortion. The underlying thesis is the fact that, in business terms, the highly competitive corporation tax regime is far more important to those who want to make quality investments than the tax allowance regime.

Mr. Darling: I know that the Committee anticipates a vote and I shall not speak for too long, but I must refer to a number of matters. The debate has shown the difficulties that we can get into when a straightforward proposition becomes complicated by exemptions, and where different reliefs apply, depending on different definitions. Indeed, it appears that, while the Government were trying to simplify the provision of allowances, the position has become rather more complicated and many of the gainers will be lawyers and accountants.

I will deal with one or two questions that the Minister did not completely answer. We should be grateful to him for clarifying the position on railways. We have a clear admission from the Government that the railways will be making losses for some years to come—certainly for 13 years. I understand the argument that there is not much point in giving a tax break to someone who has to be subsidised by the taxpayer. That admission undermines all the Government's claims about the railways. According to the Minister, they are loss making and therefore we cannot justify giving them a further tax break. I understand the logic of that, but it bears out what we have been saying—that the taxpayer will have to subsidise the privatised railways for many years to come. Thirteen years is a long time before any review.

I have never understood why aeroplanes are included in the measure and railways are not. The Minister did not deal with that central point.

It concerned me when the Minister, in effect, gave the industry tips on how to get around the provisions of the Bill, because it seems that the engines of an aeroplane can be removed and treated separately. Perhaps the example I gave, of wings, was not a good one, although the wings are a major part of an aeroplane. I should probably declare an interest, as I use aeroplanes at least twice a week. I have always—perhaps naively—thought of an aeroplane as being one body rather than the sum of a number of component parts, all of which can be treated differently for tax purposes and removed as appropriate.

That illustrates my point. If operators and manufacturers get round the problem by treating different parts of the aeroplane in different ways, it will lead to precisely the difficulty that was pointed out by the hon. Member for Macclesfield (Mr. Winterton)—accountants

will instruct manufacturers to ensure that a part cannot reasonably have a life of 25 years and, therefore, obsolescence will be built in. When an engine or the electronics of an aeroplane is designed, the accountants will say that it must not last for more than 20 years, in case it gets caught. They can then claim the 25 per cent.

That shows the problems that arise when the law becomes, not simpler, as we all profess to want, but more complicated. I am worried that we are, in fact, creating great opportunities for lawyers and accountants. When describing the new concept—the meaning of economic life—the Minister referred to accountants, saying that they understand these matters. I was once a practising lawyer, so I know that accountants and lawyers understand these matters. In particular, they understand that a good and long argument is a lucrative way of spending their time, and we should not put together a tax system that guarantees them work for 25 years. Nevertheless, that appears to be what we are doing.

I have come to believe that the next Government will have to spend a substantial amount of time trying to sort out these difficulties, some of which will be immediately apparent, while others will only appear when the law starts to operate. It would be unreasonable to burden the next Government with having to report to Parliament in addition to that, as I suggested in my amendment.

Question put and agreed to.

Clause 82 ordered to stand part of the Bill.

Schedule 13 agreed to.

Clause 62

PHASING OUT OF RELIEF FOR PROFIT-RELATED PAY

Ms Dawn Primarolo (Bristol, South): I beg to move amendment No. 4, in page 56, line 19, at end add—

'(4) The Treasury shall produce a report each year on the companies which had schemes registered under that Chapter.

(5) The report mentioned in (4) above shall analyse the actions taken by companies in relation to profit related pay after 1st January 1998.

(6) The report mentioned in (4) above shall also describe separately the impact of the removal of tax relief for profit related pay on employees paying income tax at both higher rate and basic rate.'.

The Second Deputy Chairman of Ways and Means (Dame Janet Fookes): With this, it will be convenient to discuss amendment No. 5, in page 56, line 19, at end add—

'(4) That Chapter shall not have effect in relation to any payment made by reference to a profit period beginning on or after 1st April 1997 if the primary purpose of the scheme under which the payment is made is the avoidance of tax.'.

Ms Primarolo: The clause deals with the Government's proposals for the phasing out of the tax relief on profit-related pay. Over a period of 10 years, the Government have spent £4 billion on an experiment to find ways to encourage a closer relationship between the remuneration of employees and their company's profits. Given the proposals in the clause, it is fair to ask certain questions. Was that £4 billion wisely spent? What were the Government's objectives and have they been met? When the tax benefit is removed, will employees still be happy for 20 per cent. of their pay to remain in the schemes? What is likely to be the companies' reaction to the withdrawal of the relief?

6.15 pm

Only yesterday, the Deputy Prime Minister argued that the Government understood business very well—indeed, he claimed a monopoly for the Conservative Government in that respect. I am sure that hon. Members will agree that any business that invested £4 billion should monitor that investment and, at the end of the experiment, assess the effectiveness of the investment and whether the objectives had been achieved.

The original objectives of the profit-related pay scheme were set out by the then Chancellor of the Exchequer, now Lord Lawson, in his 1986 Budget. It was floated as a potential cure for unemployment. He said that if "a significant proportion" of wages were more flexible and rose and fell according to the company's profitability:

"This would not only give the work force a more direct personal interest in their company's success . . . it would also mean that, when business is slack, companies would be under less pressure to lay men off; and by the same token they would, in general, be keener to take them on."—[*Official Report*, 18 March 1986; Vol. 94, c. 172.]

That does not appear to have been the result of this particular tax relief.

The initial take-up rate was slow, with most companies taking advantage of the tax concession to continue their existing schemes. The original hope was that profit-related pay would reduce pay demands and prevent redundancies, but that has not happened. The evidence is that companies registering schemes are motivated more by a desire to secure extra tax relief for their employees than by a desire for flexible pay. The amendments seek to address that problem.

In justifying the changes, the Government have identified the enormous cost to the Treasury and the abuses that now occur in the scheme. It is somewhat surprising that their discovery of abuse has come so late. In the 1993 Budget, the Chancellor asserted that £100 million would be saved in 1994-95 from closing down what was then identified as a loophole in the profit-related pay rules. The loophole was closed and employers were then unable to offer profit-related pay without some degree of risk that payments made under the regime might vary with profits.

However, the Chancellor did not prevent the problem to which the Government are now returning—that of employers constructing schemes that expose employees to only a negligible risk of loss of earnings. Therein lies the problem. Employers typically guarantee to pay out 80 per cent. to 90 per cent. of the profit-related element of the pay, leaving only the remainder to vary with profits. Ernst and Young has estimated that 75 per cent. of the current schemes are an abuse of the objectives and says that it can clearly identify that the primary reason for implementing profit-related pay has been to contain costs, rather than to motivate employees.

Effectively, 80 per cent. of employees must vote in favour of the scheme, so it is unlikely that a majority of employees will vote for a scheme in which there is a material risk to their pay—where they are likely to suffer a loss. The overwhelming majority of schemes have been converted into the guaranteed pay type where 20 per cent.

[Ms Primarolo]

is the risk element of the payment. That reasoning has been supported by a survey of evidence from the income data studies report, which was produced in June 1996 and which suggested that the major part of the millions of pounds cost to the taxpayer of profit-related pay was funding schemes which provide tax-free pay rises rather than performance-related pay.

The Government published a research report on profit-related pay in May 1995, commissioned by the Inland Revenue, the Department of Employment and the Treasury. Its main conclusions were that the tax relief had stimulated a significant take-up of PRP because companies and employees were sharing the relief and that from an employer's point of view the main benefits of the relief were in tax efficiency. The report went on to say that employee involvement had been created, although it did not substantiate that claim. It did not provide conclusive evidence that the cost to the taxpayer of performance-related pay was justified by improved economic performance.

The arguments against the Government's case are clear and the Government now have an obligation to justify the expenditure. In 1986, when the then Chancellor—now Lord Lawson—introduced that tax relief, he said:

"There is considerable inertia to overcome, so it might make sense to offer some temporary measure of tax relief."

Ten years later, the present Chancellor of the Exchequer said:

"I can no longer justify the ever increasing cost of the tax relief to the 22 million taxpayers who are not in profit-related pay schemes. We cannot permanently divide the work force into groups of people who pay different levels of tax on the same earnings depending on whether the firm that they work for is in a scheme or not."—[*Official Report*, 26 November 1996; Vol. 286, c. 165.]

That is absolutely right: it is only surprising that it has taken so long for the Government to discover that. Some 3.7 million workers now in those schemes are threatened by the proposals to phase out the tax relief, possibly with dramatic drops in their take-home pay. What do the Government expect to happen once the tax break is removed? What consultation has taken place? Will pre-tax earnings rise as companies compensate employees, or will employees—particularly the low paid—suffer a loss of earnings?

Although the abolition of profit-related pay is partly due to the mounting cost to the Exchequer, another factor must be that the scheme is being abused. There are a growing number of so-called "salary sacrifice" schemes, under which employees exchange part of their salary for profit-related pay. The tax saving is shared between employees and the company, which means that the employer's wage bill is reduced. The employer and the employee share the relief. One of the water companies with a profit-related pay scheme has notified its employees that that was exactly the purpose of its scheme: when the relief is removed, the scheme will be cancelled.

The Government must explain why they did not prevent those abuses at an earlier stage. In many schemes there is little risk of employees' pay falling because employers gave an undertaking that if the Government changed the regulations the employees would be returned to their previous status. I will give examples of just a couple of schemes. Information circulated by the National Westminster bank, Lloyds, TSB, Barclays and the Midland was intended to explain profit-related pay to employees in advance of the ballot on whether the scheme should be established. The documentation, which was not secret, made it absolutely clear that the proposal was to share the tax relief—which cuts straight through the Government's argument that it should be about giving employees a stake in the company's profits.

A letter about the National Westminster bank scheme, which was started in January 1996, says:

"The Revenue regulations will not allow these payments to be guaranteed"—

that is the 20 per cent., the part that is supposed to be at risk—

"but the Bank has stated that if, during the period the scheme is in operation, it believes it is falling dramatically short of its projected performance it will cancel the scheme, revert people back to their original salaries and ensure that individuals are in a no loss situation with regard to tax.

The Bank is proposing a one year scheme which it believes would be protected from any changes in revenue arrangements for its duration."

The Barclays bank document explains how employers and employees would share the tax profit. They did so on a 40:60 split. The number of employees in the PRP scheme meant that employees, who received 40 per cent., benefited to the tune of £20 million—that is loss of revenue to the Government—and the bank benefited by £30 million. They were sharing the tax relief in that case. Other banks had different schemes. Some operated a 50:50 split, for example, and the TSB scheme was intended to benefit the bank to the tune of £6 million in the first year.

Those documents are freely available and it is beyond belief that the Inland Revenue did not discover them and see that this important measure, which was supposed to establish stakeholding for employees—employees would be given a share of their company's profitability—was being widely abused. Depending on what happens during the period of phasing out the relief, there will have to be a great deal of negotiation between employees and employers to restore employees to their original position.

Even worse, having allowed the scheme to be abused, the Government have allowed good, genuine schemes also to be damaged in the process. The John Lewis partnership scheme is a prime example. A true sharing of profits is being undermined and disturbed by Government action in this area.

The Labour party believes that it is right to reward success. We want employees to be involved in their companies and to benefit from their profits. We also want the Government, first, to state clearly—the amendment advances this case—that they will monitor the schemes so that we can see how many continue to exist once the tax relief is removed. Secondly, it should be a clear objective that any future arrangements for sharing profitability, however they may be constructed, are not allowed to degenerate into abuse and loss of revenue to the Exchequer, as the current scheme has.

Through the amendments, we seek to press the Government for a post-investment audit. Employees who will now have to renegotiate their arrangements with their employers and who may lose out deserve an explanation, as does the Committee, of why an experiment was allowed to go on for 10 years and consume £4 billion of

revenue when the Government could clearly see that abuse was occurring and that they would have to act against it.

6.30 pm

Mr. Peter Bottomley (Eltham): I note in passing that the Opposition seem to be allowed by their Treasury spokesmen to ask for reports, but not for anything else. No doubt that will change in time, whether they remain in opposition or not.

The hon. Member for Bristol, South (Ms Primarolo) properly set out the purpose of the temporary measure. She described how, during the past year, there has been a great rush to take advantage of it in ways that produce no worthwhile effect, except to the employer and employees concerned. She drew attention to the position of people who work in the John Lewis Partnership, which is one of the best examples of co-ownership in Britain. It was set up 70 years ago as a result of an apparently eccentric decision, and its history should be better known. People who work in the group's stores are not employees, but partners.

For people who are paid significantly more—perhaps those who are partners in firms of accountants or solicitors—the tax system provides all sorts of arrangements for income sheltering. If one took an average of the difference between the actual earnings of partners in top accountancy firms, established what proportion of those carry a direct burden of tax, and applied the same proportion to those working in the John Lewis Partnership, one might find that they could do better than under the existing scheme.

I shall go a stage further than the hon. Lady and ask my hon. Friend the Financial Secretary what representations have been received at the Treasury from the John Lewis Partnership, what response has been made and whether meetings have taken place with the partners or the senior people in the partnership. My hon. Friend could respond when he replies to the debate or by letter afterwards. Will the Government consider over the next two or three years what changes might appropriately be made to reward those in genuine co-ownership and profit sharing? Of course, that is not the reason why the Chancellor introduced the scheme in 1986; he introduced it for flexibility, which is a by-product of co-ownership.

I would advise my hon. Friend, and it would be in keeping with the mood on both sides of the Committee, to open up that prospect over the next year or so. In the case of the John Lewis Partnership, we are not dealing with megabucks—the tens of thousands of pounds that might be at stake for highly paid individuals. We are speaking mainly of people for whom £1,000—an extra month's pay—is roughly the reward for success and, for that matter, for expansion.

During the next year the limit comes down from £4,000 to £2,000, and the following year it comes down from £2,000 to £1,000, before being eliminated—a millennium prize. Will my hon. Friend consider the mechanics of a scheme allowing one month's extra pay as a bonus or profit-share for companies that cannot offer a share ownership incentive? The John Lewis Partnership has no shares that can be given out to employees because they already own all the shares. Such a scheme would be in keeping with what many of us want to encourage.

My hon. Friend may reply that the John Lewis Partnership is a deadweight issue. I should explain to those who have not had discussions with the Treasury that every reasonable suggestion must get over the hurdles of deadweight, substitution and displacement. In this case it is a matter of deadweight. The Treasury might argue that the John Lewis Partnership has had profit-sharing or surplus-sharing for 70 years and did not introduce the practice because of the tax break allowed in 1986. I accept that, but the tax break was supposed to encourage the attitudes exemplified in one possible way by the John Lewis Partnership.

I ask my hon. Friend gently whether he has had meetings with the John Lewis Partnership. Would he or his advisers be prepared to talk to the partnership and to others who may be interested in this subset of issues? Will he reflect on the possibility that in the Finance Bill next year or the year after it might be in the public interest to find a way of protecting those who benefit at low levels?

Mr. Andrew Miller (Ellesmere Port and Neston): The hon. Member for Eltham (Mr. Bottomley) addressed a request to his hon. Friend the Financial Secretary. I shall pose the same question to my hon. Friend the Member for Bristol, South (Ms Primarolo), in the expectation that she will shortly be on the Government Benches and have to decide on matters arising from the Bill.

Unusually, I was away from the House on Budget day. I was in a mock-up television studio in Wirral, South, listening to the Chancellor's statement. Among the people on the panel were ordinary constituents from Wirral, South. After listening to the Chancellor, one lady said, "Bang goes my new car," and her husband said, "There goes my profit-related pay." He was worried that a scheme that was on the verge of being signed would disappear. Part of the argument that had been put to him and his fellow workers in an engineering company was the incentive, to be part of that commonhold and to have a stake in the operation.

Like the hon. Member for Eltham, I have carefully studied John Lewis and other enterprises, such as Scott Bader—an unusual company with an equally odd history. In his will, Ernest Bader left the stock of the company to his employees. The company has survived through several recessions in a difficult area of chemical manufacturing. It should be regarded as a model operation.

Unusually in the chemical sector, which I know well from my constituency, the company is situated in one of the most beautiful locations in the country, in Northamptonshire. It is difficult to see that the factory is there. The ethos has survived in an attractive environment and the company has quietly got on with its job, competing effectively in a complex market. Through most of the 50-odd years since Ernest Bader's death, the attitude of the employees has been a determination to succeed. I think that employee stakeholding is an important element in that company's success. My hon. Friend the Member for Bristol, South described the exercise as a £4 billion experiment. According to the 1986 Lawson Budget, it was a potential solution to some of our unemployment difficulties and, by that measure alone, the experiment has not proved terribly successful. If it were properly utilised and generated a feeling of ownership among employees of an enterprise, the scheme could be termed a qualified success. However, we do not know whether that has occurred.

We are about to phase out tax relief on the basis of some new-found Treasury interpretation of fairness. The Chancellor claims that we cannot divide the work force

[Mr. Andrew Miller]

permanently into groups of people who pay different levels of tax on the same earnings, depending on whether the firms for which they work are members of the scheme. Fairness has been cited as part of the reason for the Treasury's withdrawal of tax relief, but the Treasury does not reflect upon the success or failure of other aspects of the scheme: first, has it had an impact on employment; and, secondly, has it improved relations between employers and employees in the sort of enterprises that the hon. Member for Eltham and I described? We referred to model situations, but there are many other lesser examples elsewhere. The experiment should be evaluated much more seriously.

The scheme is somewhat muddled, and it is undoubtedly widely abused up and down the country by companies that view it as a convenient way of paying less tax rather than as a genuine measure that would achieve the objectives that the Chancellor set out when he introduced it. It is unfortunate that no one has tried to deal with those abuses. My hon. Friend the Member for Bristol, South referred to several highly publicised schemes whose raison d'être appears questionable in the context of the issues raised in the debate. The scheme has been poorly monitored.

If we are to make any progress in this area, we must encourage a culture whereby employees have a greater sense of ownership in their companies. I have been party to a number of discussions about employee share option schemes over the years, and there is no doubt that such schemes have the potential to change attitudes in very difficult circumstances. It is a pity that we cannot evaluate whether that has occurred in this instance.

I support the amendments spoken to by my hon. Friend. Against that background, I hope that the Minister will reflect a little more on the subject rather than simply ending the scheme apparently for reasons of fairness, which may be perfectly justified but which do not necessarily take account of the issues that hon. Members have raised today.

6.45 pm

Mr. MacShane: I hope that the Minister will accept the amendments spoken to by my hon. Friend the Member for Bristol, South (Ms Primarolo) as it would be no bad thing to build into the Finance Bill a commitment to survey and examine thoroughly the workings of profit-related pay before the proposed phase-out, which would be discharged by another Government—I hope and expect that it will be a different Government.

My hon. Friend pointed out that Lord Lawson proposed the original changes to the tax law. I am extremely interested in this subject, but I did not know the extent to which profit-related pay in the context of British tax legislation was Lord Lawson's baby. It is remarkable how much of our catastrophic economic inheritance this decade is the result of that noble Lord's innovative decisions—whether it is the business expansion scheme, which led to widespread abuse, or the various other problems that have been set right in the past three or four Finance Bills. Many of our problems can be traced to the chancellorship of Lord Lawson, who I think is sinking down the league table of Chancellors—if there is such a thing. With each Finance Bill, he descends further down the historical ladder. I do not know what he is losing faster: his weight or his reputation. Although he has spawned some wonderful children who write eloquently about many subjects in our national newspapers, Lord Lawson's historical reputation now lies in tatters.

The question of profit-related pay is very important. The Government cannot simply write out 3.7 million taxpayers who have a stake in it: it is a significant part of their pay arrangements. We must consider the matter carefully and examine my hon. Friend's amendments. The earnings question is becoming more and more crucial in our modern society, as I was reminded over Christmas. A 17-year-old relative had secured holiday work in a restaurant and I asked whether she would be working on new year's eve. She replied, "No. The owner won't pay us double time, so none of us are turning up." I do not know whether it was a strike, but it was interesting that that 17-year-old and her fellow student workers had an idea of pay equity. When it was denied, they chose to do something else with their time.

A disturbing aspect of the debate about profit-related pay is that the notion of fair pay rates has been thrown out the window as a result of various economic and fiscal policies that the Government have introduced in the past 18 years. It is no longer a case of a fair day's pay for a fair day's work—the Rotherham job centre now advertises pay rates of £1.50 an hour. As the Organisation for Economic Co-operation and Development never ceases to remind us, Britain has the widest—and most rapidly widening—gap between incomes and pay of any European or east Asian economy. People are desperately worried about how they are paid and about how their earnings reflect their efforts.

Lord Lawson introduced the scheme in 1987 at the height of fascination with the Japanese economy. Dame Janet, you will recall from your visits to that wonderful country that the salaries of Japanese workers consist, in addition to monthly pay, of two annual bonuses that are supposed to be related to profits. At least, that was the myth. Anyone who speaks Japanese or who studies the complicated structures of the Japanese pay system soon learns that those bonuses are pre-negotiated and are not dependent on company profits. But the Government bought the myth that Japanese pay was profit-related and introduced it as a scheme to be encouraged in the United Kingdom. As we have seen, there has been a large increase in the use of it and nearly 3.7 million employees are involved.

The irony in Japan is that many Japanese companies are moving away from the payment of bonuses, whether negotiated or based on profit. Japanese firms are finding that what really counted in the Japanese labour market was job security. As that has disappeared in Japan, firms are beginning to find that they must negotiate much harder with their employees on the basis of normal wages. It is in that area rather than linkages to profit that the real issue of pay has to be discussed.

We know that the maximum annual tax-free payment under profit-related pay is £4,000 or 20 per cent. of salary, whichever is the lower. That can provide for a higher-rate taxpayer a tax saving of £1,600 a year. This debate raises questions that Ministers in the Treasury and other Departments will have to answer in 12, 24 or 36 months' time. Will the abolition of PRP lead to an impetus to pay-driven inflation as unions and employees seek to negotiate pay rises to compensate for the loss of tax relief?

The figures are startling. Higher-rate taxpayers would need to obtain a pay rise of £2,666 a year merely to compensate for the loss of PRP if companies did not make fair adjustments. My hon. Friend the Member for Bristol, South was right to stress the Treasury's responsibility to examine the issue in some depth and to send out messages or signals to ensure that companies do not cheat on their employees' pay. As I said, an extra £2,666 would need to be paid each year to compensate for the loss of PRP. It is a sizeable sum. We have been told that abolition stems from the cost of relief, which is running at about £1.5 billion a year.

There seems, however, to be some intellectual dishonesty. If PRP had been introduced in all sincerity—in other words, had the Treasury wanted the scheme to work and wanted companies to move to paying partly on the basis of profits—it cannot be assumed that it would cover only 1, 2, 3 or 4 per cent. of the taxpaying population and the companies that employ taxpayers. It would have to cover the entire taxpaying population. Thus a level of tax relief ought to have been built into the planning of such a scheme, covering everyone.

The real reason for abolition—strong evidence has been put before the Committee this evening—is that PRP has been abused. My hon. Friend the Member for Bristol, South quoted figures from Ernst and Young. I have seen an unpublished study produced by two young academics working on their masters dissertation at City university, which was sent to me a couple of weeks ago. They have examined different forms of share save, PRP, employee share ownership plans and share option schemes.

The section on PRP in that report was extraordinary. It showed clearly that the vast majority of companies use PRP only as a tax fiddle and that if tax relief was removed, they would kill it stone dead. It was shown that PRP was not built in, as Lord Lawson had hoped, to encourage a relationship between the employee and the output of the company as expressed in terms of profit, but to avoid tax.

Thus there is a growing number of so-called salary sacrifice schemes, where employees exchange part of their salary for PRP. Often there is little risk to employees that their pay will fall. In a sense, the scheme was not related to cyclical profitability because it became a tax abuse scheme.

Service companies, and especially professional partnerships, will regularly use PRP vehicles, where it is relatively easy to engineer the required profit level. In an earlier debate, there were references to wings and fuselages of aeroplanes being separated for tax accountancy purposes. Similarly, accountants can separate out the earnings and profits of employees and companies, park them in different companies and ensure that a scheme that was started with good intent becomes a tax avoidance fiddle.

In certain schemes, it became clear during the year that if the profit target for PRP purposes would not be met, the scheme would be suspended, with employees keeping the PRP that they received up to that point. Again, we find abuse of the scheme, there being no relationship to profit. Employees at all levels, from managers down to apprentices, do not accept such variation in their pay. The concept is spreading to quasi public sector areas such as higher education, where we are almost drifting into abuse. Lecturers are paid on throughput rather than on quality and the raising of education standards.

Instead of abolishing PRP so brutally and coldly in the Budget, perhaps it would have been better to tighten the rules so that relief applied only to genuine schemes in which a part of employees' pay would fluctuate in line with employers' profitability.

The John Lewis scheme has been mentioned, under which 36,000 employees receive pay on the basis of the company's profitability. That is not the result of Lord Lawson's intervention 10 years ago. The John Lewis scheme has been in operation for more than 70 years. Many of us who shop at John Lewis and Peter Jones, or different partnership stores such as Waitrose, believe that, like the motto, "Never Knowingly Undersold", the Government should not so knowingly undervalue the contribution that is made by John Lewis employees. Those employees are now to see a very good system for them thrown out the window.

There will be a move to another tax relief benefits scheme, perhaps a miniature version of the fat-cat package, which has caused such scandal in recent years. The most obvious candidate is an approved profit-sharing scheme under which employees might be given shares. The employer will be exempt from tax on the distribution of shares, provided that they are held by employees for three years. That, however, will not be fair on firms such as John Lewis—because, as with many other firms, John Lewis does not have marketable shares. It will not be fair on partnerships, co-operatives, trusts and many small firms that cannot gain advantage under an approved profit-sharing scheme that is based on employee share distribution.

I support the amendments and I hope that the Minister will accept them. I hope also that he will understand that we want a serious examination to take place. One weakness of the current rules is the lack of an obligation imposed on employers to disclose to their employees the profit target for PRP purposes. In other words, employees do not know what they are meant to achieve by their extra work, diligence, innovation and imagination in making the company more successful, and, of course, there is the question of what profit is eventually achieved, be it within the firm as a whole or in its different component parts.

Employers should be required to disclose that information and put it in an historic and more general context. Opposition Members do not want to see profit-related pay thrown out the window with quite the casual indifference proposed by Conservative Members who are seeking to bury Lord Lawson. We believe that PRP could become more effective in motivating staff, involving them in the business.

7 pm

In relation to quoted companies, it could be argued that the disclosure of profit targets to staff constitutes price-sensitive information, but that is no more significant than the profit estimates that are routinely issued and updated by brokers as a company's accounting period progresses, which anybody who deals in shares can get from the many consultants in the City, or even from the Internet, where they are widely available.

One of the fascinating aspects of profit-related pay—I, of course, would be the hon. Member to bring this up, Dame Janet—is that it is now becoming a European issue. The European Commission, inspired by the take-up of PRP in Britain, is now examining the idea of profit-related

[Mr. MacShane]

pay and, indeed, seeing whether a directive could be crafted to encourage it in other European countries. It seems a shame that the Government are throwing profit-related pay out the window just at the moment when Europeans are adopting what is, at its kernel and with reforms, a sound British idea.

Mr. Tipping: I shall speak briefly and compare and contrast two schemes that have been brought to my attention recently in the Nottingham area, one of which shows the positive values of profit-related schemes; the other can be described only as an abuse.

I shall start with the abuse. In the autumn, some people employed at Nottingham university came to see me to suggest that the university was to have a "salary sacrifice" scheme. They were somewhat bemused in that they wondered how an institute of higher education could produce profit in the true sense of the word. They were also keen to point out to me that profit-related schemes have traditionally come from the private sector, and that the university, although no longer clearly in the public sector, was not a private sector animal in the true sense of the word.

Those people were not just academics. The people most concerned were technicians who had worked at the university for many years. One of them, Graham Tomlinson, is a stalwart of the local community. He described the scheme as a scam. He said that it is about making money for the university and about tax avoidance. He said that they had been given assurances that they were not at risk. He pointed out that the whole point of the exercise was for the university to save money. He is a man of some integrity. He took the view that he did not want to avoid paying taxes, because he could see the irony of a situation in which his taxes allowed education to continue. In effect, taxes funded the university. I am pleased to say that the scheme at the university has not gone ahead.

I contrast that scheme with the one at Philip A. Minson, a manufacturer and distributor of net curtains in the Nottingham area. Again, the directors and employees contacted me to say that theirs is a profit-related scheme in the true sense of the word. Its employees take risks. Their salary is dependent upon how the company performs. They pointed out to me that now that the scheme has come into effect, they are all stakeholders in the company and that performance has improved.

I am concerned about what appears to be real abuse, and 3.6 million people are affected. There are about 13,000 schemes. In 2000, £1.7 billion will be saved. There is a real issue here.

I am keen to support the amendment because it looks to the future, to a situation that I am keen to see—people adding value to their company, the company valuing them, and people becoming stakeholders in companies. There is abuse, as at Nottingham university, but there are examples of excellent practice, as at Philip A. Minson. That is why I am very pleased that the amendment calls for reports to be made in future.

I do not think that this is the end of the line for the issue. I very much hope that, in future, we will introduce measures and policies that really will ensure that people who work for companies are part of that company, that they are valued by that company and that in effect they become stakeholders, who get a payback from the company.

Mr. Pearson: I begin by paying a warm tribute to the Chancellor of the Exchequer for taking the decision to phase out profit-related pay schemes. That was described in the magazine *Taxation* as being "politically courageous". That is right. Politics is about taking hard decisions. Undoubtedly there are a number of genuine profit-related pay schemes, but it is clear from all the survey evidence that has been published that there have been widespread abuses.

If you will excuse me, Sir Geoffrey, I shall be self-indulgent and quote myself. I have never done that before. In the Standing Committee that considered the Finance Bill last year, I said:

"all too often PRP schemes have been abused and used by companies as a tax dodge."—[*Official Report, Standing Committee E*, 15 February 1996; c. 351.]

I pointed to the significant level of programme dead weight and the lack of additionality of the vast majority of PRP schemes. I also highlighted the fact that it was very much a get rich scheme for consultants, who were visiting companies and telling them, "I know how I can save money on your wages bill," and making a very easy sale because the tax man was picking up the cost.

I feel sorry for those who have been operating genuine PRP schemes. I recognise that there might be some danger that the Chancellor has, as one of the directors of the CBI pointed out at the time of the Budget,

"thrown the baby out with the bath water,"

but I do not see any practical alternative when legislating in this area.

I have particular sympathy for the John Lewis Partnership, which was mentioned earlier. Last year, it paid out more than a third of its £150 million profit in profit shares. The company chairman said:

"No doubt some clever accountants and lawyers have run rings around the PRP rules, but the John Lewis scheme was a genuine sharing of profit from top to bottom of the company."

I believe that to be correct. I have sympathy for any employees who will lose out as a result. I do not think that we can ignore the widespread abuses of the scheme. That is why the Chancellor was fundamentally right to take his decision.

I must disagree with my hon. Friend the Member for Rotherham (Mr. MacShane) when he put the blame on Lord Lawson for the abuse of the PRP scheme. I think that any blame should be placed on another former Chancellor, the right hon. Member for Kingston upon Thames (Mr. Lamont). Until March 1991, fewer than 300,000 people were covered by PRP schemes; it was the March 1991 Budget, which doubled PRP relief, that led directly to the widespread abuse of the schemes that has occurred since then. In less than five years, membership of PRP schemes has grown from 300,000 to 3.7 million.

It is worth reiterating the statement made by the Chancellor in his Budget speech, when he spoke of the 3.7 million people who would be affected by abolition of the scheme. He said:

"I can no longer justify the ever increasing cost of the tax relief to the 22 million taxpayers who are not in profit-related pay schemes. We cannot permanently divide the work force into groups of people who pay different levels of tax on the same earnings

depending on whether the firm that they work for is in a scheme or not. The aim . . . of widespread use of PRP—has been achieved, and I would rather make faster progress on lower taxes for everybody."—[*Official Report*, 26 November 1996; Vol. 286, c.165.]

I know that intellectual consistency is not normally the remit of politicians, but if what the Chancellor said, rightly in my view—I refer to the words

"We cannot permanently divide the work force into groups . . . who pay different levels of tax on the same earnings depending on whether the firm that they work for is in a scheme or not"—

applies to the 3.7 million people who currently benefit from PRP schemes, it applies equally to the 700,000 or so people who are participating in profit-sharing schemes, the 500,000 participating in "save as you earn" share option schemes and the 100,000 or thereabouts participating in company share ownership plans, which used to be described as discretionary share option schemes.

If the Chancellor is intellectually consistent, he is clearly indicating that he wants to abolish tax relief on "save as you earn" share option schemes, company share ownership plans and profit-sharing schemes. If that is indeed the Government's intention, perhaps the Minister will tell us so in his reply.

Mr. Jack: The amendment invites us to spend up to £150,000 on a report. That is unnecessary public expenditure. The details will be recorded in the Inland Revenue statistics, and I see nothing in the arguments that we have heard that commends the amendment.

The second amendment confirms that profit-related schemes can save costs for companies. The job that Lord Lawson set out to do with the profit-related pay schemes—encouraging the establishment of such schemes—has now been done; my right hon. and learned Friend the Chancellor now believes that the relationship of profit to pay can be sustained, but without the need for further support from the tax system. I am therefore confirmed in that line of argument in the substantive part of the relevant clause.

My hon. Friend the Member for Eltham (Mr. Bottomley) mentioned John Lewis. I have received a letter and a telephone call from my hon. Friend, and I will consider carefully what he has said; but I remind him that John Lewis has made it clear that it wishes to continue its scheme although, on this occasion, the profit-related pay scheme and the tax relief associated with it have been withdrawn.

I invite the House to reject the amendment.

7.15 pm

Ms Primarolo: That was a rapid speech from the Financial Secretary. I think that he was spoken to about the length of the answers that he was giving. It is a shame that he could not be a little more forthcoming about the Government's assessment of the success of the profit-related pay scheme. It was breathtaking to hear him say that the Government balk at spending £150,000 on a report, when they have just spent £4 billion on a scheme that did not work. Let me add, just in case anyone thinks that that is a spending commitment, that we think that it could be done with the current resources.

There are genuine schemes. I am sorry that the Financial Secretary could not be more helpful to his hon. Friend the Member for Eltham (Mr. Bottomley), who made some very fair points about how we could assist in the future and continue to pursue the Government's stated objective. We have supported that objective—enabling employees to share in the profitability of the companies that employ them, which would encourage greater participation and more understanding of those companies.

We entirely agree with the Government that they could not and should not continue to preside over a scheme that was being so widely abused, but we are entitled to a fuller explanation of the likely impact of the removal of the relief than "The Chancellor believes that it will be OK". I think that—to quote the Chancellor—hell will freeze over before we believe what the Chancellor has to tell us, if it is not substantiated.

The Financial Secretary has behaved in a cavalier fashion this evening. There is a substantial amount of expenditure that he is not prepared to justify. The Government were prepared to squander taxpayers' resources without explaining why. The scheme that we are discussing was a clear abuse—an abuse that they knew was going on—and they have now left 3.7 million people high and dry in schemes that are to be wound up.

We will pursue the matter on another occasion; but, as the Committee wants to make progress, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 62 ordered to stand part of the Bill.

Clause 92

AGRICULTURAL PROPERTY RELIEF

Mr. Tipping: I beg to move amendment No. 6, in clause 92, page 81, line 19, at end insert—

'and

(c) the public are allowed reasonable access thereto.'.

This is a small amendment, but I consider it important. It could be described as a stile—a little hurdle that I want to put in the way of the Financial Secretary, making him pause for a moment and reflect before continuing on his path. I hope that we can find a signpost directing us to an agreed way forward: I am sure that hon. Members on both sides of the House believe that it is possible to improve the landscape and the environment, while at the same time allowing a greater opportunity for the public to enjoy the countryside.

At the time of the Budget, the Ministry of Agriculture, Fisheries and Food put out a press release which stated:

"The average full year cost of the proposal is estimated to be negligible."

It is clear to me, and to my colleagues on the Front Bench, that the time has come to review rigorously all aspects of public spending, and I think that some real and hard choices must be made about priority. I felt that there was a throwaway ring to those words in the press release: the cost was

"estimated to be negligible".

It reminds me of the old story about expenditure bids. A bid of 0.1 per cent., or one tenth of 1 per cent., will not break the Treasury—but I know that my colleagues are mindful of the fact that just a thousand pledges like that would eat up the entire Budget.

[Mr. Tipping]

One very interesting policy development has been the growth in so-called agro-environmental schemes—of which the prime mover is the countryside stewardship scheme. The amount of money committed to the countryside stewardship scheme has grown considerably. I estimate that, as of 1 April 1996, £11 million was committed to it. This Budget provides it with another £5 million, which, in the 1997-98 financial year, will increase spending on it to £21 million.

I am not necessarily concerned about that expenditure, because a strong policy argument can be made that, if we want to make payments to farmers and landowners, we should switch the focus from payments for crop production to payments to improve the landscape and environment and to attract wildlife—to "green" the landscape, to benefit us all and to add value to the world. If one wished to discover where savings could be made, one should examine arable area payments. In 1995, £1 billion in such payments were made to farmers and landowners.

I have no doubt that the type of schemes we are discussing are the schemes of the future and that they represent a switch in emphasis to achieve a "green premium". I support many aspects of the proposals; I merely seek to improve them. The schemes' principles are right, but they have not worked in practice. My amendment would require that, in habitat schemes,

"the public are allowed reasonable access"

before tax concessions are made. I draw the Committee's attention to the word "reasonable" in my amendment.

There has always been conflict between public access and the need to protect countryside and habitat, and those conflicts must be resolved. The proposals will lead to increased bird life, for example, which I welcome. There have also been some very useful attempts to use set-aside lands as areas in which birds can breed and be protected. However, people should also have a right to access, so that they can go to look at birds and to see what is happening in the countryside. Countryside protection benefits not only wildlife but people, and finding a reasonable balance is extremely important. The history of agro-environment schemes does not make pleasant reading because, as I said, although enhancing the environment and greening the environment is the right principle, in practice we are not achieving that goal.

I should draw the Minister's attention to schemes that accomplish the twin goals of creating wildlife habitat and of allowing greater public access. One current scheme—public access to environmentally sensitive areas—has all the hallmarks of the proposals that we are considering. I am holding a map that allegedly shows the public how they can locate a public access area in Dartmoor. The applicant is Mr. R. Jephson, who lives in Bedfordshire, and the address on the map is in Bedfordshire. As the map provides no other references to the site's location, it would be impossible for anyone to find the site, which is in Devon. The map was produced by the Ministry of Agriculture, Fisheries and Food and circulated by it in September 1995, and represents land that has been committed as an environmentally sensitive area, to which the public should have access. However, it does not give anyone a clue or a chance to find the land, because people would be looking for it in Bedfordshire rather than in Devon.

The countryside access scheme is similar to the environmentally sensitive area scheme. I am holding two examples of the maps, documentation and information on that scheme published by MAFF. One of the examples concerns the operation of the scheme at Denham Hill farm. The problem is that "Denham Hill farm" is the only information provided on the location of the site. The map provides no other information, such as a nearby village, or any other way in which to find the site. We are paying a subsidy to that farmer so that people can enjoy a right to walk over his fields, but no one can find where his farm is located.

An even better example is provided in a letter, dated 13 February 1996, from MAFF to the Ramblers Association, in which the association is advised that there is a right of access to a site belonging to an applicant—the Guilde Morden Townlands charity. The map does not provide the name of a town, county, road or other reference, but shows only a track, a pit and a coloured open-field site. We are paying significant amounts of money under the countryside access scheme to farmers and landowners, but, as MAFF's documentation shows, the public cannot find the sites. I spent a great deal of time trying to find the land belonging to the Guilde Morden Townlands charity, but I have been unable to do so. The examples demonstrate the current waste and abuse of public money.

I have worked with the Ramblers Association in examining the countryside access scheme and public access to environmentally sensitive areas, and we have surveyed many sites. I think that we can draw two conclusions from those efforts. The first is that few people know of the so-called "new opportunities" because of poor publicity and misleading and unhelpful information. Secondly, once the sites have been located, local people have made it clear that, in half the cases, public access or a public footpath had already existed, and that, in a quarter of the cases, a de facto right to roam had already existed. The public are therefore losing out twice, because they either cannot find the sites, or, in 75 per cent. of the cases, they already had access to them. The situation is not scandalous, but I am deeply disturbed that significant amounts of money are being paid for the public to have rights of access which they cannot exercise or which already existed.

As I said, the largest scheme is the countryside stewardship scheme, which the Agriculture Minister recently described as the premier vehicle for protecting and enhancing countryside access. The countryside stewardship scheme has the hallmarks of failure of the two other schemes that I mentioned.

I draw the Minister's attention to a document entitled "Countryside Stewardship Scheme: Public Access Sites", which I helped the Ramblers Association to publish in March 1995. It was a survey of all the countryside stewardship schemes in the country at that time. It was a major undertaking in that 600 sites were examined.

The survey found that a third of the sites were difficult to find, as I described in relation to other schemes, and, significantly, that 21 per cent. of the grid or ordnance survey references were wrong. That is clearly bad practice. More than 30 per cent. of sites had no sign at the entrance to say that they were countryside stewardship sites although such a sign is a condition of receiving a grant. Perhaps most important, 48 per cent. or almost half of the sites had access problems.

Following the map provided by the Countryside Commission, I accessed a site at Pye Bridge—not far from the Economic Secretary's constituency in Derbyshire—and had to cross the Midland main line. There are eight tracks at that point and, as the Minister knows, trains travel the line in excess of 120 mph. Clearly, that site was wrongly identified and people's lives were being put at risk. I am pleased that the Countryside Commission has now taken the site off its list.

7.30 pm

Of the sites surveyed, access was already available to 44 per cent. of them. One criticism of the scheme is that sites are difficult to find, but, when they are found, it appears that de facto access or access across a footpath is already available. Such schemes need to perform better. I estimate that the access element of the countryside stewardship scheme will cost £6 million over 10 years. To put it baldly, we are not getting value for money.

Another example of such a scheme is the conditional exemption from inheritance tax scheme under which the public are also allowed greater access to the countryside. The amendment is clear in seeking reasonable public access to land that is in a habitat scheme, but the conditionality of inheritance tax also has all the hallmarks of failure. I have raised this matter with the Financial Secretary before and I am very grateful for the interest that he has so far taken in it. I hope he will not find it churlish if I say that I have admired his interest but not what has been achieved.

Again, there is a loss of inheritance tax to the public purse in—allegedly—allowing the public greater access to the countryside. The problem with this specific scheme is that because of taxpayer confidentiality, sites cannot be identified. Therefore, the public are in theory being allowed greater access to the countryside, but taxpayer confidentiality means that no one is told where the sites are. That is absolutely crazy, and I do not believe that anyone can justify that situation.

The Countryside Commission administers the scheme on behalf of the Government. I know that the commission itself would like to see a change, and I hope that conditional exemption from IT and the habitat scheme will both be changed to allow greater public access so that people know where the sites are and can access them.

I said that the Financial Secretary had been extremely helpful, although some of the answers to my questions did not inspire me with confidence. On 29 March 1996, the Financial Secretary replied to a written question. I asked how many sites had been given

"conditional exemption from IT on the basis of public access having been granted."

He replied:

"The information requested about the number of locations which have been granted conditional exemption is not available."

That is not good practice.

In answer to another written question, the Financial Secretary confirmed that the cost of conditional exemption in such cases was between £5 million and £10 million each year. We are talking about significant sums of money—£5 million to £10 million a year in loss of inheritance tax, £10 million over 10 years on countryside stewardship schemes, and lesser amounts for the smaller schemes that I mentioned.

It is imperative that the spirit of the amendment is accepted. If payments are to be made, either in cash or by the avoidance of inheritance tax being allowed, the public should get something back—they should have greater access. The central problem is that Departments, backed by Ministers, are unwilling to advertise the sites.

Also on conditional exemption, I asked the Financial Secretary what consultation had taken place. Again on 29 March 1996, he replied that tourist offices and town halls had been consulted. Since receiving that reply, I have written to every county council in England. With three exceptions, none could find any evidence at all of being consulted. To be fair, three did say that they were consulted but were not prepared to give details of sites in their county because of the prescription of taxpayer confidentiality. Some did not know, and a smaller group would not say. It was the same when tourist information centres were contacted.

I asked the Financial Secretary how he knew that the relevant tourist centres were displaying information telling people about access to the countryside. Also on 29 March 1996, he replied:

"I am unable to provide the requested information about tourist information centres as it is not held centrally. And, in any event, providing such information may help identify individual cases of tax exemption, thus compromising the normal rules on taxpayer confidentiality."—[*Official Report*, 29 March 1996; Vol. 274, c. 777.]

There we have it—a promise is being made that tourist information centres are consulted and have the necessary information but, at the same time, the Financial Secretary is saying that they are not allowed to display that information for reasons of taxpayer confidentiality. To put it bluntly, it is a real mess—a quagmire. I have anxieties that the clause will lead to similar problems. Substantial amounts of money are being paid to farmers and landowners.

It is important that people who want access to the countryside—there is an ever-growing demand—should have the information to find the locations that they want and that there should be new public access. That is the purpose of the amendment. It is a long, hard road, but people will not give up easily. There is a tremendous desire across the United Kingdom for a better, greener landscape. We want to enjoy that landscape.

There should be a partnership between the Government and those who want to go to the countryside. The Government's policies have set up a series of misdirections, stiles and blocks on footpaths. That is not good enough. People will not tolerate it and there will have to be change. The amendment is a small step in pushing for that.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): I should like to comment on the amendments tabled by the hon. Member for Sherwood (Mr. Tipping), whom I am delighted to follow, and his Front Bench colleagues. I oppose both amendments.

The First Deputy Chairman of Ways and Means (Sir Geoffrey Lofthouse): Order. I must point out to the hon. Gentleman that we are debating only amendment No. 6.

Mr. Clifton-Brown: Indeed. Amendment No. 6 was moved by the hon. Member for Sherwood and deals with

[Mr. Clifton–Brown]

public access to habitat scheme sites. I apologise for being confused about which amendments we are discussing. I hope to be able to catch your eye on the following amendment as well, Sir Geoffrey, but I shall now confine my remarks to the right of public access to habitat schemes.

A description of what the habitat schemes in question are designed to achieve might be helpful. A pilot scheme was launched in May 1994, aimed at creating or enhancing certain valuable habitats by taking land out of agricultural production, or introducing extensive grazing, and managing it for the benefit of wildlife. The scheme targets three types of habitat: water fringes in six designated areas; farmland previously in the five-year set-aside scheme; and coastal salt marsh.

There is a philosophical divide between the two sides of the Committee. I believe that this country's extensive right of way system is not used to its fullest extent. If the system was already fully used, I could begin to understand the objections of the hon. Member for Sherwood, but it is not. There are a number of reasons for the lack of use, not least of which is the presence of one or two unco-operative landowners and farmers. I condemn those who block up proper rights of way. The Countryside Commission's target is that all rights of way should be open by 2000.

Introducing a public right of way over habitat scheme areas in a Finance Bill is not the right way to proceed. When a Government introduce an agri-environment scheme, they have to ask what that scheme is designed to achieve. I have already set out the nature of the scheme; it is designed to create better habitat. Many of the habitats that we are trying to create need peace and quiet. The Opposition's policy of a right to roam, with people wandering everywhere, would not work with this scheme. Permission to bring the scheme into effect will be granted only if the organisers believe that it will achieve the desired objectives. That will happen only with an out of the ordinary habitat, which would be impossible to achieve with people wandering everywhere. I strongly oppose the introduction in a Finance Bill of the right to roam over habitat scheme areas.

The Government have an excellent record on agri-environment schemes, including the habitat scheme. The public want that to continue. We spend approximately £100 million a year on agri-environment schemes. That is a creditable record. I am delighted that the countryside stewardship scheme budget for England alone is £46 million. I hope that Labour Members warmly welcome our agri-environment programme.

7.45 pm

I do not want any action to be taken that would damage that progress. I have an interest to declare—I am a farmer. I am also a member of the Environment Select Committee. I believe in the duty of landowners and farmers to enhance the environment of our precious planet. I cannot support the amendment, because it would jeopardise the habitat scheme. There may well be other schemes in which a specific provision for a right of public access might be reasonable, but that should be implemented when the scheme is introduced, and by the same Ministry. When the Ministry of Agriculture, Fisheries and Food introduced the scheme, it had no intention of making public access part of it.

Imagine a rare bird, such as the stone curlew, nesting in a habitat scheme area. Some well-meaning rambler might come along, not knowing what he was looking for or why the area had been designated as a habitat scheme, and put his foot on that rare nest.

Mr. Tipping: If the hon. Gentleman looks closely at the amendment he will see the words, "reasonable access". I would certainly not put my foot on the nest. I know that the hon. Gentleman agrees with the point that I made about the need to balance conflicting interests in the countryside. That is why the word, "reasonable" has been included in the amendment.

Mr. Clifton–Brown: I am grateful for that helpful intervention, which shows that we agree on the fundamental point that there should be proper access to the countryside. It is a pity when conflict occurs. However, we then part company. I do not believe that the scheme in question would benefit from increased public access, for the reasons that I have given. Many other schemes, to which the hon. Gentleman referred, have public access provisions built in.

In the spirit of open government that we Conservatives believe in, any public access provision built into a scheme should work properly, otherwise it should not be in the scheme. I deplore the fact that certain people have undertaken to give public access and then obfuscated that undertaking at every stage. They should not draw public money with the promise of access and then try to deny the public that right, but that is not the case with the habitat scheme. On that basis, I find it very hard to support the amendment.

I suspect that I would part company with the hon. Member for Sherwood over a general right to roam, which the amendment encompasses. All my remarks apply to a general right to roam, because exactly the same arguments can be applied both to the right to roam and to the right of public access to a habitat scheme area. Given his rambling interests, I am sure that the hon. Gentleman accepts that, just as there are irresponsible landowners and farmers who are causing difficulties with legitimate rights of way, there are some irresponsible ramblers. If the public are allowed to wander all over the place, some irresponsible ramblers will put their foot in it in the manner that I have described. If the hon. Gentleman accepts that there are some irresponsible ramblers, he must agree that we have to channel them into certain places.

The habitat scheme forms part of an agri-environment scheme that the Environment Committee has considered. There is no doubt that some habitat schemes are near areas to which there is much access, such as the Cotswolds national trail and other national trails. The Select Committee visited one such trail in the Peak district national park, where great boulders had to be lifted in by helicopter to accommodate the huge right of access.

I am not suggesting that habitat schemes and the terms of the amendment relate to such huge numbers of people, but one never knows. If such a scheme happened to be on the edge of a large conurbation, the very purpose for which the scheme was set up—to keep the area peaceful, tranquil and undisturbed—might be undermined.

It is very hard to divine why the hon. Member for Sherwood has chosen to table an amendment on habitat schemes. I could have understood his tabling an amendment on one or two of the other schemes, where public access is catered for; I would have had some sympathy for his argument. When providing access, people who approved the scheme and paid public money for it, with the landowner and the farmer, would have considered the problem of excess public access and concluded that they could easily cope. I am not sure that the hon. Gentleman has thought the matter through and considered all the implications.

I am keen to ensure that our environment is enhanced. We are considering not only some of our rare birds, about which we hear so much. The Environment Committee went to the natural history museum the other day to learn more about some of our endangered species. Habitat schemes were designed and introduced precisely to protect some of them. Although we hear much about some of our high-profile creatures, such as hawks, raptors and some of the small songbirds, habitat schemes are designed to protect many other extremely rare species.

The Environment Committee was given a great lecture on lepidoptera—butterflies—and learnt that at least six species are in serious danger in the British Isles. Habitat schemes were specifically designed to help such very rare species, and rely entirely on the progression down the species in the animal kingdom. The progression starts with the larger mammals, which the schemes might help to protect, and goes down to smaller mammals and birds. Birds depend on food such as smaller insects, molluscs and other items further down the food chain. Many small insects are preyed on by larger animals, and they too need to be protected. That is precisely why the habitat schemes were inaugurated.

On the visit to the natural history museum—

The First Deputy Chairman: Order. This is all very pleasant, but it would be helpful to the House if the hon. Gentleman spoke about the amendment.

Mr. Clifton-Brown: That is precisely what I was trying to do.

The First Deputy Chairman: The hon. Gentleman should try to be more successful in doing so.

Mr. Clifton-Brown: I shall try to confine my remarks more closely to the ramblers who put their foot in it, for whom the hon. Member for Sherwood is trying to prevent people receiving tax concessions.

The amendment concerns not only larger mammals, birds and butterflies, but smaller insects. Experts in the Ministry of Agriculture, Fisheries and Food tell me that the habitat schemes are very important for the smaller insects. A computer mapping scheme on a worldwide basis includes the huge amount of information held at the natural history museum. It is the largest database in the world concerning all sorts of species. It is absolutely vital to preserve valuable habitat schemes and vital smaller insects for future generations to study. A vital aspect of the food chain would otherwise be lost.

Mr. Nicholas Winterton: Sadly, I heard only part of the most interesting speech of the hon. Member for Sherwood (Mr. Tipping). Does my hon. Friend agree that the right to roam, which is very much part of the argument advanced by the hon. Gentleman, has costs? Does he accept that those who grant the right to roam and want to move across the countryside contribute a cost, whereas those who are part of the countryside and have to maintain it must meet that cost? I am sure that, as a practising farmer and one who represents an agricultural constituency, my hon. Friend knows a great deal about such matters. Will he comment on the cost of the right to roam, which is so much part of the hon. Gentleman's argument?

Mr. Clifton-Brown: I am grateful to my hon. Friend for introducing the subject of a right to roam, on which I have tangentially touched. I must, however, return to the smaller insects and the molluscs. *[Laughter.]* I do not know why hon. Members are laughing. I do not find the subject at all funny; it is very serious. The hon. Member for Sherwood wants the public to be able to walk all over—

The First Deputy Chairman: Order. The hon. Gentleman must relate his remarks to the amendment and the clause. He is failing to do so. I hope that I do not have to draw that to his attention any more.

Mr. Clifton-Brown: I am very grateful for your advice, Sir Geoffrey. I thought that I was trying to relate my remarks to the clause. We are talking about exemption from inheritance tax in relation to habitat schemes. The substantive Opposition amendment will be debated next, but the hon. Member for Sherwood is trying to give members of the public an automatic right to roam on sites exempt from inheritance tax.

Mr. Tipping: I wish to draw the attention of the hon. Gentleman, again, to the amendment, which refers to "reasonable access". I have pointed this out to him, but he is getting carried away with his own enthusiasm. "Reasonable access" tries to balance the needs of the habitat and wildlife—about which he talks so eloquently—and the needs of the public. He knows that the countryside is a living countryside and that there must be a balance between those interests. The conflict between them interests all of us who are concerned with the future of the countryside.

8 pm

Mr. Clifton-Brown: Bearing in mind your strictures, Sir Geoffrey, and the two interesting interventions that we have heard, I shall move on to the second part of my speech and deal with "reasonable access thereto"—the exact words used in the amendment.

Mr. Winterton: Does my hon. Friend accept that my intervention relating to the cost of "reasonable access" had an important impact on the amendment? The amendment states that the public should be allowed reasonable access, and the clause relates to inheritance tax. I repeat that my hon. Friend has considerable knowledge of the countryside because of his practical experience as a farmer. Are there not considerable costs involved with this amendment? Should not the amendment—which the hon. Member for Sherwood has quite reasonably tabled—clearly reflect the costs involved for those who own the land in question?

Mr. Clifton-Brown: I am grateful to my hon. Friend for reinforcing his earlier intervention. It is a good point

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to debate. What is "reasonable access"? Does it mean one person a year having access to one habitat site? Does it mean that an enormous number of people should have access, such as we saw in the Peak district national park where rocks were flown in by helicopter to maintain paths? They had to fly in rocks because thousands of people were visiting the area. I do not disparage that, but is it "reasonable access" to a habitat scheme? I would suggest that it is not.

If the amendment were accepted, we would need a clearer definition of "reasonable access". My hon. Friend the Member for Macclesfield (Mr. Winterton) is absolutely right to suggest that a general right to roam is not "reasonable access" as it will have a cost. He rightly pointed out that I am a practising farmer, and I obtain some of my income from my farm. I know full well that unreasonable access on a completely ad hoc basis—which the hon. Member for Sherwood is seeking—could do immense damage, particularly to stock-rearing areas where, I understand, many of the habitat schemes envisaged in the amendment would be.

The hon. Member for Sherwood wants the public to have an unfettered right of access to habitat scheme areas, but does he believe that that would damage the livelihoods of farmers? I support a right of access, provided that access is channelled to the right place at the right time, but if the public were able to walk everywhere—as I believe the amendment would allow—it would cause damage. For example, dogs might stray as a result of the type of irresponsible rambler to whom I have referred.

The key to all my remarks is that farmers' livelihoods are being damaged by irresponsible ramblers, and although farmers accept that the vast majority of ramblers are responsible, there is always one who spoils it for everybody else. For example, a rambler might allow his dog loose and the dog might kill several lambs or ewes. Who will pick up the bill for that? The rambler who has let his dog loose will be long gone by the time anyone discovers what has happened.

Mr. Tipping: May I remind the hon. Gentleman for the third time that the amendment does not ask for unfettered access but "reasonable access"? My position on this matter is set out clearly in the Access to the Countryside Bill, which I advise him to read. He can then identify my position, rather than make a false prospectus. Many of the points that he has made could not be attached to the Access to the Countryside Bill.

Mr. Clifton–Brown: I am grateful to the hon. Gentleman for trying to clarify his position, and I look forward with great interest to reading his Bill.

Sir Dudley Smith (Warwick and Leamington): I wandered in and thought that I had got my days wrong. I heard the discussions about habitats, but I thought that we were discussing the Finance Bill. I have listened with interest to my hon. Friend who, if I may say so, is making heavy weather of this. I hold no brief for the hon. Member for Sherwood (Mr. Tipping), but the word "reasonable" is very important in the legal sense. We all know that some people abuse these schemes, but we must bear it in mind that the public legitimately want access to the countryside and that we want to preserve habitats. There should be "reasonable access" and some give and take by farmers and ramblers. If people start going the wrong way, we must take action against them. But perhaps we should be more liberal than regressive on this matter.

Mr. Clifton–Brown: I am trying hard to keep my remarks brief, Sir Geoffrey, but I keep being distracted. Unfortunately, my hon. Friend was not here for the start of my speech, so I must briefly tell him that I am not against public access at all, but that we must have the right attitude towards it. The existing rights of way network should be upheld, but if the hon. Member for Sherwood wants to table an amendment such as this, he must specify what he means by "reasonable access."

Mr. John Home Robertson (East Lothian): The hon. Gentleman is making a terrible meal of this. He has made clear to the House that he has interests in a farm, and so have I. My farm is in Scotland where there is, in effect, a right to roam. It has never caused anybody any problems, and there is a good partnership between members of the public who walk around the countryside and the farming industry. What is the point in having a habitat scheme to protect habitats for the benefit of the public if we deny the public reasonable access to them? He is overdoing it.

Mr. Clifton–Brown: The hon. Gentleman has shown clearly that he has no idea what the habitat scheme is for. The whole idea is to keep an area completely undisturbed to enhance a particular habitat, and we must not get that muddled up with other areas of farming land where the public have a perfect right of access. The whole idea is that we wish to enhance particular flora or fauna which otherwise would not exist. That is why we are prepared to pay taxpayers' hard-earned money—to enhance those things that the public want to see.

I do not know about the farm of the hon. Member for East Lothian, but if the amendment were to be applied to it, I suspect that valuable areas of habitat might be affected. We are talking about small areas, and we do not want to deny the public the right of access to huge areas of countryside. We are making heavy weather of this because I keep being interrupted. The amendment is absolutely nonsensical and totally contrary to the purposes of the scheme. On that basis, I totally oppose it.

Mr. Alan Milburn (Darlington): We have had an interesting diversion for the last 28 minutes. It has been a veritable tour de force—a tour of fauna and flora, molluscs, insects and the animal kingdom.

I want to bring the debate back to the amendment. My hon. Friend the Member for Sherwood (Mr. Tipping) has raised an important issue, which is something of a hardy annual in Finance Bills: it comes back year after year. My hon. Friend should be congratulated on being such a doughty champion of the right of access to land that has benefited from the public purse. He raised the issue in Committee last year and he has done so again today, this time in relation to clause 92, which extends inheritance tax relief to land within habitat schemes.

The amendment would make the relief conditional on a modicum—a reasonable amount—of public access. That is exactly the sort of phraseology that was encompassed in the original Act to deal with the issue: the Finance Act 1976. The continual concern of the hon. Member for

Cirencester and Tewkesbury (Mr. Clifton–Brown) about the words "reasonable access" can therefore perhaps be laid to rest if he cares to examine previous laws dealing with the matter.

The argument is not about the principle of relieving inheritance tax in exchange for gaining public access to important parts of the countryside. The simple principle is that if the taxpayer is forking out a small fortune—because that is what is represented by the millions of pounds of revenue forgone in the past—the Government should ensure that the recipients either fulfil their obligations to public access or forgo the tax advantage.

It is a question of rights and responsibilities: the right to receive public subsidy and the responsibility to guarantee public access. That is the principle that my hon. Friend the Member for Sherwood wants to enshrine in the law through the amendment. The problem, as he said both this year and last year, is that public access cannot be guaranteed when information about the land concerned is not readily available.

We do not even know the number of sites that are subject to conditional exemption. The Government's shuffling off of responsibility to the Countryside Commission and individual local authorities simply will not do, because the local authorities do not know, and the commission will not say, where the sites are. The public, who are the ultimate financiers of the relief, cannot find out where the land is.

Last year, I paid particular attention to the Minister's comments when he replied to a similar debate in the Standing Committee. He sought to reassure my hon. Friend the Member for Sherwood about information being available to the public. He said that such information was available

"if we care to ferret out the facts."—[*Official Report, Standing Committee E*, 27 February 1996; c. 555.]

It is not. In any case, the public should not have to ferret out information that should by right be theirs.

I appreciate that it would be wrong for the Inland Revenue to disclose information about the affairs of individual taxpayers. We do not ask how much relief is worth in individual cases, but we want to know where access has been promised in return for relief and we want that access to be guaranteed. As the Ramblers once memorably put it, the law is supposed to give the taxpayer some quo for its quids.

Mr. Jack: Has the hon. Gentleman studied Inland Revenue publication IR156?

Mr. Milburn: I have not had the opportunity to study that publication, but I am sure that in his response the Minister will acquaint the whole Committee with its contents. I am concerned to ensure that, if public subsidies are given to landowners to take land out of farming use and to attain the laudable environmental objectives of preserving the countryside, the people that that is supposed to benefit—the public—have a right to reasonable access.

Mr. Nicholas Winterton: The hon. Gentleman is advancing a reasonable case, but he should consider the cost of granting that reasonable access to the countryside. I make this intervention because part of my constituency lies within the Peak park, which was referred to by my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton–Brown) in his 28-minute contribution. Will the hon. Gentleman make reference to the substantial cost that is often involved in granting what the hon. Member for Sherwood has rightly described as reasonable access to the countryside? I make particular reference to the cost of maintaining footpaths, as I have considerable knowledge of the Peak park and of the problems that growing access to the public cause to that rural environment.

Mr. Milburn: The hon. Gentleman makes an important and telling point. If rights and responsibilities apply on one side of the argument they must apply on the other. We should certainly not condone behaviour in the countryside that causes damage to areas of outstanding natural beauty or creates additional costs for those who are responsible for looking after them. I hope that the Minister will take note of the hon. Gentleman's point about my hon. Friend the Member for Sherwood having a reasonable case.

8.15 pm

It is especially important that the right of public access should be guaranteed where it has been promised, because many of the lands covered by existing inheritance tax agreements lie in areas of outstanding natural beauty—the jewels in the crown of our countryside—but we do not even know where they are, so members of the public cannot properly enjoy them.

Conservative Members have been as concerned as Opposition Members about some of the issues that we have discussed this evening. The National Audit Office also expressed concern about the operation of the current inheritance tax regime, which the clause extends to lands under the habitat schemes.

An NAO report in 1992 said:

"The Department should give further attention to the nature and frequency of the procedures to monitor owners' compliance with undertakings given in return for conditional exemption from inheritance tax on land, buildings and particularly chattels. They should also review the extent to which assurances on retention, maintenance and rights of access remain heavily dependent on owners themselves."

It is five years since the office produced that report. I understand that a Public Accounts Committee report produced the following year made similar recommendations.

Perhaps the Minister can allude to the Government's response to the NAO report and to the subsequent PAC report. A consistent thread runs through the arguments of the NAO, the PAC and my hon. Friend the Member for Sherwood. It is that simple maxim that if the public are to foot the bill through tax reliefs and tax subsidies to landowners, it must be conditional on the owners guaranteeing the public the simple right of access. That is an important principle, and I hope that the Minister will respond favourably to the amendment.

Mr. David Lidington (Aylesbury): I am grateful for the opportunity to speak briefly on the important amendment moved by the hon. Member for Sherwood (Mr. Tipping). The hon. Member for Darlington (Mr. Milburn) gave the game away in terms of his philosophical approach when he talked about the public

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footing the bill for tax reliefs or tax allowances. It is worth reminding him that we are not talking about handouts from taxpayers, but about a change in the law that would allow certain individual taxpayers to keep more of their own money and not have their assets taxed by the state as much as they would otherwise have been.

Mr. Clifton-Brown: My hon. Friend may be confusing two issues. One is the payment for the habitat scheme, to which I think that the hon. Member for Darlington (Mr. Milburn) was referring. The other is set out in the clause on exemptions from inheritance tax.

Mr. Lidington: I am grateful to my hon. Friend for putting me right. I am, indeed, referring to the inheritance tax reliefs in clause 92.

My concern about the amendment of the hon. Member for Sherwood derives partly from the conservation efforts being made in my constituency and in other parts of the Chiltern hills and partly from the list of enactments in clause 92(3). Clause 92(4) empowers the Treasury to

"by order made by statutory instrument amend the list of enactments in subsection (3) above."

I shall return later to the principle of enabling powers, and of giving a further such power to the Government.

First, I will deal with clause 92(3)(a) and (c). Paragraph (3)(a) refers to regulation 3(1) of the Habitat (Water Fringe) Regulations 1994.

Mr. Clifton-Brown: Is my hon. Friend aware that there are six such designated areas under clause 92? The Committee may be interested to know that they are as follows: the York, Derwent and Rye system; the Ribble tributaries; the Shropshire meres, which are especially important for people who live in the Welsh Marches; the River Beult, which I gather is in Kent; the Flapton Ley, which I believe is in Devon; and the upper Avon, Wylye and Nadder valleys in Hampshire and Wiltshire.

Mr. Lidington: I am grateful to my hon. Friend. Inland river systems sustain a great variety of wildlife, but they have come under increasing pressure in recent decades as a result of changes in farming techniques, improved drainage and the greater use of pesticides. It is important that we should do our utmost to conserve the flora and fauna that remain in those rich habitats.

By their nature, water fringes, especially when they are near large population centres, attract many people as sites for picnicking, camping and other recreational pursuits. I am sure that my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) has, like me, enjoyed a family walk along a country river or around a lake. His mention of the Shropshire meres reminded me of such an afternoon in the company of my wife—and a very pleasant outing it was.

Mr. Nicholas Winterton: My hon. Friend mentioned meres, but what about canals? I refer in particular to the Cheshire ring and the Macclesfield canal. What about the flora and fauna there? Will he comment on that in adding to his excellent contribution?

Mr. Lidington: I am grateful to my hon. Friend for the benefit of his customary detailed knowledge of the area that he represents.

My hon. Friend the Member for Cirencester and Tewkesbury informed the Committee that regulation 3(1) of the Habitat (Water Fringe) Regulations 1994 does not apply to the canal systems in Cheshire mentioned by my hon. Friend the Member for Macclesfield (Mr. Winterton). However, statutory instruments, by their nature, can easily be extended and this one could be extended to cover more sites than were included in the original Department of the Environment list. It is certainly conceivable that the canals mentioned could come within the scope of subsection (3)(a) if the Government of the day decided to amend the provisions. My hon. Friend made an important point about canals, which sustain a variety of wild plants and animals. To his knowledge of the waterways of Cheshire, I add mine of the Aylesbury and Wendover arms of the Grand Union canal which both support wildlife and attract people who live and work in towns and want to get out and enjoy the countryside.

This debate forces us to examine carefully the inevitable tension between the interests of conservation and of the rights of public access to recreation in the countryside. Water fringes are vulnerable habitats, but that is even more true of the saltmarshes mentioned in clause 92(3)(c). I do not know whether my hon. Friend the Member for Cirencester and Tewkesbury has been able to ascertain a list of those sites covered by the Habitat (Salt-Marsh) Regulations 1994.

Mr. Patrick Thompson (Norwich, North): Mention of salt marshes makes me think of the coast of north Norfolk. I am not expert on this part of the Bill. Can my hon. Friend explain whether coastal saltmarshes would be affected by the regulations?

Mr. Lidington: The salt marshes of north Norfolk and the Wash would appear, at least in principle, to be eligible for inclusion in the Habitat (Salt-Marsh) Regulations 1994. If they are not among those sites which would be affected directly if the amendment were passed, they could be affected in the foreseeable future.

8.30 pm

Mr. Tipping: Does the hon. Gentleman accept that access to saltmarshes is already provided under one of the agri-environment schemes—the scheme on public access to environmentally sensitive areas? Does he agree that the balance between protecting the landscape and the environment and allowing public access is what is exercising the mind of the Committee?

Mr. Lidington: I wholly agree with the hon. Gentleman that the test for the Committee is to get the balance right. It is my contention that that is best achieved by examining the terms of schemes and making arrangements for access to sites rather than by incorporating the rather broad language of the amendment in the Finance Bill.

Mr. Clifton-Brown: My hon. Friend asked me whether I had been able to obtain any information about the saltmarsh option. Unlike the water fringe option, which is for inland waterways—fresh water—at six designated sites, the aim of the saltmarsh option is to create and extend areas of saltmarsh on suitable land, consistent with the provision of effective and sustainable coastal defence. That might be helpful to my hon. Friend.

Mr. Lidington: Indeed. We have only to consider the pressure on saltmarshes, as on inland waterway systems,

not only from agriculture but from development of various types, to see why we need to take great care to ensure that such sites are adequately protected. North Kent and the now aborted proposals to develop the Maplin area of the coast of Essex for an airport in the 1970s are just two examples of the pressure on saltmarshes around the coast of Britain. That is why the Committee should be careful before allowing public access in the way that the hon. Member for Sherwood wishes. I know that it is not his intention, but the amendment might unwittingly have the effect of allowing access to such an extent as to damage the habitat that attracted people there in the first instance.

Mr. Patrick Thompson: I am becoming genuinely interested in the point about public access. There is a distinction between public access and total exclusion of the public. Is there any halfway measure under which restricted access could be allowed, either now or in the future? I know that certain categories of people are allowed into certain special conservation areas. Is that relevant to the clause?

Mr. Lidington: My hon. Friend makes an important point. One of my quarrels with the term "reasonable access" in the amendment is that it does not seem to allow sufficiently for the dilemma that my hon. Friend has illustrated.

I return to the point that I made to the Committee earlier. If a public access agreement is drafted which is specific to a particular site, it will allow for access to be given to biologists and genuine researchers. It would allow the public to be barred from sites at particular times of the year, in the same way as public access to the Fleet lagoon in Dorset is strictly limited when the wading birds are likely to be nesting. Detailed site-specific arrangements could then be made. My fear is that the language adopted by the hon. Member for Sherwood would allow public access to continue and to grow, perhaps to the detriment of particular sites.

Mr. Clifton-Brown: My hon. Friends have raised an important point. Of course, the scheme is time-limited to 20 years, so any public access would be prescriptive rather than statutory. If it were prescriptive, would it be possible to limit public access to certain times of the year? To take my stone curlew nesting example, it is important to keep the public away during the nesting months of April and May. Does my hon. Friend think that that would be a good idea?

Mr. Lidington: That would be a good idea. Even within a public access agreement for an individual site, it would be desirable to allow a degree of discretion to the managers or those responsible for supervising conservation on a particular site. For example, if a particular habitat is used by migratory birds during their flight north or south in spring or autumn, it would surely be sensible to allow a measure of discretion to those responsible for conservation so that if migration was early or late in a particular year, they could bring forward or put back the period of public access in the interests of conservation. My hon. Friend's point strengthens my view that the language of the amendment is inappropriate.

I move from new section 124C(3)(a) and (c) to the subsection which, I confess, troubles me most. New section 124C(3)(b) refers to the Habitat (Former Set-Aside Land) Regulations 1994. As every member of the Committee will appreciate, set-aside land is found in every part of the country. No one knows for certain how the scheme is likely to develop. There have been significant changes during the past 12 months, as a consequence of the impact on the European beef market of the BSE crisis since March 1996. That brings me away from the coasts and back towards my constituency and neighbouring constituencies and to the Chiltern hills.

The Chilterns are a valuable habitat. They include much land which is classed as an area of outstanding natural beauty, and much which is green belt, but the Chilterns also often mark the dividing line between land which is given that class of protection and land which is available for normal development, subject to the usual planning process.

Counties such as Bedfordshire, Buckinghamshire and Berkshire, which are just beyond the rim of the London green belt, are peculiarly subject to development pressures. Anyone who has studied the Department of the Environment's recent Green Paper on household projections will know how the demand for housing and new premises for employment in those south-eastern counties is forecast to grow steadily—some might say dramatically—in the next 10 to 20 years. That growth will put still further pressure on agricultural land and woodland in my constituency and in other parts of the Chiltern hills.

Mr. Clifton-Brown: And in the Cotswolds.

Mr. Lidington: The Cotswolds and the Chilterns probably have a great deal in common so far as development pressures are concerned.

Mr. Nicholas Winterton: My hon. Friend makes a good point, but does he accept that it is not merely areas to the north and west of Greater London, such as the Chilterns, his constituency and the Cotswolds, that suffer such pressures? Areas on the periphery of great cities such as Manchester also suffer. I refer to my constituency of Macclesfield in Cheshire, where the same pressures are being exerted and the same arguments are relevant to my hon. Friend's proposals, which he is making in an excellent contribution to the debate.

Mr. Lidington: I thank my hon. Friend. Having some good friends who live not in his constituency, I fear, but nearby, and having visited Wilmslow, Knutsford and Mobberley, I am certainly aware that development pressures in Cheshire as a consequence of people coming out from the Manchester conurbation are probably as acute as those affecting counties such as mine, which are adjacent to the London conurbation, although on a slightly smaller scale in view of the relative size of the two cities.

There is not only development pressure on the Chiltern hills and Buckinghamshire. Understandably, there is also a huge demand for public access and I have immense sympathy for that. I was brought up in north-west London and used to go for Sunday walks with the family along the Chess valley or the scarp of the Chiltern hills. None of us wishes to deny such walks to present or future generations, but we have to ensure that public access does not develop in such a way that it damages a precious environment. Public access has to be managed.

[Mr. Lidington]

In my part of the country, there are many opportunities for legitimate public access through long-distance paths such as the Ridgeway along the scarp of the Chiltern hills and the north Buckinghamshire and south Buckinghamshire footways, which Buckinghamshire county council has developed with great prescience and vision to balance public access, conservation and efficient farming in a way that I am sure that the hon. Member for Sherwood seeks to achieve as much as anyone else.

There have also been clashes, however. A number of farmers and landowners in Buckinghamshire and Oxfordshire have been alarmed at some of the initiatives taken by the Ramblers Association and people such as the hon. Member for Sherwood who want a more general right to roam enshrined in law.

8.45 pm

Mr. Tipping: I think that the hon. Member for Aylesbury missed the beginning of my speech. I have never advocated an unrestricted right to roam. As I said earlier in this short—but extending—debate, my position is set out in the Access to the Countryside Bill, which tries to deal with the tensions that the hon. Member so rightly recognises.

Mr. Lidington: I am grateful to the hon. Gentleman for making that point clear.

Mr. Patrick Thompson: This is becoming a very interesting debate. Before I became a Member of Parliament, I spent much time in the national park areas involved with the Duke of Edinburgh award scheme and so forth. To what extent do these issues differ in national park lands and in the areas that he is describing in Bedfordshire and Buckinghamshire? Does national park status make a difference and, if so, how?

Mr. Lidington: I am no expert on national park land. Some people have argued that the Chilterns or the Cotswolds might be given national park status. I would prefer to avoid that degree of what some people might describe as overmanagement and rely on finding a sensible and pragmatic balance between the differing interests of agriculture, forestry, public recreation and conservation in the way that I have sought to describe.

Two local issues have given me cause for great concern about clause 92(3)(b). The first is my knowledge of the efforts being made by the Berkshire, Buckinghamshire and Oxfordshire Naturalists Trust to establish a network of nature reserves throughout the Chilterns to try to bring back some of the flora and fauna that have been lost as a result of poor stewardship during previous decades of this century. The people most closely concerned with those projects have told me that it is no good relying on a tiny network or series of oases of nature reserves, from which we exclude the public altogether and expecting that plants and animals will thrive in those isolated colonies. Instead, they argue, we need to link those oases through hedgerows and set-aside land which is responsibly managed in the interests of conservation. The creation of those links between nature reserves, in the traditional sense, could be put at risk by the amendment.

My second cause for concern locally derives from the ambitious project under way in the Chilterns—due in part to the great generosity of my constituent Mr. John Paul Getty—to reintroduce the red kite back into England. You will know, Sir Geoffrey, that the red kite is a bird of prey which, through persecution, had been confined to a small area of mid-Wales around Plynlimon, but which can now be seen by drivers along the M40, thanks to a sensible programme of conservation and management.

The hon. Member for Darlington (Mr. Milburn), contributing from the Opposition Front Bench, referred to the fact that it was difficult to obtain details of every site listed under the various regulations described in clause 92(3).

Mr. Tipping: I hesitate to correct the hon. Gentleman. However, the sites that we said the public had difficulty in finding were not those to which he refers, but those which have conditional exemption from inheritance tax to allow greater public access. I do not think that the hon. Gentleman has been following the debate closely enough.

Mr. Lidington: My point is that in the interests of good conservation—this was certainly true in the case of the red kite—it is often important to keep the location of specific sites secret so as to ensure that rare species are allowed to breed and thrive without the attentions of bird egg collectors or poachers intervening in that process. I would not want circumstances to arise in which, in order to achieve the desirable objective of greater public access to and enjoyment of our countryside, we allowed intrusions that could severely damage efforts to introduce or restore species to habitats in this country and to ensure that they thrive there.

I said earlier that I wanted to return to the enabling powers that the clause would give to the Government. I simply note that in clause 92 the proposed section 124C(4) to the Inheritance Tax Act 1984 would enable the Treasury, by order, to

"amend the list of enactments in subsection (3)".

It follows that if the Committee were to accept the amendment proposed by the hon. Member for Sherwood we would be putting into law a right of public access—or "reasonable access" in the terms of the amendment—not only in respect of those enactments already listed in proposed section 124C(3), but in respect of any future enactments added to the list by any future statutory instrument introduced at the behest of any future Government. It is a good principle that, whenever possible, we should try to avoid giving too many enabling powers and it is that principle which causes me to have further doubts about the amendment.

Mr. Nicholas Winterton: The amendment moved very reasonably by the hon. Member for Sherwood (Mr. Tipping) seeks to make inheritance tax agricultural relief for land dedicated under long-term habitat schemes conditional on the public being allowed reasonable access to the land. Does my hon. Friend accept that protecting or improving the environment and creating public access to land are totally different objectives, albeit equally desirable ones? Is that not why there are different arrangements dealing with habitats and with public access to land? I have considerable sympathy with the argument advanced by the hon. Member for Sherwood, but are not

the matters relating to habitats and public access that we are debating two very different issues? Will my hon. Friend deal with those two issues?

The First Deputy Chairman: Order. Before the hon. Member for Aylesbury (Mr. Lidington) deals with those points, I must say that that was a very long intervention.

Mr. Winterton: And a very relevant one.

The First Deputy Chairman: Order. Relevant or not, interventions are supposed to be brief and to the point—and that one was neither.

Mr. Lidington: I am sure that my hon. Friend will try to catch your eye later in the Committee's proceedings, Sir Geoffrey, so that he can develop his important arguments.

I want to conclude by saying to the hon. Member for Sherwood that, although I understand and have some sympathy with the motives behind his amendment, he has chosen a blunt instrument with which to secure his objective: there are better ways of securing improved public access to our countryside.

Mr. Jack: This has been an interesting debate, which has shown that Conservative Members have a clear understanding of and a great deal of sensitivity towards the issues relating to the countryside and habitats.

I want to deal directly with the lines of argument advanced by the hon. Member for Sherwood (Mr. Tipping) when moving his amendment.

Mr. Robert Ainsworth (Coventry, North–East): Some time ago.

Mr. Jack: Indeed, it was some time ago. I might be wrong, but I believe that the hon. Member for Sherwood has stirred up the proverbial hornets' nest among Conservative Members.

First, I want to direct the hon. Gentleman's attention to an important piece of logic relating to his amendment. I would not normally accuse him of being an opportunist, but there is an element of opportunism in the phrasing of his amendment. He has, in his own way, asked for land covered by clause 92 to be subject to an extra requirement in respect of access. As I know from a former ministerial incarnation, the hon. Gentleman takes an interest in countryside and farming matters, so he will understand that we could not have had this debate had it not been for the fact that the Government responded to representations from concerned landowners, who wanted to advance land into various environmental schemes for the general benefit of the people and of the countryside environment, but who would hold back from so doing if we were to leave the law unchanged. Taking into account the inheritance tax factors affecting ordinary farmed land, it is an entirely praiseworthy and meritorious development that we are now moving towards encouraging more land not to be farmed but to be dealt with in an environmentally sensitive way. I therefore hope that the hon. Gentleman will give us some brownie points for our actions in that respect.

Although clause 92 is fairly narrowly drawn in the areas that have to be exempted from inheritance tax provisions, the debate has alerted us to a wider issue, with which the hon. Gentleman entertained the Committee. The narrow issue is the question whether there should be "reasonable" public access to the types of habitat scheme enunciated in proposed section 124C(3) to the Inheritance Tax Act 1984. What is distressing coming from someone who takes a genuine interest in countryside matters is the fact that the hon. Gentleman has not defined what he means by "reasonable".

In my former incarnation at the Ministry of Agriculture, Fisheries and Food, I opened one of the first six habitat water fringe schemes. I recall tramping through a meadow adjacent to the Ribble and understanding precisely what was happening in that ecologically finely balanced area as a result of the scheme, which imposed a highly restrictive regime on the farmer concerned. If we had not had a clear definition of the word "reasonable", we might have had large numbers of people, having been alerted to that habitat scheme, tramping across the meadow land and taking away all the advantages of its entering the scheme in the first place. The Committee could not reasonably be asked to support the amendment without the word "reasonable" being more closely defined.

Sir James Molyneaux: In view of the consensus that has been achieved in the course of this good natured debate, could not the two Front Benches come to an agreement—enter into collusion, if necessary—reinforced by all the rest of us, to ensure that any future Treasury Bench, under whatever management, would underwrite landowners' interests? I am only a window box farmer, but such a measure would cover landowners against public liability claims, which have arisen in my constituency to the extent that one farmer was forced to sell his land because of an alleged injury sustained by a rambler walking across his land. As no insurance company will provide such cover, a future Chancellor of whatever party should undertake to do so, even if it means increasing income tax.

9 pm

Mr. Jack: The right hon. Gentleman makes an interesting point, which may be relevant to the general issue of encouraging farmers to offer to put land into habitat schemes that require public access. Those points will no doubt have been noted by my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food, who is responsible for schemes such as the countryside stewardship scheme. I shall draw the right hon. Gentleman's remarks to his attention.

I have criticised the narrow point of the amendment and shall now trespass a little into other areas. First, however, I refer to the incisive speech by my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton–Brown), who made cogent, coherent and knowledgeable representations about this matter before the Finance Bill was published and before the announcement on the issue on Budget day. He spoke on behalf of many concerned landowners in advocating that we follow that measure. I publicly record my appreciation for his lines of argument alerting us to the matter in the first place. In my hon. Friend's knowledgeable speech, he attested to many of the real issues that surround the whole question of reasonable—however one defines that—access to land in the type of habitat scheme that is the subject of the amendment.

[Mr. Jack]

The hon. Member for Sherwood went wider than the narrow terms of the clause and took us into two important realms, one of which was land that is already the subject of the inheritance tax exemption, but which may be in various forms of habitat scheme. The debate ranged over schemes such as the countryside stewardship scheme, the countryside access scheme, environmentally sensitive areas and the woodland grant scheme, to name but four of the major schemes. If I understood the hon. Gentleman correctly, in moving his amendment in that way, he sought to make the wider demand that, if that land was to continue to enjoy the inheritance tax exemption, as does all other farm land, because of its habitat nature that land, too, should have greater access. He cited the Ramblers Association audit of knowledge about the schemes.

I do not want to go into areas where I should not go, but it is worth reminding the hon. Gentleman to look carefully at publications on the countryside access scheme, which tell farmers who put their land into that area the ways in which they should make information more widely available. The hon. Gentleman and I have debated before the signposting of information in tourist centres and so on. The best service that I can render the hon. Gentleman and the Committee is to draw to the attention of my ministerial colleagues responsible for policing those schemes some of the deficiencies that have been attested to.

It was interesting to note the figures that the hon. Member for Sherwood gave. He said that a third of the land was difficult to find. He did not, however, say whether the people trying to find it were experts in map reading and using other aids to locate it. Nor did he entertain us with information on whether the other two thirds was found easily.

Mr. Tipping: I am conscious that the Financial Secretary had to miss part of the debate. Had he been present, he would have heard me say that at that time the countryside stewardship scheme was administered by the Countryside Commission, and that 20 per cent. of the grid references provided by the Countryside Commission were wrong.

Mr. Jack: Clearly, that is historic information, but it is important. The point that I am making is that, to join all those other schemes, landowners must fulfil various access requirements, yet under clause 92(3) some other forms of land are particularly sensitive and one would have to be certain about what "reasonable" meant in those contexts.

Mr. Nicholas Winterton: Will my hon. Friend give way?

Mr. Jack: I should like to make a little progress, but I shall give way briefly to my hon. Friend.

Mr. Winterton: Does my hon. Friend agree with the point made by the hon. Member for Sherwood (Mr. Tipping), that all landowners must—I emphasise the word "must"—publicise public access arrangements that are agreed by the appropriate heritage agency working in conjunction with local authorities and other interested parties? Is that not vital to the Government's aims, and does it not work towards what the hon. Member for Sherwood is trying to achieve?

Mr. Jack: Yes, but I fear that three different issues concerning access have become muddled. My hon. Friend's remark is relevant and correct. In a moment, I shall deal briefly with the third issue, about which the hon. Member for Sherwood had something to say, relating to land that may be farmed.

In general, if farm land is admitted to environmental schemes, closely defined access requirements are already built into the schemes, so there is no need to embroider them.

I pay tribute to the perceptive and sympathetic remarks of my hon. Friend the Member for Aylesbury (Mr. Lidington), who drew our attention to the terms of the salient part of clause 92, which is of direct relevance to our discussion.

The third issue to which the hon. Member for Sherwood drew our attention was those forms of asset—in this case, land—that were the subject of exemption from inheritance tax, in exchange for access, so to speak. I remember that last year the hon. Gentleman debated the subject at length, but I shall not attempt to paraphrase our comments. I undertook to make that information more widely available.

The hon. Member for Darlington (Mr. Milburn) said in his pugnacious way that members of the public should not have to go ferreting around for that information. I can tell him that the ferrets can go back in the pocket and down the trouser leg: the public have no need to ferret about, because we have taken further action to make the information exceedingly widely available. That is why I asked the hon. Gentleman whether he had read Inland Revenue publication No. 156. I shall furnish him with a copy of that excellent new leaflet, which sets out the broad-brush approach for obtaining information about the land that is on the exempt register.

I have asked the Inland Revenue to write to all the local authorities that run a library service, giving information about the availability of the Inland Revenue leaflet and providing a poster to publicise our efforts to make more knowledge available about where the land is and how it can be accessed, while maintaining taxpayer confidentiality. We have put the entire register on the Internet, so there is now public as well as private provision for obtaining the information.

We have addressed all three of the areas of concern identified by the hon. Member for Sherwood. In the light of the information and assurances that I have given him, I hope that he will not press the amendment to a Division.

Mr. Tipping: The debate has been stimulating and enthusiastic. We have been taken down paths that perhaps we should not have trodden, we have been to faraway fields, and at times the debate almost became a picnic. We have tested your tolerance, Sir Geoffrey.

Across the Committee, there has been a recognition of the need for a balance between protecting the habitat and allowing public access. That is a great challenge. I have set out my position in the Access to the Countryside Bill, which is before the House. It deals with many of the points made in the Chamber—for example, the notion that access should be allowed only at certain times of the year,

the notion of restriction orders, and the notion that access not only is a right, but entails responsibilities. I am particularly interested in the point raised by the right hon. Member for Lagan Valley (Sir J. Molyneaux) about owner liability. I am currently addressing that issue, with a view to including it in a subsequent version of the legislation.

The Minister called me an opportunist—he was very nice about it—and I confess to that charge. The amendment was intended to provoke debate and discussion. One or two hon. Members said that their interventions would be short, but if their walks are as long as their short interventions, I shall never accompany them.

I have taken the opportunity to raise issues such as public access to environmentally sensitive areas, countryside access schemes, the countryside stewardship scheme and conditional exemption from inheritance tax. I praised the Financial Secretary earlier in the debate for always listening and taking an interest in such matters. I believe that we shall continue to tread this path. I am conscious that changes have been made, but much more remains to be done.

The hon. Member for Macclesfield (Mr. Winterton) referred to issues of cost, and he will recall that I identified sources of funding. For example, I mentioned the arable area payments scheme, in which the hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) is also interested. Landowners and farmers receive substantial sums from that source and the hon. Gentleman has advocated capping that expenditure.

There is general agreement within the Committee that we must balance the people's right to access the countryside against the need to enhance and protect the countryside and lift the landscape. It is a complicated area, and I am delighted that we have had such a stimulating debate. I am glad that the Minister has re-examined the matter, and I shall continue to press him on those issues. Progress has been made, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Milburn: I beg to move amendment No. 7, in page 81, line 46, at end add—

'(7) This section shall only apply to land which has been acquired for bona fide reasons and shall not apply to land which has been acquired as part of a scheme or arrangement of which the main purpose, or one of the main purposes, is the obtaining of a tax advantage.'.

The amendment has one simple, but significant, purpose: to protect the taxpayer and the Inland Revenue from any possibility of abuse as a result of the proposal in clause 92 to extend inheritance tax relief to land in habitat schemes. The Opposition support the principle behind the habitat scheme: promoting nature conservation is clearly a laudable objective, particularly as it applies to sites of special environmental significance. We would like to see the common agricultural policy reformed in such a way that it focuses resources still further on those positive environmental objectives.

We are equally concerned about protecting family farms. Those family businesses provide a key focus for stability and continuity in rural communities—they are often the backbone of our countryside. It is clearly an important Government objective to try to avoid the break-up of working farms of that sort. The extension of agricultural property relief under the IHT rules in the 1992 Budget from 50 per cent. to 100 per cent. was presented as a means of doing just that. Nowadays, exemption from inheritance tax can be gained after only two years of owner occupation of a working farm. Two years ago, provision for 100 per cent. relief was also extended to tenanted farms. According to the Budget press release of 26 November 1996, the Government's—

Mr. Clifton-Brown: There is a slight inaccuracy in what the hon. Gentleman has just said. The exemption for tenanted farms was only that granted in the recent tenancy legislation for farm business tenancies, not for all tenanted farms.

9.15 pm

Mr. Milburn: That is right. It is 100 per cent. relief after seven years rather than two for owner-occupied farms.

According to the press release of 26 November, the Government's new intention, which is enshrined in clause 92, is to extend relief from inheritance tax to land managed under the terms of the habitat scheme. The release tells us that the Revenue has received legal advice that as the law stands such land would not qualify for such relief. Perhaps the Minister will explain how that situation arose. He alluded to representations that have been made by landowners. I hope that he will tell us how many representations were made. He might allude as well to the legal advice that he has received that has necessitated the clause that is before us.

I hope also that the Minister will indicate the costs of extending relief in the way that is set out in the clause. That is important for two reasons. First, those with land covered by the habitat scheme are already receiving a public benefit. Expenditure on the scheme is projected to rise to almost £2 million by the end of the decade. Extending the IHT relief to land in habitat schemes represents a double benefit at public expense so it is doubly important that the taxpayers' interests are properly protected from abuse.

Secondly, as there is now a substantial body of evidence to suggest that agriculture property relief is being systematically abused for tax avoidance purposes, our amendment aims to prevent such abuse so that the extension of APR is available only to those who have a genuine desire to farm and to protect the countryside. It would prevent the unscrupulous from hiding behind a laudable environmental objective purely for the purpose of erecting a convenient tax shelter.

Such abuse has become all too common. The *Financial Times* of 14 May 1994 contained an article entitled

"Tax farming: an old crop is revived".

It outlined how tax avoidance under IHT rules could not be simpler for those who could afford it. It is an interesting article. It referred to the current market for land and the fact that there were only a few farms available for sale at that time, partly because of the influx of British and foreign buyers. It reads:

"British buyers now include the rich, eager to take advantage of the new inheritance tax rules. 'Sell a house in the English home counties', says Christopher Wilson of buying agent Wilson and Wilson, 'and put the proceeds into a farm with vacant possession. Work it for two years, perhaps by contracting out, and IHT will vanish.' His firm and accountants Grant Thornton have formed a 'city landowners service' to handle that sort of work."

[Mr. Milburn]

In other words, those who are wealthy enough can enjoy a 40 per cent. tax windfall simply by parking some cash in farmland for two years.

The article went on to suggest that the changes in IHT rules are distorting the market for farming land. There is some evidence to suggest that the very people who the IHT rules were designed to protect—small working family farmers—are losing out as wealthy buyers from home and abroad buy up land for tax avoidance purposes.

I do not regularly surf the Internet, but thankfully we on the Opposition Benches have one or two advisers who do, and they came across an interesting article—if that is the right word for it—just two days ago, from Strutt and Parker. It says:

"Since the beginning of 1996, Strutt and Parker have sold and purchased in excess of £100 million worth of farms and estates throughout the United Kingdom."

The article talks about the upturn in the market for land and farms. It goes on to say:

"However, 1996 saw the re-emergence of a substantial amount of non-farming money which purchasers were looking to invest in farmland. Many of these investors were tax driven, taking advantage of rollover relief and reinvestment relief. Others were looking to acquire agricultural property for Inheritance Tax purposes."

Indeed, the article says that, such are the distortions in the market, towards the end of 1992 there was a lack of farms available for sale.

The Sunday Times of 3 September 1995, commenting on the 1995 inheritance tax relief rules, quotes Mr. Adrian Baird, the Country Landowners Association chief tax adviser, as saying:

"we are worried that exploitation of the legislation for tax avoidance, particularly by outside people buying into land, will bring it into disrepute."

The article, which is entitled "Rich landowners to reap millions in tax changes" goes on to say that the paper has surveyed many of the country's biggest landowners and has looked at the way in which they plan to benefit from the new rules.

"Some,"—

it says

"are interested,"—

purely

"because it allows the perfectly legitimate avoidance of inheritance tax, others because it offers ways of giving tenant farmers shorter leases."

Indeed, the article quotes several examples. The Marquess of Normanby's 60,000-acre estate in Yorkshire is one such example. James Jackson, the Duke of Northumberland's agent, is quoted as saying that he was considering "one or two wheezes" relating to the new legislation on the Duke's 90,000-acre estate.

The reality is that it is possible to drive a coach and horses through the existing inheritance tax rules. Of course there should be proper protection for people who are genuinely in the business of farming, but the current loopholes in the inheritance tax rules make it all too often little more than a tax shelter for the very wealthiest, at the public's expense.

Inheritance tax, particularly agricultural property relief, is like manna from Heaven for the tax planning industry. I took the opportunity today to look at *Tolly's Taxfinder*, the Bible on these matters, and I came across the following passage on page 23 of the 1993-94 tax planning guide, volume I, which says that the remarkable new regime introduced by the Finance Act 1992

"is potentially there also for the benefit of others, since it provides the opportunity almost to 'buy' freedom from inheritance tax by purchasing an appropriate category of property and owning it for two years. It is even possible,"—

it says

"to do so through the purchase of a USM portfolio, which would require no participation in the business or the need to farm."

It is precisely such loopholes that make tax avoidance so easy, and which are now being extended in clause 92. Indeed, extending them without proper safeguards, as the Bill as drafted does, removes the inconvenience of even having to farm the land to make the gain. Instead, the land can just be sat on for two years before 100 per cent. inheritance tax relief comes into effect.

Mr. Home Robertson: It is worse than that, because not only can the land just be sat on to qualify for the tax breaks to which my hon. Friend referred but even more money can be paid in from the taxpayer by setting the land aside, and getting paid by the Ministry of Agriculture, Fisheries and Food for doing nothing.

Mr. Milburn: I thank my hon. Friend for his intervention. He brings a certain knowledge to our debate—not knowledge of tax avoidance, of course, but knowledge of rural communities and the agriculture industry. Perhaps I have been too generous in regard to those matters.

Without our amendment, the possibility of abuse and tax avoidance will be extended. The amendment would empower the Inland Revenue to deny inheritance tax relief to those owning land in habitat schemes when it was clear that the purpose was tax avoidance. We want relief to focus on those with genuine environmental objectives, not on those who shelter behind them merely to gain a tax advantage. The public should not foot the bill for the wealthiest, who are using lax laws to reduce their liability.

At a time when ordinary families are paying more tax than they were at the last general election, the Government should stand up for the decent, hard-working majority of taxpayers. Those who are experiencing the biggest tax hike in peacetime history, following 22 separate tax rises, are entitled to demand a fair and efficient tax system; but the current inheritance tax rules ensure that the system is not fair and efficient. In many respects, inheritance tax has become a purely voluntary tax, and clause 92 would extend that spirit of voluntarism to land covered by habitat schemes.

The loopholes in the inheritance tax system mean that many of the wealthiest members of society get off scot free, or at least mostly tax free. The latest figures for 1993-94 from the Inland Revenue's 1996 statistics—a riveting read, as the Government Whip will no doubt appreciate—show that there were only 1,478 cases of inheritance tax being paid on agricultural property, out of a total of 17,363 paying any form of inheritance tax. That represents just 6 per cent. of the total number of estates notified for probate.

The Government's argument seems to be that, as the inheritance tax system that they created is so riddled with anomalies and loopholes, the answer is not to reform it

but to extend it on the way to abolishing it. It is less a case of "If it's broke, fix it" than a case of "If it's broke, axe it"—and, as I have said, the beneficiaries of such an approach would be the wealthiest members of society. If the Prime Minister's objective—abolition of inheritance tax—were fulfilled, the wealthiest people would reap the biggest rewards. At the very top, each of the 201 families inheriting estates valued at more than £2 million would gain nearly £1 million. Such a tax cut would hand out millions to people who are already multi-millionaires.

I do not believe that abolishing inheritance tax, or extending it in the way suggested in clause 92, will do anything to create an enterprise economy in which merit is the crucial determinant of success. If the Conservatives got away with their objective, it would merely make the wealthy even wealthier. If there is room for tax cuts in the future, they should be used to help the hard-working majority. Opposition Members want to reform the inheritance tax system rather than abolish it, and the amendment is a step in that direction.

It is of course right that the inheritance tax system does not penalise people on middle incomes, whose property values may rise over time, which is why raising inheritance tax thresholds—

The Chairman of Ways and Means (Mr. Michael Morris): The hon. Gentleman appears to be drifting into a general discussion on inheritance tax. The amendment—as he knows, because he moved it—deals specifically with inheritance tax and habitat schemes.

Mr. Milburn: I was about to mention two matters. First, raising inheritance tax thresholds may be a desirable reform. Secondly, however, the system must be safeguarded against abuse if it is to have integrity and command public confidence. Amendment No. 7 intends to achieve precisely that objective, which is why it is so important.

We want family businesses and farms to be protected. Opposition Members want to prevent the breaking up of bona fide businesses and farms and the tax system to work fairly and efficiently. The extension of inheritance tax proposed under clause 92 should not be made unless taxpayers' interests are properly safeguarded. Our amendment would accomplish that goal. It would prevent tax avoidance but offer help to genuine farmers and to those interested in preserving the very best of the British countryside.

I find it hard to believe that an argument can be made against such a motive or that a convincing argument can be made against our amendment. In his speech, no doubt the Minister will prove me wrong. In the meantime, however, I commend our amendment to the Committee.

9.30 pm

Mr. Clifton-Brown: My hon. Friend the Financial Secretary to the Treasury kindly mentioned that I made representations to him on clause 92's exemption for habitat schemes. That tribute should have gone to my constituent, Mr. Michael Fitzgerald, because he brought the matter to my attention. Thereafter I brought the matter to the attention of my right hon. Friend.

I think that it would be helpful if I explained to the House the origin of clause 92 and the need for amendment No. 7. I am indebted to the Country Landowners Association, of which I am a member, for providing the technical note which I shall use. It is important to understand how the issue arose, and the note at least partially answers the questions asked by the hon. Member for Darlington (Mr. Milburn) about why it was necessary to include clause 92 in the Bill.

Under section 117 of the Inheritance Tax Act 1984, as amended, agricultural property can qualify for inheritance tax agricultural property relief only if the property is

"occupied for the purposes of agriculture"

during the required period. As the hon. Member for Darlington made clear, in the case of owner occupation the required period is two years immediately prior to any transfer of the property, and in the case of occupation by someone other than the owner, the required period is seven years immediately prior to any transfer.

When set-aside schemes were first introduced, owners who elected the fallow option were considered to remain in occupation of their land for purposes of agriculture because the scheme required the landowner to maintain the property in a fit state for agricultural production. The Revenue's view was that, although minimum maintenance was required under the scheme, the requirement provided sufficient indication of intent, as suggested by the word "purposes".

The 20-year habitat scheme, the inheritance tax exemption and amendment No. 7—all of which the Committee has spent so much time discussing today—push so far forward any prospect of future agricultural use that the requirement to maintain the land in a fit state for future agricultural use would not make sense. Thus, there is no hook on which the Revenue can justifiably hang a proper belief that such land remains in agricultural application.

When I brought the matter to the attention of my hon. Friend the Financial Secretary to the Treasury, he took legal advice from the Revenue—perhaps also from elsewhere—and its view was precisely the one which I have paraphrased. However, he considered—I am grateful to him for this—that a charge to inheritance tax under the habitat schemes would deter people wishing to enter those schemes. Indeed, my constituent, Mr. Fitzgerald, who entered 212 hectares in the scheme, would not have done so had it not been for clause 92. I am therefore grateful that my hon. Friend has seen fit to remedy the situation in that way.

The amendment exemplifies some of the worst fears of farmers and landowners. The hon. Member for Darlington made it clear that should the Opposition get anywhere near power, they will not only introduce changes such as that which they have proposed this evening but will seek to extend the scope of inheritance tax. One of the easiest ways to extend its scope would be to abolish what are known as potentially exempt transfers.

Anyone who keeps an asset for more than seven years is exempt from inheritance tax, but I believe that one of the first things that the Opposition would do is abolish that relief. We should then have a potential wealth tax in the making—who knows, perhaps the Opposition are proposing a wealth tax. The Opposition have ruled out some personal taxation options but that means that others will have to be considered. This particular exemption relating to habitat schemes—

The Chairman: Order. The hon. Gentleman knows when he is guilty of straying out of order.

Mr. Clifton–Brown: To return to the amendment, I must say that it strikes one as a little spiteful. We are trying to improve the environment. If someone has the foresight to buy a piece of land, and probably pays a great deal of money for it, he is by nature altruistic and wants to improve the general habitat. Does it really matter if, at some stage in the future, he might get away without paying a little bit of tax? The amendment is simply jealousy of the highest order and shows that the Opposition are still unreconstructed when it comes to tax. Jealousy is still their motive.

The proposed new provision contained in clause 92, which would give exemption from inheritance tax, is a preliminary to our abolishing inheritance tax. The Opposition spokesman made it clear that his philosophy is to extend it. Tonight's debate could not reveal more sharply the philosophical difference between us when it comes to raising taxation: the Opposition want to increase taxes in rural areas and destroy rural employment. Anyone thinking about voting for the Opposition at the next election should consider that point very carefully.

Mr. Jon Trickett (Hemsworth): Having listened carefully to my hon. Friend the Member for Darlington (Mr. Milburn), I have to say that I detected none of the implications referred to by the hon. Member for Cirencester and Tewkesbury (Mr. Clifton–Brown). I did, however, note that the point of the hon. Gentleman's speech was precisely what the amendment is intended to prevent—the possibility that a further loophole may be opened in the inheritance tax legislation and rules.

In considering the matter, we are entitled to examine the broader context in which clause 92 is being proposed. Part of that context is formed by clause 91, which raises the threshold for the payment of inheritance tax from £200,000 to £215,000. That is £10,000 more than is necessary for the usual indexation, and it will cost £16 million a year in lost revenue to the Exchequer. Adding that to the previous year's huge increase, the threshold for inheritance tax has risen by 40 per cent. in two years, from £154,000 to the proposed figure of £215,000. Inflation is running at about 2.5 per cent. That threshold increase vastly outstrips the retail prices index and house price inflation.

Conservative Members have declared an ideological opposition to inheritance tax. This further loophole may be designed to ensure that the tax is eventually abolished. The implications of abolition are substantial. The likely cost would be £1.6 billion—the equivalent of 1p on the standard rate of income tax.

Given the Government's record and their ideological commitment to the removal of inheritance tax, we are entitled to be suspicious that they may be opening a further loophole in the tax through which millionaires and others could crawl, as happened with the 1992 decision to relieve agricultural properties from inheritance tax. A small industry has developed, advising estates on how to take advantage of that provision. The industry could also feed on clause 92. According to the 1996 Inland Revenue statistics, a large number of the country's wealthiest estates have already found loopholes to avoid inheritance tax.

The Chairman: Order. The hon. Gentleman must relate his remarks to amendment No. 7.

Mr. Trickett: Thank you for that advice, Mr. Morris. I shall endeavour to take it.

It is clear that a large industry of tax advisers, lawyers and others has developed around the specific function of advising estates on how best to exploit any loopholes that emerge. Our amendment was drafted to offer the Government assistance—they are obviously in need of it—in avoiding the possibility of the clause becoming an additional loophole.

Even without clause 91, there has been a decline in the inheritance tax base, as the Inland Revenue figures show. There has been a 2.5 per cent. reduction in the past two years in the number of estates paying inheritance tax. We need to ensure that a potential new loophole is not opened. The amendment would help to do that.

Mr. Clifton–Brown: Do the hon. Gentleman or any of his hon. Friends have any idea why reliefs were given to agricultural properties? It was because agriculture is a long-term business with relatively low long-term returns.

Mr. Trickett: I understand the hon. Gentleman's point. That may have been the intention, but, as civil servants in ministerial offices who draft legislation often do not realise, there is a wise world out there, full of people who do nothing but try to find ways of exploiting loopholes. *The Sunday Times* said that the Marquis of Bath, whose wealth is estimated at £40 million, was investigating the loophole. Our amendment is drafted to secure the objectives that the Government claim to want to achieve. We feel that there is a danger in the drafting of the clause that a further loophole might emerge.

I thank you for your tolerance, Mr. Morris. I suppose that I have stretched the point slightly, but I have attempted to address the issues behind the amendment and the logic of our proposals.

9.45 pm

Mr. Jack: This has been an interesting debate. Before I deal with the substance of hon. Members' remarks, I hope that, with your indulgence, Mr. Morris, I can deal with the detail of the points relating to clause 92 and something that I said in previous exchanges.

I did not in any way want knowingly to mislead the hon. Member for Sherwood when I said to him that we have made the register more widely available. I should be absolutely clear: the path that is more widely available in the ways that I described—through libraries and the Internet—relates to works of art. Particular provisions relate to the requirements that those who qualify for exemption for land should, with the help of heritage advisory agencies working with local authorities, draw up a list of such information. In following up the points, I satisfied myself—indeed, the hon. Member for Edinburgh, Central (Mr. Darling) probed me by means of parliamentary questions on how we audit the fact that such matters are properly adhered to—about that information, but in the light of the further comments of the hon. Member for Sherwood, I shall obviously look again at the matter.

Mr. Tipping: I am very grateful for the Minister's comments. If works of art can go on the Internet and not breach taxpayer confidentiality, I find it difficult to understand why the issue of land cannot be considered again.

Mr. Jack: I am sure that local authorities, for example, that keep lists of land that is available for public access

will have taken careful note of what the hon. Gentleman has said. He will understand that those items of land are included in more general lists of land where access is available precisely for the reasons of taxpayer confidentiality. I am grateful for his comments.

I turn specifically to the content of the amendment. With his considerable knowledge—not only from his direct farming interests—of land law and surveying, my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) made the farming background to the measure very clear. He went to the heart of why we are debating the item. Indeed, the hon. Member for Darlington (Mr. Milburn) asked me specifically where the representations came from, from whom we had heard, and so on, and made a number of points about legal advice.

This is one of the rare occasions on which all Members of Parliament say to people, "Why don't you write in and we will have a look at the matter." This is one of the genuine occasions when a concerned citizen did just that through the good services of his Member of Parliament. As my hon. Friend the Member for Cirencester and Tewkesbury said, the matter was taken up by the Country Landowners Association, and we also received representations from the National Farmers Union. To a certain extent, the matter snowballed, but one could not say that there was a mass lobby of the Treasury on the point.

Once we had taken legal advice on whether the concerns of those who made representations were real or imaginary, I understood very clearly the importance of ensuring, especially with regard to the narrow range of schemes so affected, that there were not unnecessary barriers to land entering an environmental scheme. Our previous exchanges identified fairly adequately the narrow range of habitat schemes that potentially would have caused somebody an inheritance tax liability—as clause 92 does—as opposed to other environmental schemes which would not. It was right to make the move.

The reason why the Government said that the proposal's costs were negligible is that under the scheme the land has to come from within the curtilage of an existing farm. The short answer is that if the land had not gone into one of the tightly defined environmental schemes, it would have continued to have been farmed land. If the land had been on an owned farm or on one farmed under the Agricultural Tenancies Act 1995, to which my hon. Friend the Member for Cirencester and Tewkesbury referred, by definition it would have automatically qualified for inheritance tax relief, subject to the conditions to which my hon. Friend accurately attested. By definition, costs cannot therefore be anything other than negligible.

In terms of this tightly defined scheme, we are talking about relatively small parcels of land. I stated earlier that I had been to see one habitat scheme alongside the River Ribble, and it involved a margin of land alongside a tributary of the river. We are not talking about broad acres, but narrow areas. Other forms of environmental scheme are more extensive in terms of acreage—for example, the environmentally sensitive areas scheme covers something like 10 per cent. of farm land in this country. The narrow scheme that we are discussing does not fall into the same category.

As we have been invited to consider seriously the amendment, we must look at exactly what it says. At its heart there is a motive test. The hon. Member for Darlington (Mr. Milburn) had clearly done a certain amount of homework, but he did not tell us what kind of motive test he envisaged. If the amendment were passed, it would create considerable uncertainty among those who may have to act upon it. The amendment is flawed in that respect.

The scheme cannot be deemed to be a vast handout to rich people. I doubt very much that anyone would follow the circuitous route referred to by Opposition Members during their remarks on the amendment. If one followed the logic of the hon. Member for Darlington, one would go out to buy a farm to put a piece of land into a narrow group of environmental schemes to get the inheritance tax relief that one could otherwise have received even if one had not put the land into such a scheme. He went down an extremely tortuous route to try to make his wider point—that inheritance tax relief on agricultural land is, in some way, a vast tax dodge.

The constituency of the hon. Member for Darlington is surrounded by some of the best farming land in north Yorkshire, and he will know that the countryside can remain almost unchanged for decades and centuries, as families with a long-term interest in the area farm the land. If he ventures out from the urban citadel that is Darlington, he will meet some of the farmers whose families have farmed the land for up to three generations. These are precisely the people to whom the hon. Gentleman referred in his opening remarks, when he said that we must maintain the fabric of the community, and particularly family farms. These are the people who, by and large, form the farming communities in this country.

The hon. Member for Darlington also asked what would happen if someone bought a farm to get the advantages of clause 92, but then simply "sat on the land" and allowed it to rot. He asked whether such a person would still qualify, and that is a serious point. This is where the two-year rule to which he referred is used. In judging whether the farm is a working farm, the Inland Revenue will look at the farm's accounts to see if proper business has been carried out. If it turns out that the farmer has simply sat on his backside and done nothing, the accounts would quickly start to show that it was not a properly farmed piece of land, and it would not—by definition—qualify for the types of relief about which we have been talking.

I must remind the hon. Member for Darlington that the two-year test in terms of owner-occupation—introduced to establish whether the land acquisition was merely a passing fancy or a genuine attempt at farming—was a definition borrowed from the capital transfer tax regime that a previous Labour Administration introduced. We merely carried forward the test into our legislation, and I hope that he will agree that there is some sense in that. I hope also that he will accept our assurances about the way in which the Inland Revenue checks to make certain that the land is being properly farmed. If it is being properly farmed, the hon. Gentleman—from his earlier comments—can have no objection to the inheritance tax provision being applied. That is another reason why the amendment is entirely unnecessary.

The hon. Gentleman gave the Committee the impression, perhaps inadvertently, that all farm land was owned by some vast group of rich people using it simply as a means of tax avoidance—no, I do him a disservice, because he mentioned family farms, and I must not mislead the Committee about that, although he did give

[Mr. Jack]

that impression in his later remarks. He may be interested to know that the majority—more than 70 per cent.—of estates in receipt of relief are worth less than £500,000, and 90 per cent. less than £1 million. Considering that agricultural land prices might be £2,000 to £3,000 per acre, we are hardly talking about especially large farms.

We are talking about precisely the group of farmers that the hon. Gentleman said should receive assistance, to avoid having the family farm broken up through the inheritance tax mechanism. I could not stand here and say that some people may not in the past have bought a farm with tax in the back of their mind, but the evidence that I put before the Committee this evening showed that proper working farmers gain the advantage of the provision.

On habitat land, we are not talking about fly-by-night merchants. The habitat schemes require management undertakings for up to 20 years and if people did not do what they were supposed to—if they were to withdraw from a scheme before its end, for example—they would face penalties. The schemes are properly organised, managed and run.

There has been a consensus across the Committee this evening that we want such environmental provision for land; if there was a barrier through inheritance tax, we have removed it in the clause. The amendment is therefore not necessary and I invite the Committee to reject it if it is pressed to a vote.

Mr. Milburn: This has been an illuminating debate. I am especially grateful to my hon. Friend the Member for Hemsworth (Mr. Trickett) for his perspicacious probing of the Government's intentions on inheritance tax.

I remind the Committee of the intention behind the amendment: to stop abuse of the tax system. It is designed specifically to prevent the buying up of farm land—in this case, land set aside for conservation purposes—as a cover for tax avoidance. It would empower the courts to test whether the buying up of farm land designated under a habitat scheme was for genuine purposes or for tax avoidance.

The amendment has three aims: to protect genuine farms, and especially small family-run farms, from being broken up; to encourage more farmers actively to engage in efforts to preserve the best of the countryside; and to root out deliberate tax avoidance. We have heard how the current inheritance tax rules, which are being extended in the clause, are wide open to such abuse. The system effectively allows the very wealthiest to make a tax killing simply by parking cash for two years in farm land. That does nothing to encourage family farms and everything to encourage tax avoidance.

I would have thought that a responsible Government would want to take a tough stance on tax avoidance. After all, in the Budget the Government declared war on tax loopholes. I am afraid that once more dogma is standing in the way of reason. The Minister has refused to give the Committee an assurance that tax avoidance will be clamped down on; instead, he has stood up once again for the vested interests of those who can make huge tax gains at the public's expense, simply because of their huge wealth. He has stood up for the few against the many; for unfairness against fairness; and for irresponsibility in tax matters against responsibility. For that reason, the Minister's approach leaves us with no alternative but to test the opinion of the Committee.

Question put, That the amendment be made:—

The Committee divided: Ayes 263, Noes 300.

Division No. 49] **[9.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin–Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Mrs Margaret
Beggs, Roy
Beith, A J
Bell, Stuart
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alex *(Montgomery)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Ms R *(Perth Kinross)*
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C)*
Davies, Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eastham, Ken
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Mrs Maria
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Roy
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'd–on–A)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hume, John
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville

Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keen, Alan
Kennedy, Charles *(Ross C & S)*
Kennedy, Mrs Jane *(Broadgreen)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stret'd)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'd)*
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Maddock, Mrs Diana
Maginnis, Ken
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, John *(Aberavon)*
Mowlam, Ms Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Gordon
O'Brien, Mike *(N Warks)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Orme, Stanley
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Ms Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Shore, Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steel, Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Wallace, James
Walley, Ms Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mr. Kevin Hughes and Ms Angela Eagle.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Mrs Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clarke, Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gummer, John
Hague, William
Hamilton, Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Herts)*
Jopling, Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knox, Sir David
Kynoch, George
Lait, Mrs Jacqui
Lamont, Norman
Lang, Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*

Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Sir Nicholas
MacGregor, John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair–Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pattie, Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riddick, Graham
Rifkind, Malcolm
Robathan, Andrew
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple–Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesf'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Roger Knapman and Mr. Bowen Wells.

Question accordingly negatived.

Clause 92 ordered to stand part of the Bill.

To report progress and ask leave to sit again.—[*Mr. Brandreth.*]

Committee report progress; to sit again tomorrow.

Family Mediation Scotland

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Brandreth.]*

10.17 pm

Mr. Allan Stewart (Eastwood): I am grateful for the opportunity to raise the important subject of Family Mediation Scotland. I know that my right hon. and learned Friend the Minister of State recognises the importance of the topic, as do Scottish Members of Parliament on both sides of the House, including my hon. Friend the Member for Ayr (Mr. Gallie) and the hon. Member for Moray (Mrs. Ewing) who, I recall, asked me a question on this very topic on 30 March 1994. I see the hon. Member for Edinburgh, Leith (Mr. Chisholm) on the Opposition Front Bench. The hon. Member for Monklands, East (Mrs. Liddell) was courteous enough to apologise to me for being unable to attend because of a particular commitment; I know that she, too, is interested in the subject.

My right hon. and learned Friend's commitment to Family Mediation Scotland was demonstrated this morning, when he met me at short notice. He has given an extremely positive and speedy response to the representations made to him in respect of grants for Family Mediation Scotland under section 10 of the Social Work (Scotland) Act 1968, and he will no doubt want to bring the House up to date tonight.

Mrs. Margaret Ewing (Moray): I am grateful to the hon. Gentleman, who has always been kind in this context, for giving way. I understand that only six of the 10 services will receive funding. Has the hon. Gentleman any indication of that? We all want the family mediation service to be fully funded at all levels and in each region of Scotland.

Mr. Stewart: I understand that all the applications have been granted, but I would rather leave the details to my right hon. and learned Friend when he replies to the debate.

Misunderstandings sometimes arise about what mediation is. It should not be confused with arbitration or marriage counselling. It is a voluntary process in which a trained, skilled mediator enables people to negotiate their own mutually acceptable resolutions to issues arising from separation or divorce, especially concerning the continued parenting of children. The advantages of mediation are clear. Although it must be recognised that it will not always be successful, at the other end of the spectrum it can sometimes save marriages. The major advantages of mediation are that it takes place at an early stage and that the children's interests are a priority of the process.

Everyone recognises the desirability of resolving problems, if possible, before they reach the courts. That is in the best interests of parents, children and the legal system.

The Minister of State, Scottish Office (Lord James Douglas-Hamilton): Will my hon. Friend accept, in response to the point raised by the hon. Member for Moray (Mrs. Ewing), that all who applied have received grants?

Mr. Stewart: I am grateful to my right hon. and learned Friend for confirming my understanding of the situation. He is to be congratulated on his response to the representations made to him.

How sad it is to hear a husband or wife say in court, "It should never have come to this." That is recognised in legislation, and the availability of accessible family mediation services is essential to the implementation of part I of the Children (Scotland) Act 1995, which my right hon. and learned Friend so ably piloted through the House. Part I of the Act, which was implemented on 1 November 1996, aims to create a new climate within which children experience parental separation and divorce. It is based on the following principles: first, that parental responsibility and rights in relation to children will not be affected by parental divorce; secondly, that co-operative parenting should be the basis of the relationship with children after divorce; thirdly, that parents should seek to take a non-adversarial approach to parental separation and divorce; and, fourthly, that court is not the appropriate place to resolve disputes in relation to children.

Family mediation services provide not only opportunities for parents to resolve disputes but potential on-going support for parents in the co-operative parenting which the Act presumes. The Act also imposes specific obligations on the courts to give children an opportunity to express their views and to have them regarded by the court. As from 1 November last, the courts are obliged to make that further inquiry, which may involve sending an appointed person to seek the child's views. Litigation could become more lengthy and costly, but that could be avoided through mediation. It is crucial that services are readily available to ensure that the spirit of the 1995 Act is implemented.

The Scottish Office is to be congratulated on its early, consistent and sustained support for Family Mediation Scotland through section 10 of the 1968 Act. Funding is available from a variety of other sources—trusts, fees, local authorities and fund-raising by organisations. My right hon. and learned Friend confirmed in his response that applications for continued section 10 funding from Borders, Tayside, Western Isles and Central Scotland have been granted, together with applications for new services in Dumfries and Galloway and in Grampian.

There has been a growth in all-issues mediation—mediation as one process covering issues related to the children, property and financial issues. There are two possible sources of mediation in Scotland, including all-issues mediation: the services provided by the family mediation service, which is the subject of this Adjournment debate, and the services supplied by solicitor-mediators—people who are solicitors and trained mediators.

The Scottish Legal Aid Board launched a pilot project in 1995 to pay out to solicitors as an outlay to a solicitor holding a legal aid certificate or as a payment under the legal advice and assistance scheme. I recognise that the pilot project will need to be evaluated. My right hon. and learned Friend will not be able to give such an evaluation this evening, but I hope that he will accept that the present legislative position seems to create a problem in Scotland, as against that south of the border. Under present legislation, the Scottish Legal Aid Board cannot make a block grant to the family mediation service without primary legislation. I am glad to see the hon. Member for Moray nodding in agreement. I understand that, in England, such a grant can be made under the Family Law Act 1996.

[Mr. Stewart]

With regard to the pilot project, there is a question about whether it is right to go down the solicitor-mediator route. The training of solicitors is adversarial: that is their role. I do not criticise them for that, but mediation is an entirely different process.

A further question concerns the public expenditure implications of the other methods of financing mediation services. I make no criticism of the hourly rate paid to Scottish solicitors, which I believe to be of the order of £80 an hour under the legal aid arrangements. That is about 10 times the sum that mediators are paid by the family mediation service. Legal aid is demand led, and my right hon. and learned Friend will know the problems that demand-led programmes can create. My right hon. and learned Friend will not be able to provide answers tonight to questions about the pilot project because the evaluation has not been completed, but I hope that he agrees that those questions must be considered seriously. I hope that he will agree also to examine the legislative difference between Scotland and England and Wales, as it is clearly creating problems.

My right hon. and learned Friend's commitment to mediation is extremely well documented and well known. During debate on the recent Children (Scotland) Act 1995, he emphasised that we must put the interests of the child first in this process. I look forward to hearing him respond to the debate tonight. I am happy to give the Floor to my hon. Friend the Member for Ayr (Mr. Gallie), who wishes to make a brief comment.

Mr. Phil Gallie (Ayr): My hon. Friend will have noticed in the Scottish press comments by the hon. Member for Cunninghame, North (Mr. Wilson) about my right hon. and learned Friend and his ability to listen and take the message on board. It seems that my hon. Friend has certainly been listened to, and he must be delighted by the way in which the message has been taken on board in this instance.

10.31 pm

The Minister of State, Scottish Office (Lord James Douglas-Hamilton): I congratulate my hon. Friend the Member for Eastwood (Mr. Stewart) most warmly on bringing this matter before the House. The presence of my hon. Friend the Member for Ayr (Mr. Gallie) and of the hon. Members for Edinburgh, Leith (Mr. Chisholm) and for Moray (Mrs. Ewing) in the Chamber tonight demonstrates the importance of the subject. In responding to my hon. Friend's speech, I shall try to present our thoughts about the future of family mediation services in Scotland. I will also deal with the future of the organisation, Family Mediation Scotland, which I visited recently.

My hon. Friend has recalled the origins and development of family mediation in Scotland from the time of the establishment of the first service in Lothian in the early 1980s to the service that is now available in almost every part of Scotland. That is truly a remarkable achievement in a relatively short period. Those who pioneered the service in its early days must be proud—and justifiably so—of that achievement. Those who continue to provide and develop family mediation in Scotland must share that feeling of pride. It has not always been easy for them and they have come through some difficult times, but the sustained growth of a family mediation service in Scotland is a tribute to their determination and perseverance.

I am pleased that the Scottish Office was able to play a part in the service's development from the very beginning of family mediation in Scotland. We funded the Lothian service from the outset in the early 1980s when it was an innovative pilot project. That project demonstrated the value of mediation, and services began to be established in other parts of Scotland. By the mid-1980s, the headquarters body—Family Mediation Scotland, or the Scottish Advisory and Family Conciliation Service as it was then known—had been set up. Again, I am pleased to say that we have also assisted the headquarters body with central Government grants totalling just under £600,000 over 10 years.

During the past three years, we have provided support for several local services. We currently support five such services. When combined with the grant paid to the headquarters body, we are currently making available just under £220,000 for family mediation in Scotland. I say "currently" because, as I announced earlier today, from next year we intend to extend our support by some £50,000 in order to introduce a further two local services—Family Mediation Grampian and Family Mediation Dumfries and Galloway. In addition, we shall be able to renew the grants for four services beyond the end of their current funding period. I am sure that that will come as welcome news for those services, as it will for all those in Scotland who are concerned with mediation services.

Mrs. Ewing: I am delighted to hear that there will be an extension of the service to Grampian. The Minister and I have been in correspondence about the extension over several years. Can he say how many qualified and trained mediators will emerge from the new project? It is not merely a matter of talking to somebody; we need people with qualifications. Will the Minister comment on that?

Lord James Douglas-Hamilton: I shall be happy to make inquiries and to write to the hon. Lady with the precise detailed facts that she requires.

As a Government, we believe in marriage and the family as the proper foundation for a civilised and responsible community. For this reason, we propose to offer additional support totalling £50,000 to marriage guidance in Scotland. We believe that this will help to save marriages that still have hope of reconciliation. We shall shortly be advising the individual organisations about this.

Sadly, a proportion of marriages nevertheless break down. Marital breakdown is a cause of distress, and it is exacerbated when there are children of the marriage. Our policies have generally been designed to ensure fairness to both parties when a marriage breaks down. This underlies the Family Law (Scotland) Act 1985. We have also promoted the need to consider the welfare of the marriage, and this principle is given legal status in part I of the Children (Scotland) Act 1995. It is generally accepted that where a marital breakdown is acrimonious, this is more damaging for the children. We therefore want to minimise the opportunities created by the law for acrimony between the parties.

In the 1985 Act we provided that the matrimonial property should be shared fairly between the parties to a divorce. The Act provides that fairness demands equal shares, but the court has a wide discretion to make orders meeting the actual needs of the parties. One of the factors to be taken into account is the burden of caring for children, which may fall more upon one party than upon the other. In the Child Support Act 1991 we removed the issue of child maintenance from the divorce courts. This was another means of reducing the scope of litigiousness between the parties.

In part I of the Children (Scotland) Act we have created a clear framework for the welfare of the children of a marriage to be the paramount consideration for the court in making orders concerning children. The Act sets out in sections 1 and 2 the responsibilities and rights of a couple as parents. Those responsibilities and rights should normally survive separation and divorce. Each parent is given an active responsibility to promote the child's continued relationship with the other parent. Ideally—this is a most important message—the parties should agree arrangements between themselves for the continued discharge of parental responsibilities and rights.

Part I of the Children (Scotland) Act embodies the concept of minimum intervention by the court. Only if it appears to be in the interests of the welfare of the child should the court intervene. This reinforces the fact that the burden of making appropriate arrangements for the children now lies with their parents. The parents should explore all avenues and agree as much as possible between themselves before approaching the court. There may even be no need for the court to be involved, other than to grant the decree of divorce.

Most importantly, if it proves necessary for the court to be involved, part I now requires the court to take into account the views of the child—if the child has sufficient understanding and maturity to express these and wishes to do so. There is a presumption that a child over 12 has sufficient maturity. It is no longer possible for the parents and the court to develop proposals for the child without the child being given the opportunity to be consulted, except in the case of very young children and those who cannot understand what is going on. Similarly, before reaching any major decisions which would affect their children, parents are required under section 6 to take into account the views of their children.

It is against that background that we reaffirmed the important place of family mediation services in various remarks in this House and in the other place. We fully accepted that such mediation services have an important part to play in making certain that couples discuss any difficulties that they have concerning the future of their children. That reduces the scope for acrimonious litigation and the consequent harm that that can cause the children caught up in separation or divorce.

For some years now, rules of court have enabled the court to refer parties to mediation at any stage during the process where questions arose about children in a family action. That rule has been re-emphasised with the commencement of part I of the Act by enabling the court to arrange a hearing at a very early stage of a case, to take out of contention the issues between couples involving children and thus to maximise the possibility of early resolution of such matters. We will monitor the effectiveness of court referrals to mediation as part of our general evaluation of the Children (Scotland) Act reforms. This may be an appropriate time to point out that neither the primary legislation nor the rules of court prescribe which organisation is to provide the mediation.

My hon. Friend the Member for Eastwood drew attention to the fact that Family Mediation Scotland is the major player in family mediation in Scotland, and that through its affiliated services it has a very important part to play in our programme of reform. There is another source of mediation through solicitors who are members of Comprehensive Accredited Lawyer Mediators, otherwise known as CALM. They may provide mediation if either party is referred by their solicitor or the court.

We are currently funding a research programme to study the effect of participation in mediation, whether provided by Family Mediation Scotland affiliates or by accredited lawyer mediators. That research is proceeding well and we believe that it will be successful in providing qualitative evaluation. It will also look for evidence that mediation is more cost-effective than traditional dispute resolution through the legal process in Scotland.

The qualitative arguments for mediation are, to my mind, every bit as important as any financial arguments. It appears intuitively likely that a mediated agreement between couples about such issues as care of children after separation or divorce is likely to be a better quality agreement and to be more durable. We shall look for evidence of that from the research that is in hand.

Mrs. Ewing: I am very interested in what the Minister is saying about the assessment that will be made. Will it include an assessment of the implications for aid and assistance? As constituency Members, most of us find that legal aid is often one of the major problems, from whichever direction it comes. Will an assessment be made of that?

Lord James Douglas-Hamilton: On the subject of legal aid, as the hon. Lady and my hon. Friend know, in the White Paper on crime and punishment we have undertaken to consult on civil legal aid. Proposals for the future funding of family mediation is one of the issues that could be covered in that consultation. I hope that that will be of assistance.

One challenge that I would like to offer to Family Mediation Scotland in its future development concerns the matter that I mentioned earlier of considering the views of children. If it is to play its full part in these reforms, it will need to develop ways of ensuring that parents accept their responsibility to take the views of children into account in reaching mediated agreements.

I have already announced extensions to the funding of Family Mediation Scotland affiliated services from social-work-related grants, but I am all too well aware of the arguments that that is not a satisfactory long-term basis for funding these services. We have had extensive discussions with Family Mediation Scotland about the suitability of seeking to fund its services by charging the parties. That would unlock the possibility of its being funded as a legal aid outlay where the reference is made by the court or by a solicitor acting for a legally aided party.

While Family Mediation Scotland has seen some scope to introduce charging for its services, I understand that it does not regard this as a way of securing the future of the local services. It stresses that mediation is most effective

[Lord James Douglas-Hamilton]

introduced early in the process of divorce and separation, when it is unlikely that the parties will have approached a lawyer. We have noted those points.

We have also noted the support that Family Mediation Scotland has given to the approach south of the border, where the availability of mediation will be explained to parties seeking a divorce when they attend the compulsory information session at the beginning of the process. The Lord Chancellor intends mediation to be funded through block contracts with the Legal Aid Board, and to be subject to tests of means.

We have not yet decided whether it is right to reform Scots family law in line with what has been done in England and Wales. In Scotland we have a background of less acrimonious divorce generally than south of the border. In 1995 around 65 per cent. of divorces in Scotland were on the grounds of non-cohabitation, but we accept that that percentage falls to 47 per cent. in relation to couples with children.

We believe that the process of mediation can and should take place between the parties and their lawyers and should not be seen only as a diversion from the legal process. We shall certainly be examining the present state of our family law to see whether further reform is desirable to achieve that. Our examination will include consideration of such issues as whether fault grounds for divorce should remain. We shall also consider whether mediation by mediation organisations should be given a more prominent place in the process.

Mrs. Ewing: Will the Minister give way?

Lord James Douglas-Hamilton: I have only a few moments left in which to speak, and I have already given way twice to the hon. Lady.

I hope that what I have said offers some reassurance to hon. Members, including my hon. Friend the Member for Eastwood. The main good news tonight will be the success of the applications for section 10 grant from Dumfries and Galloway and from Grampian. As for the longer term, I must stress again that we have under active consideration the future place of family mediation, both in relation to legal aid and in relation to family law generally. We shall of course consult widely on any new proposals, and I can tell all hon. Members who have been public-spirited enough to attend this important debate that they—along with interested organisations including Family Mediation Scotland—will be able to influence the outcome. I look forward to hearing their representations in due course, and I thank them for their welcome for the extra steps that we have taken.

Question put and agreed to.

Adjourned accordingly at fourteen minutes to Eleven o'clock.

House of Commons

Thursday 23 January 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

Electoral Registration

1. **Mr. Barnes:** To ask the Secretary of State for the Home Department what estimates he has made of under-registration on the electoral registers which will be used in the next general election; and if he will make a statement. [10547]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): Figures for the number of electors on the registers coming into force on 16 February are not yet available. In 1996, there were 42.8 million names on the electoral register in Great Britain, compared with an estimated resident population of eligible age of 45 million.

Mr. Barnes: Will the new registers operating from 16 February, which will be used in the next general election, be in a better state than previous registers which had millions of people missing from them? I have raised this matter many times before in the House. Can details comparing the registered and eligible populations in each constituency be published as soon as possible so that we can see what state the registers are in? Will every effort be made to put people on supplementary lists so that, even under the current inadequate system, as many people as possible are on electoral registers before the general election?

Mr. Sackville: We continue to spend substantial sums trying to encourage people to register through advertising and in other ways. As the hon. Gentleman knows, however, even after the obvious discrimination was removed from our electoral system, we retained an element of permanency of residence as a condition. That means that those who cannot claim to have been resident in a constituency on a particular date in the preceding October will not be registered there. It does not mean that we are not making the greatest effort to ensure the highest possible level of registration.

Mr. Peter Bottomley: Does my hon. Friend agree that, by law, an electoral registration officer may not have his or her register up to date but that it must be at least five months out of date? Can serious consideration be given—perhaps not for the forthcoming general election, but for the one after that—to introducing a system of rolling registration so that people can be registered to vote at the place where they are resident?

Mr. Sackville: A rolling register would be expensive, bureaucratic and unlikely to achieve a higher overall level of registration. The current system of a register which requires people to prove residence in October has served us well.

Mr. Henderson: Does the Minister accept that if democracy is worth having it must be paid for? Is it not embarrassing to our democracy that some 3 million adults will be disfranchised in the election that will take place in a few weeks' time? Should that not be a matter of concern to the whole House? Should not the Government now consider establishing an all-party Committee of the House to see how best we can tackle the problem and enfranchise all our country's citizens?

Mr. Sackville: Obviously ideas can be put forward, but the hon. Gentleman should remember that we cannot force people to register if they cannot be bothered or simply do not wish to register. What we can do, however, is try to encourage all those who are prepared to take an interest to take the trouble to ensure that they are on the register.

Dame Elaine Kellett-Bowman: My hon. Friend referred to a degree of permanency of residence. In considering that aspect, will he bear in mind the question of constituencies with universities? Students are there for a very ephemeral time and yet they can affect the whole outcome. They need make no effort to get on the register; they are simply put on it by the university authorities. Could they not register in their home towns rather than in those where they are ephemeral students?

Mr. Sackville: Students can register in any place where they can establish a degree of permanency of residence. If any misdemeanours are taking place involving people being registered but not at their own request, my hon. Friend's electoral registration officer should look into the matter.

Reoffending

2. **Mr. Cohen:** To ask the Secretary of State for the Home Department what is his current estimate of the proportion of the prison population who reoffend after being released. [10548]

The Minister of State, Home Office (Miss Ann Widdecombe): The most recent available information indicates that 51 per cent. of all sentenced prisoners discharged in 1992 from Prison Service establishments in England and Wales were reconvicted for a standard list offence within two years.

Mr. Cohen: Does not the fact that more than half of all prisoners reoffend within two years of release make a mockery of the Home Secretary's claim that prison works? Are not the reoffending rates similar after prison and after probation, whereas the cost per prisoner is £1,800 per month and the cost of probation is less than £200 a month? Are there not strong cost and rehabilitation grounds for putting fewer people in prison?

Miss Widdecombe: No, in either case. First, prison reconviction rates at present are better than reconviction

rates for those being sentenced in the community. Secondly, it is not merely a question of cost. The hon. Gentleman should understand that prison works by protecting the general public from the activities of those who are kept within it.

Sir Ivan Lawrence: Is it not astonishing that the reconviction rate for those sentenced in the community is higher by 4 per cent. than the reconviction rate for those sent to prison? Does my hon. Friend draw from that fact the conclusion either that the probation service is not so effective as it ought to be in rehabilitating offenders in the community, or that prison is more effective than many people think that it is in rehabilitating offenders inside prison?

Miss Widdecombe: I attribute the success of the Prison Service in rehabilitation to the tremendous strides that it has made in its programmes over the past few years. The number of prisoner hours in education has increased from 4.6 million in 1979 to 9.4 million in 1995-96.

Mr. Campbell-Savours: You have doubled the number of prisoners.

Miss Widdecombe: There has been a rise of 21 per cent. in expenditure between 1993 and 1995. The hon. Member for Workington (Mr. Campbell-Savours) called out from a sedentary position that the number of prisoners has doubled. If he works it out, he will see that the rise in the number of hours has far outstripped the rise in the number of prisoners. The types of national vocational qualification offered have increased from 24 only three years ago to 48, and there has been a similar increase in offending behaviour courses. That is where the explanation lies.

Mr. Winnick: Is it not important that those who commit the most serious crimes should be in prison in the first place? Is the Minister aware that many of us are deeply concerned that those responsible for the murder of Stephen Lawrence have not been brought to justice? Is it not important that every effort should continue to be made to put those who murdered that 17-year-old lad in the dock? We hope that speedy progress will be made by the police force.

Miss Widdecombe: Whereas I can extend my sympathy to the relatives concerned, I cannot comment on the case in the terms that the hon. Gentleman invites. Where serious crime has been committed, it is important that the perpetrators are brought to justice. If the hon. Gentleman feels that as strongly as I do, and if he believes that those who commit the most serious crimes should be in prison, why did the Labour party abstain on the Crime (Sentences) Bill last week?

Mr. Booth: As was stated in the lead-up to the Prisoners' Earnings Bill last year, Home Office research shows that prisoners released from prison after having proper work experience in prison had a reoffending rate that is 50 per cent. better. As the Home Office supported the Bill, will it go on monitoring the working of the legislation?

Miss Widdecombe: I congratulate my hon. Friend on introducing that Bill. I can confirm that it assists prisoners if they have good work opportunities in prison. We shall, of course, monitor that and seek to increase those opportunities.

Cannabis

3. **Mr. Gordon Prentice:** To ask the Secretary of State for the Home Department if he will seek to amend the Misuse of Drugs Act 1971 to allow cannabis to be prescribed by medically qualified doctors. [10549]

Mr. Sackville: No.

Mr. Prentice: What on earth is so dreadful about allowing medically qualified doctors to prescribe cannabis when it was quite lawful before 1971? Many people with disabling conditions, such as multiple sclerosis and arthritis, claim that cannabis gives them relief. Is it not curious that only two days ago the Minister said that dronabinol, which is an active derivative of cannabis, may be prescribed lawfully by hospital doctors? Some 24 years after cannabis was banned from use in hospitals, it has been discovered that dronabinol can combat nausea suffered by patients undergoing chemotherapy. Is there not a compelling case for allowing the doctors—and not the politicians—to decide?

Mr. Sackville: If there are medicinal claims about cannabis or its derivatives, they must pass through the same mechanisms as other medicines. Unless clinical trials prove that they are safe and efficacious and that there is a consistent level of product quality, they will not be licensed as medicines.

The World Health Organisation made recommendations about dronabinol. A company must lodge a licence application for the product, which must then pass through clinical trials in order to get a licence in this country. In the event of medicinal claims about products, applications can be made to the relevant authorities at the Medicines Control Agency.

Mr. Harry Greenway: Does my hon. Friend recall the words of the late Home Office pathologist, the famous Professor Francis Camp, who said that soft drugs such as cannabis inevitably lead to hard drugs and that hard drugs lead to death—often within seven years? Is that not a warning to the hon. Member for Pendle (Mr. Prentice), for the Liberal Democrats and for all who advocate the use of soft drugs?

Mr. Sackville: Although there are some genuine cases, there is no doubt that many of those calling for the medicinal use of cannabis are using it as a stalking horse to promote the campaign for its legalisation. The Liberal Democrat party conference voted for the legalisation of cannabis, and I hope that the Liberal justice and home affairs spokesman, the hon. and learned Member for Montgomery (Mr. Carlile), will withdraw from that decision. If there are medicinal uses for cannabis, they must be proved. In the absence of such evidence, we must not send a confused message to young people when we have told them that cannabis and all illegal drugs are dangerous and should be avoided.

Mr. Flynn: Would not the better message be that all drugs are dangerous, that young people who smoke

cigarettes are 22 times more likely to use hard and soft drugs than other groups, and that in 95 per cent. of cases hard drugs are used under the influence of alcohol? Does the Minister recall that, in answer to a letter from three hon. Members representing three political parties—including his own—the Medical Research Council said that it was an established fact that cannabis was uniquely valuable in treating multiple sclerosis, the side-effects of chemotherapy and several other diseases and that there was no replacement product? Why on earth are the Government sticking to their line in order to gain popularity with the voters and thereby denying the sick a unique medicine?

Mr. Sackville: It is open to any producer to apply for a licence for a cannabis product. As to the hon. Gentleman's comments about other dangers, no one disagrees that pharmaceutical drugs and cigarettes are dangerous. However, he should not use them as a front for implicitly calling for the legalisation of drugs. I hope that Opposition Front Bench Members will distance themselves from his remarks.

Members of Parliament

4. **Sir David Knox:** To ask the Secretary of State for the Home Department if he will make a statement on the number of hon. Members. [10550]

The Secretary of State for the Home Department (Mr. Michael Howard): The full complement of this House stands at present at 651 right hon. and hon. Members. That figure will rise to 659 from the next general election.

Sir David Knox: After the general election, there will be 34 more Members of Parliament than there were when I was first elected to the House almost 27 years ago. Does my right hon. and learned Friend agree that the time has come at least to stabilise the number of Members of Parliament or, preferably, to start to reduce the number?

Mr. Howard: I entirely agree with my hon. Friend. The steady increase in the number of constituencies in recent years is a consequence of the way in which the rules for the redistribution of seats have been interpreted. I do not think that that outcome was wholly foreseen when the rules were first agreed, which is why I have announced my intention to conduct a review of them.

Mr. Dalyell: As the question on the Order Paper is about "honourable" Members, may I ask the Home Secretary whether he has had brought to his attention the new statements of Mohamed Al Fayed on television, which many of our constituents throughout the country have seen, reflecting the gravest allegations—

Madam Speaker: Order. I am sure that the hon. Gentleman is making a very good point with which we may have some sympathy, but it really does not relate to the question on the Order Paper, which is an important question, and I shall call a couple of hon. Members from both sides of the House.

Mr. Barry Jones: Does the Home Secretary agree that what is required for this honourable House is many more Labour Members on the Government Benches?

Madam Speaker: I thought that I was doing the House a service, but it does not appear that I am. However, I am sure that the Home Secretary will want to reply.

Mr. Howard: I think that the hon. Gentleman will have to whistle in the wind for quite some time. The truth of the matter is that the House provides a most effective way of representing the views of our constituents, as reflected by a majority on the Conservative Benches. I have every confidence that such a majority will continue after the election.

Sir Patrick Cormack: Would not the creation of a Parliament with tax-raising powers north of the border call into question the number of Scottish Members in the House? Is that not a particularly important issue to address?

Mr. Howard: I entirely agree with my hon. Friend. I was disappointed that the hon. Member for Linlithgow (Mr. Dalyell) did not raise the West Lothian question, which he originated and which is central to this issue. The Labour party has still not begun to provide an answer to the question: why should Members be elected in Scotland to come to this place to decide matters of health, education and transport in England when English Members of Parliament will have no say whatever in deciding questions of health, education and transport in Scotland?

Mr. Llwyd: Does the Home Secretary not realise that the answer is simple and straightforward? He could reduce the number of seats in the House by 112 immediately by granting proper legislative Parliaments to both Scotland and Wales, which would be to everyone's benefit.

Mr. Howard: I am not sure that the hon. Gentleman's view of what should happen is entirely shared by Opposition Members who argue the cause of devolution so strenuously. There may well be a logical consequence and a link between the two which the hon. Gentleman identifies, but it is a question and a link that the Labour party has consistently failed to recognise.

Metropolitan Police

5. **Sir Michael Shersby:** To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on current manning levels and prospects for recruitment during 1997–98; and if he will make a statement. [10552]

Mr. Howard: I regularly discuss with the Commissioner staffing levels and prospects for recruitment in the Metropolitan police. He assures me that

the proposed settlement for the Metropolitan police for 1997-98 would enable him to increase officer strength to 27,400 during 1997.

Sir Michael Shersby: Despite the very welcome drop in crime of about 13 per cent. in the Metropolitan police area as a whole, is my right hon. and learned Friend aware that there is concern in the outer London boroughs—particularly in south-west area No. 5, which includes my constituency—about proposed changes in manpower? Is he further aware that the need for effective policing means that there is a need to maintain those manpower levels? Will he therefore review the impact of the national funding formula arrangements on the Metropolitan police and provide an appropriate mechanism to ensure that the special needs of the Metropolitan police area are taken fully into account and that manpower continues to be maintained at a high level?

Mr. Howard: I have, indeed, undertaken to review the application of the national funding formula to the Metropolitan police and the arrangements that we have made for the funding of the Metropolitan police include a recognition of the special needs of the Metropolitan police force. Indeed, the funding that we propose for 1997-98 represents a 3.4 per cent. increase on the 1996-97 allocation—an increase of no less than £55 million.

Mr. Alex Carlile: Will the Home Secretary explain how he reconciles with his declared policy on the effectiveness of police officers a reduction of 755 Metropolitan police officers in the past four years and a reduction nationwide of about 1,000 police officers over the past four years? Those are Home Office figures.

Mr. Howard: The truth of the matter is that the September 1996 figures showed that there were more than 98,000 police constables in England and Wales, which is more than there have ever been before. The public are interested in seeing police officers on the street on patrol duty helping to create a safer Britain. That is exactly what is happening.

Mr. Congdon: I very much welcome the fact that there are 5,000 extra police officers in the Metropolitan police area compared with 1979. When my right hon. and learned Friend quite properly reviews the national funding formula, will he take particular account of the impact on outer London?

Mr. Howard: I understand my hon. Friend's point. The internal allocation of funding and officers within the Metropolitan police area is an operational matter for the Commissioner, but I am sure that all relevant matters will be taken into account in the review.

Clear-up Rates

6. **Mr. Bayley:** To ask the Secretary of State for the Home Department what proportion of crimes notified to the police were cleared up in the latest year for which figures are available. [10553]

The Minister of State, Home Office (Mr. David Maclean): Clear-up rates vary considerably, depending on the type of crime. The overall clear-up rate for notifiable offences in 1995 was 26 per cent. For the most serious types of crime, clear-up rates were very high: 92 per cent. of all homicides, 77 per cent. of acts of violence against the person and 76 per cent. of sexual offences were cleared up.

Mr. Bayley: Is the Minister aware that since the Conservatives came to power in 1979 the number of offences committed in North Yorkshire has trebled from 20,000 to 59,000 a year? According to the chief constable's reports during that period, the detection rate has fallen from 49 per cent. to 23 per cent., and North Yorkshire now has fewer police officers than it had in 1979 under the Labour Government. Is that not a crushing indictment of the Conservatives' failure to control crime and convict criminals? Is it not time that the Conservatives went?

Mr. Maclean: I suggest that the hon. Gentleman brings his facts up to date. According to the figures that we have received from North Yorkshire, the chief constable expects to recruit 20 extra officers this year as a result of the additional funding that we are giving him. If the hon. Gentleman and his party were concerned about crime in North Yorkshire in the 1980s, they did not show much sign of it. They voted against everything that chief constables in North Yorkshire and elsewhere wanted in order to tackle crime. With regard to the power of the Attorney-General to review lenient sentences, for instance, Labour Members voted against that measure then, and they did not even have the guts to vote for the Crime (Sentences) Bill last week.

Mr. Bayley: You are lying, and you know it.

Madam Speaker: Order. The hon. Gentleman has used unparliamentary language, which is unacceptable. Will he withdraw what he has just said?

Mr. Bayley: The Minister's comments were— *[Interruption.]*

Madam Speaker: Order. I will deal with this matter.

Mr. Bayley: The Minister's comments were a total misrepresentation of the position in the 1980s, but if you require me to withdraw the word that I used, Madam Speaker, I do so.

Madam Speaker: I do require you to do so.

Mr. Nicholas Winterton: In seeking to cool the atmosphere, may I ask whether my right hon. and learned Friend accepts that closed circuit television has made a major contribution not just to reducing crime, but to bringing people who have committed offences before the courts? Will he continue to give maximum financial and other support to the establishment of closed circuit television systems in town centres, and particularly in the centre of my town of Macclesfield, which has submitted an application that I hope will be warmly endorsed by his Department?

Mr. Maclean: My hon. Friend is well known as one who pours oil on troubled waters whenever he can. He will know of the tremendous funding that we have given

to the establishment of closed circuit television. We see CCTV as a means of preventing crime, of catching criminals and of helping to convict the guilty, which is why we put £5 million into it in the first year and £15 million last year. We are reviewing the bids for CCTV in the current round and we shall consider all representations carefully because we want to spend the £15 million as wisely as possible throughout the country. I thank my hon. Friend for his warm welcome for that initiative.

Mr. Michael: Can we cut through the Minister's rhetoric and deal with facts? Does the Minister not realise that the only people who are happy with the Government's record on crime are the criminals? As crime has doubled and prosecutions have dropped, the criminals are twice as likely to get away with it as they were under the last Labour Government, and three times as likely to get away with violent crimes. Is the Minister proud of his record?

Mr. Maclean: That was rhetoric if ever we heard it. The hon. Gentleman talks about criminals being happy. I think that it was the head of the Superintendents Association, Chief Superintendent Brian Mackenzie, who said this week—following Labour's behaviour in the other place—that criminals would be clapping their hands with joy because Labour peers had voted for two contradictory amendments. *[Interruption.]* I have not given the House rhetoric; I have given the House facts. I have given the House the facts of the Labour party's voting record, which has been consistent in the 1980s and the 1990s. Last week, when we discussed the Crime (Sentences) Bill—which gives powers to lock up automatically, for life, the most serious violent and dangerous offenders, powers to lock up drug dealers for seven years and powers to lock up persistent burglars for three years—Labour Members abstained. They voted against such legislation in the 1980s and abstained in the 1990s. That is why they will be rejected in a few months' time.

Woodhill Prison

7. **Mr. Butler:** To ask the Secretary of State for the Home Department what plans he has for the future of Woodhill prison. [10554]

Miss Widdecombe: There are no plans to change the role of Woodhill as a local prison, or its capacity. It will also continue to take category A prisoners, and a programme of work is under way to provide improved physical and procedural security to meet the relevant recommendations of Sir John Woodcock and General Sir John Learmont.

Woodhill will continue to take a small number of disruptive prisoners, and they will be housed in a new close supervision unit. In addition, the same building will include a small unit for holding female prisoners who need to be kept in conditions of high security.

Mr. Butler: May I begin by saying what a pleasure it will be to address my hon. Friend as my right hon. Friend? I offer my congratulations on behalf of Conservative Members.

My hon. Friend will be aware that there has been great concern in my constituency and elsewhere near Woodhill about constant reports that there is to be upgrading and that money is to be spent to permit Myra Hindley to be held there. May I make it clear to my hon. Friend that although we want Myra Hindley to be held for as long as possible, we do not want her to be held anywhere near Milton Keynes and we do not require luxury facilities to be built for that purpose?

Miss Widdecombe: I think that I can reassure my hon. Friend. No decision has been made about the location of any particular prisoner in connection with Woodhill. As for the stories of luxury, they are similar to the scaremongering stories that we often hear from the Labour party. In fact, there is only the most basic provision in Woodhill, in keeping with my right hon. and learned Friend the Home Secretary's policy that prison should be decent but austere. There will be no in-cell television or radio, normal volumetric control will apply and furniture and equipment will be standard prison issue, including metal-frame beds. Association areas will have standard furnishings and equipment.

Recorded Crime

8. **Mr. Sweeney:** To ask the Secretary of State for the Home Department if he will make a statement on the overall levels of recorded crime for the last three years for which figures are available. [10555]

Mr. Howard: Recorded crime levels in the last 12 months to June 1996, the latest period for which figures are available, were 10 per cent. lower than three years before that. That is a fall of more than half a million offences—the biggest continuous fall over three years since records were first kept in 1857.

Mr. Sweeney: Will my right hon. and learned Friend confirm that the figures that he has given compare favourably with those for any country in the Organisation for Economic Co-operation and Development? Will he join me in congratulating the Vale of Glamorgan police, who have achieved a substantial reduction in the rate of recorded crime for the last two years? Will he also accept the plaudits of the people of the Vale of Glamorgan for the contribution made by the additional police whom he has provided? Tougher penalties for criminals have helped to produce that success.

Mr. Howard: In the last two years for which figures are available, the fall in recorded crime in England and Wales was the highest recorded in a survey of 18 OECD countries. Across the country, the police deserve congratulation on that success. I am delighted to be able to join my hon. Friend in congratulating the police in the Vale of Glamorgan on their success.

Mr. Sheerman: The Home Secretary must know that the public are suffering from reporting fatigue. They are fed up of reporting burglaries and car break-ins. Real crime is still rising, and rising fast. Is not it time that he spoke to the great British public, who would tell him that time and again?

Mr. Howard: The odd thing is that when the crime figures were rising, Labour never criticised them. When we introduced the Criminal Justice and Public Order Bill, the Leader of the Opposition, no less, asked:

"If it does not cut crime, will he accept that it has failed?"—[*Official Report*, 11 January 1994; Vol. 235, c. 21.]

Since it has been on the statute book, recorded crime has consistently fallen. I hope that the Labour party will now accept that that Bill and our other measures have succeeded in helping to make Britain a safer place.

Mr. Garnier: Does my right hon. and learned Friend agree that one of the best ways to reduce crime is to introduce closed circuit television? In the borough of Oadby and Wigston, in my constituency, the predominantly Liberal Democrat council refuses to support an application by schools and the police in Leicestershire for its introduction. Following that application by the police and by Conservative-minded and anti-crime people, £95 million of Government money is to be spent introducing it, to the benefit of the population.

Mr. Howard: I am not at all surprised by what my hon. and learned Friend said. The attitude of that Liberal Democrat-controlled council is typical of Liberal Democrats across the country. The hon. and learned Member for Montgomery (Mr. Carlile) likes to pontificate, but the actions of Liberal Democrats in control of local government show that they do not care in the slightest about taking effective action to deal with crime.

Mr. Straw: Does the Home Secretary recognise that he is no more convincing when he talks about crime figures than he was when he used to talk about unemployment figures? Why does he not own up not to figures for the past 12 months but to those for the past 18 years, during which crime has doubled? The Conservatives have achieved the worst record of any Government since the war. Internationally, they have the worst record of any industrialised country. On serious crime alone, their record since 1979 is 10 times worse than that of the United States. That is a record of abject failure.

Mr. Howard: Unlike the hon. Member for Huddersfield (Mr. Sheerman), the hon. Gentleman seems to set great store by the figures. I hope that he accepts what the figures show for the past three years. He is not in the best position to talk about sounding convincing. Earlier this week, he gave an interview to *The Independent*, which was reported by no less a person than Polly Toynbee who said, roughly, that she trusted the hon. Gentleman because she did not believe a word that he was saying.

Drug Abuse (Prisons)

10. **Mr. Hawksley:** To ask the Secretary of State for the Home Department what initiatives the Prison Service is taking to control prisoners' access to drugs. [10557]

Miss Widdecombe: Specific measures to control the supply of drugs into prisons include enhanced searching, increased use of closed circuit television and sniffer dogs. We are also assessing the results of a pilot scheme on the mandatory use of non-contact or closed visits. In addition, many establishments have taken the opportunity to develop local initiatives for controlling the supply of drugs.

Mr. Hawksley: I had hoped that when people were sent to prison, there would be an opportunity to reduce the amount of drugs that they took. I welcome the mandatory drug-testing regime, but its results show that in Cardiff 74 per cent. of tests were positive and in Featherstone and Dorchester the figure was more than 50 per cent. Has any disciplinary action been taken against the warders and governors of prisons that show high levels of positive results from mandatory testing? They appear to be turning a blind eye to the problem, because almost all the drugs must come from visitors, whom they could control.

Miss Widdecombe: It is certainly not the case that a blind eye is being turned to drugs in prisons—many initiatives and ring-fenced funding have demonstrated our commitment to combating the problem. A prisoner who was found to have taken drugs could be subject to disciplinary action, resulting in the loss of up to 42 days' remission; a prison officer who was found have brought in drugs would be subject to dismissal; and a visitor who was found to have brought in drugs would be subject to prosecution. We have a firm programme, which is working.

Mr. George Howarth: I congratulate the hon. Lady on being made a Privy Councillor. Will she acknowledge that, over the past few months, Ministers have repeatedly given me inaccurate information on the scale and types of drugs being detected in the prison system? Does she accept that as soon as accurate information is available, it should be published so that we can make a proper assessment of what is happening in prisons and informed decisions on how to combat the growing menace of drug abuse in our prison system?

Miss Widdecombe: I thank the hon. Gentleman for his kind remarks. As I met him this week specifically to discuss the issue, he will be aware that there are some doubts and questions—which are perhaps not particularly large or with a particularly vast effect—on the integrity of retests, which are given after test results have been challenged, and on the impact of that matter on the overall figures. He will be aware—as I have given him an undertaking—that the matter is being examined urgently, that the figures are being refined and that any past statements we have made that may have been based on old and questionable figures will be corrected.

Violent Crime

12. **Mr. McAvoy:** To ask the Secretary of State for the Home Department if he will make a statement on the finding of the British crime survey regarding the proportion of adults who were victims of violent crime once or more during 1995. [10559]

Mr. Maclean: The 1996 British crime survey found that overall 5.2 per cent. of adults were victims of violent crime one or more times during 1995. That percentage includes woundings, robberies and domestic violence.

Mr. McAvoy: Are not those figures a shocking indictment of the Tories' record on crime prevention? They claim to belong to the party of law and order, but, during a 12-month period, one in 14 adults were mugged at least once, and very few of the offenders were caught. Does the Minister accept that a Government who are incapable of protecting citizens should go?

Mr. Maclean: The hon. Gentleman has not been paying attention to the substantial falls in crime over the

past three years. We do not merely claim to be the party of law and order—we are the party of law and order, because we vote for law and order measures. If the hon. Gentlemen and the Labour party want to inherit that mantle, they had better start voting for such measures, rather than voting against them or abstaining.

Mr. Robert G. Hughes: Are not the reductions in crime, which are very welcome, a direct result of the measures taken by the Government to ensure that legal obstacles are swept aside, so that guilty people can be convicted? Are not criminals the only group who would welcome the election of a Labour Government, as they would know that a Labour Government would not lift a finger to remove other legal obstacles to imprisoning more criminals?

Mr. Maclean: My hon. Friend is absolutely right. As Chief Superintendent Brian Mackenzie said this week, criminals will not have been lifting their fingers but clapping with joy at the decision taken by Labour peers in another place. Over the past three years, under a Conservative Government, crime has decreased considerably, which is testimony to the record number of police constables that we now have.

Police Duties

13. **Mr. Hawkins:** To ask the Secretary of State for the Home Department what estimate he has made of how many more police officers will be on the beat in 1997 than (a) 1979 and (b) 1992. [10560]

Mr. Maclean: On the basis of chief constables' estimates, by March 1997 there could be over 16,000 more police constables in England and Wales than there were in May 1979, and about 3,000 more than in March 1992.

Mr. Hawkins: I thank my right hon. Friend for that answer. Do not those figures demonstrate that the Conservative party has consistently supported a policy of getting more police officers back on the beat? Will he confirm that the Government intend to provide ever more funding for ever more police officers on the beat? Is it not true that, on law and order, the British people can trust only the Conservative party—unlike the Labour party, whose Front-Bench spokesman was this week so strongly supported by a fellow 1960s liberal?

Mr. Maclean: My hon. Friend is absolutely right. We do not need to look at forecasts to see the record of the Labour party in power on police numbers. In 1979, the police force was 8,000 under establishment; now, we have 16,000 more constables, paid for and provided by the British taxpayer under a Conservative Government. We shall continue with our pledge to have 5,000 more police officers—I notice that the shadow Home Secretary has not acknowledged or promised to commit himself to that pledge.

Mr. Hutton: Will the Minister remind the House how many police forces in England and Wales will have fewer officers on the beat in 1997 than in 1992? If he needs any help in answering that question, I can tell him that one of those police forces will be Cumbria constabulary, which covers his constituency and mine.

Mr. Maclean: The hon. Gentleman is totally wrong on that, too. I have given the House the figures, which show that we have record numbers of constables, and they are constables for operational duty. Cumbria, too, has benefited from the increased funding provided for the 5,000 more officers promised by my right hon. Friend the Prime Minister. A party that left the police force 8,000 under strength is in no moral position to quibble about the present record police numbers.

PRIME MINISTER

Engagements

Q1. **Mr. Salmond:** To ask the Prime Minister if he will list his official engagements for Thursday 23 January. [10577]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Salmond: Does the Prime Minister realise that for £200 million we could re-equip every primary school in the United Kingdom with books and new computers to the tune of £10,000 per school? Would not that be a more meaningful project for the millennium generation than building a giant dome in Greenwich with a lifespan of 10 years? How does he think people in Birmingham, Swansea or Glasgow feel about the concentration of funds on Heseltine's folly on the Thames?

The Prime Minister: Many different projects will come out of the millennium fund—all of them worthy—including that to which the hon. Gentleman referred. It is not a question of having only a single project for the millennium. As a result of the lottery, which we established, about £1.8 billion will be available for the millennium. It will be spent in a variety of ways, and I think that, in one way or another, it will benefit almost every part of the country.

Mr. Alexander: Is my right hon. Friend aware that, since the last general election, unemployment figures have fallen dramatically and without resort to a windfall tax? If anyone was minded to impose one, should not we be told which companies would be subject to it, on what basis they would be subject to it, how much it would cost them and what revenue would result?

The Prime Minister: I certainly agree with my hon. Friend about the desirability of knowing precisely what the windfall tax might amount to and who would pay for it. There seems to be some confusion about who would pay for it. I gather that yesterday the Leader of the Opposition's office said that British Airways did not fit inside the terms of the windfall tax but that the shadow Trade and Industry Secretary said that, as far as she was aware, no one had ruled out the fact that British Airways

would have to pay a windfall tax. Remarkably, having contradicted the leader's office, she went on to add that she did not think there was any confusion about that policy.

Mr. Blair: The Prime Minister seems very keen to ask me questions and have me answer them. I suggest that if he is really keen on that, he goes ahead and calls the general election. However, let us do things in a more conventional way to begin with.

After this morning's Cabinet meeting, will the Prime Minister confirm unequivocally what he said unequivocally in December: that he will not rule out the option of joining a single currency in the next Parliament, even in the first wave, and that that will remain his party's position at the next general election?

The Prime Minister: I can certainly confirm that point and I will explain to the right hon. Gentleman what the Cabinet did and decided this morning. My right hon. and learned Friend the Chancellor has conducted a review of the criteria for a single currency and that was looked at in depth in Cabinet this morning. We have concluded, on the basis of that detailed examination of the criteria and on the basis of the information currently available, that it is very unlikely, although not impossible, that a single currency will be able to proceed safely on 1 January 1999. I am talking not just about Britain's participation, but about the single currency itself. If it did proceed without reliable convergence, we would not, of course, be part of it.

Mr. Blair: Let us just—*[Interruption.]*

Madam Speaker: Order.

Mr. Blair: Let us be clear about what the Prime Minister means there. Is he saying that it is unlikely—

Mr. David Evans: What is your policy?

Madam Speaker: Order. This is not a time when the Opposition answer questions; it is a time when the Opposition ask questions.

Mr. Blair: Let us be clear about what the Prime Minister is saying, particularly in light of the interview that the Chancellor has just given on television. Is the Prime Minister saying that it is unlikely that the whole system will go ahead on 1 January 1999? Is it clear that if the system does go ahead on 1 January 1999, he retains the option to join?

The Prime Minister: If the right hon. Gentleman reads what I have said, he will find that I answered that question quite explicitly just a few moments ago. I said that on the information currently available, it was very unlikely that the single currency would proceed safely on 1 January 1999 and that if it did proceed without reliable convergence, we would not be part of it.

Mr. Blair: The Prime Minister is not answering the question of whether he agrees with the Chancellor that if the single currency does proceed on the right criteria, he retains the option to join. Let him answer that question specifically and then let him answer this question, too. If that is the position of the Conservative party, is it the position of the whole Conservative party? [HON. MEMBERS: "Yes."] "Yes", they all chorus. Will he then tell us whether he will prevent—[HON. MEMBERS: "Bye bye."] I know quite well why Conservative Members want this question to be shouted down. Will the Prime Minister undertake to say that if that is the position of the whole Conservative party, he will prevent any group of Conservative party candidates from standing on the manifesto of ruling out the option altogether?

The Prime Minister: If the right hon. Gentleman had had a mirror in front of him so that he could see the faces behind him, he might just have settled on my first two answers, both of which I am happy to reiterate to him.

Mr. Yeo: Does my right hon. Friend agree that if any politicians try to persuade voters that living standards and pay packets are safe in their hands by making a few pledges about income tax rates, and if those politicians do not simultaneously and unequivocally rule out any tampering with the ceiling on national insurance contributions, they are guilty of a gross and serious fraud on the British people that only he and a continuing Conservative Government can prevent?

The Prime Minister: It was an extraordinary speech by the shadow Chancellor the other day, and one I greatly enjoyed reading and will greatly enjoy revisiting time and again between now and the election. The reality is that it is not a case of whether a Labour Government would increase taxes; it is simply a question of where a Labour Government would increase taxes. Would it be by increasing national insurance contributions, changing the rate of national insurance contributions, cutting tax allowances or raising inheritance tax? The scope is very wide.

Mr. Blair: What about the 22 tax rises?

Mr. Major: Twenty-two tax rises says the Leader of the Opposition. Which of those would he repeal? Which of those would he reverse? What about the 25 tax reductions that he never mentions?

Q2. **Mr. Cohen:** To ask the Prime Minister if he will list his official engagements for Thursday 23 January. [10578]

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Cohen: Is the Prime Minister aware that, in my constituency, one in five primary school children are taught in classes with more than 30 other children? [AN HON. MEMBER: "Lucky."] A Conservative Member says, "lucky." Does the Prime Minister agree with that? I presented the Class Size (Reduction) Bill, and Labour has made a firm election pledge on the matter. Why have his Government done nothing except preside over ever-rising class sizes? Why do his Government prefer silly status symbols to sensible class sizes?

The Prime Minister: I am not sure whether that counts as an expenditure commitment; it will be interesting to see in due course. The proportion of children in classes of more than 31 has fallen since 1979. Beyond that—*[Interruption.]* Hon. Gentlemen might wait a moment. Beyond that, there is evidence that parents agree that class size is not the most important factor. If the hon. Gentleman doubts that, let me tell him that the average class size for 11 to 16-year-olds in Islington is smaller than at the London Oratory.

Mr. Bill Walker: Does my right hon. Friend agree that it is less expensive to keep good youngsters good, which is why any initiative to expand the cadet forces must be welcomed? Such an initiative would impose on left-wing authorities the cadet forces' right of access to school property and buildings.

The Prime Minister: I saw the speculative stories in the press this morning about cadet forces and must say that they were a touch overblown in the way in which they were printed. I strongly encourage participation in cadet forces. They provide young people with the opportunity to develop qualities of responsibility, self-reliance, resourcefulness and endurance.

Mr. Tony Banks: Why did the right hon. Gentleman not join, then?

The Prime Minister: I did not join because I was playing cricket, which provides exactly the same qualities for people.

There are now more than 130,000 young people in the cadet organisation. I would certainly wish to encourage wider voluntary participation in the cadets. That of course requires more assistance from adult volunteers, but I hope that it will be possible to increase the scheme.

Q3. **Mr. McAvoy:** To ask the Prime Minister if he will list his official engagements for Thursday 23 January. [10579]

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. McAvoy: Will the Prime Minister confirm that one of his reasons for wanting school children to join the cadets is that they can learn the qualities of loyalty, self-discipline and leadership? Is it not therefore regrettable that the Defence Secretary, the Deputy Prime Minister and the Prime Minister were never members of the cadets, as the first needs lessons in loyalty, the second in self-discipline and the third in leadership?

The Prime Minister: That was very well rehearsed. [HON. MEMBERS: "Author."] One scans the sides to my hon. Friends' cries of "Author". The hand behind the words can readily be discerned.

Q4. **Mr. Bellingham:** To ask the Prime Minister if he will list his official engagements for Thursday 23 January. [10580]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Bellingham: Does the Prime Minister agree that businesses need certainty and stability when planning investment? Do not the conflicting statements about which companies would pay a windfall tax prove yet again that there is a gaping hole at the heart of Labour's spending plans that can only—

Madam Speaker: Order. The hon. Gentleman must ask a question about the Government's policies. If he can do that, I will hear him, but if he cannot he must resume his seat.

Mr. Bellingham: Is the Prime Minister aware that any windfall tax would lead to higher gas, water and electricity bills for my constituents?

The Prime Minister: It is undisputed that if there were to be a new tax at an undisclosed rate on an undisclosed number of companies at an undisclosed time, it would have an impact not only on the price of the products those companies produce, but on the dividends that the shareholders legitimately expect from having invested in those companies. At the moment, there is complete uncertainty about any windfall tax proposals. Clearly, the proposals are coming apart at the seams. It is a case of give Labour spokesmen the facts and let them draw their own confusions.

Mr. Robert Hughes: Can the Prime Minister say why he is spending hundreds of millions of pounds in compensation for farmers in the BSE crisis and is preparing to spend more than £100 million in compensation under the Firearms (Amendment) Bill, yet adamantly refuses to pay any compensation to those infected with hepatitis C by contaminated blood transfusions? Where is the justice in that? Will he take personal charge, show some compassion and, even now, ensure that legitimate compensation is paid?

The Prime Minister: Everyone has great sympathy for the people who suffer from hepatitis. The underlying point is essentially whether action was taken that could have been better done at the time that then created the problem faced by the sufferers from hepatitis. If one accepted that principle, it would be a wholly new principle for the national health service and not one that any Government have accepted in the past. The hon. Gentleman himself understands that.

Business of the House

3.31 pm

Mrs. Ann Taylor (Dewsbury): May I ask the Leader of the House for details of future business?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 27 JANUARY—Until about Seven o'clock, Second Reading of the Sex Offenders Bill. Followed by progress on remaining stages of the Education Bill.

TUESDAY 28 JANUARY—Conclusion of remaining stages of the Education Bill.

WEDNESDAY 29 JANUARY—Until Two o'clock, there will be debates on the Motion for the Adjournment of the House.

Conclusion of remaining stages of the Crime and Punishment (Scotland) Bill.

Motion on the Police Grant Report (England and Wales).

THURSDAY 30 JANUARY—Until about Seven o'clock, Second Reading of the Civil Procedure Bill *[Lords]*.

FRIDAY 31 JANUARY—Private Members' Bills.

MONDAY 3 FEBRUARY—Motions on the English Revenue Support Grant Reports. Details will be given in the *Official Report*.

The House will also wish to know that on Wednesday 29 January there will be a debate on artists' resale rights in European Standing Committee B. Details of the relevant documents will be given in the *Official Report*.

Wednesday 29 January:

European Standing Committee B: European Community Document: 7050/96 relating to Artists' resale rights. Relevant European Legislation Committee Reports: HC51-xx111 (1996-96). *Monday 3 February: The relevant orders are as follows:*

The Local Government Finance Report (England) 1997/98, Special Grant Report (No 23); The Limitation of Council Tax and Precepts (Relevant Notional Amounts) Report (England) 1997/98.

I regret that once again I am not able to be as forthcoming as I would like about the second week.

Mrs. Taylor: I start by thanking the Leader of the House for moving the debate on the police grant report to Wednesday which will allow more hon. Members to participate in the debate on the English revenue support grant reports on the following Monday. Can he tell us whether an Opposition day will be scheduled during that week?

Are the Government intending to respond to Lord Nolan's suggestion today that the funding of political parties should be examined by a Select Committee of the House? Does the Leader of the House agree that that issue should be examined, but that it is a pity that the remit of the Nolan committee was not widened as requested by the Labour party two years ago? Does he further agree that the principle of an independent inquiry has to be maintained in all those areas if public confidence in any new rules is to be established? Is not the Nolan committee itself an appropriate body to look at party funding?

Secondly, what arrangements is the Leader of the House making to ensure that the House is kept updated on the issue of BSE, in view of the reported memo from the Meat and Livestock Commission that the rules to protect the public from BSE are still being broken and today's report that cattle are being exported with misleading BSE-free certificates? The issue has been widely discussed, but it still causes much concern to constituents and Members of Parliament and everyone should be kept as fully informed as possible. Will there be a statement next week?

Thirdly, has the Leader of the House seen today's report on child benefit fraud by the Select Committee on Social Security? If so, will he now reconsider his refusal of our offer of co-operation on legislation to change the rules for obtaining birth certificates to close "The Day of the Jackal" loophole? Does he now regret not taking up the offer that I and my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) made in November 1995? Has he ruled out taking any action in what is left of this Parliament? Would not closing that loophole save millions of pounds of taxpayers' money?

Finally, what are the Government's intentions with regard to the Wirral, South by-election?

Mr. Newton: First, I thank the hon. Lady for her acknowledgement of the way in which we have responded, following discussions in the usual channels, to the number of points made about next week's business, including the handling of the Education Bill. I am also aware of the desire of the Labour party—and, no doubt, the minority parties—for Opposition time, and I continue to bear that in mind.

So far as Lord Nolan is concerned, I thought the request by the hon. Member for Dewsbury was a little curious as she did not acknowledge the fact that there was a thorough investigation by the Select Committee on Home Affairs in 1994. It may be that she preferred not to refer to that because we have implemented all the recommendations and the Labour party has not.

I cannot promise a statement next week on BSE, but I will bring the hon. Lady's point to the attention of my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food, who has over many months made plain his willingness to keep the House informed on developments when he thinks it appropriate.

On the question of the Select Committee on Social Security's report on fraud, we recognise that the report makes a valuable contribution to the debate on curtailing fraud, and my right hon. Friend the Secretary of State for Social Security will give the recommendations careful consideration. I will also draw his attention to the point that the hon. Member for Dewsbury has made today—I acknowledge that she has made it on previous occasions—about birth certificates.

Lastly, the hon. Member for Dewsbury will be aware of what has been said by my right hon. Friends on the Wirral, South by-election. The moving of the writ is not a matter for me and I cannot add to what has been said.

Mr. Charles Wardle (Bexhill and Battle): Will my right hon. Friend find time for a debate on the conduct of Department of Trade and Industry inspectors' inquiries? Is he aware that questions remain unanswered about earlier inquiries—for example, those into Blue Arrow,

Guinness and House of Fraser? Is he further aware that there are questions about the circumstances in which inspectors were appointed and about the conduct of the inquiries?

Mr. Newton: I will certainly bring those matters to the attention of my right hon. Friend the President of the Board of Trade.

Mr. Paul Tyler (North Cornwall): How soon will the House have an opportunity to examine the implications of the apparent change in stance by the Cabinet this morning on the subject of monetary union? On a separate and more detailed point, when will we have a statement on the Government's attitude to investment in the tourist industry? The promotion and development of that industry to its full potential is incredibly important to many parts of the country. Yesterday, Ministers gave me the figures relating to the reduction in the amount of money now made available to the English tourist board. It has dropped from 30p per head in real terms to just 10p, while at the same time, Scotland, Wales and Northern Ireland have increased spending on their tourist boards by 50 per cent. in real terms. That demonstrates how important they consider the tourist industry to be to their economic development.

Mr. Newton: The hon. Gentleman will have heard what my right hon. Friend the Prime Minister said on the first matter he raised, so I do not see any need to add to that.

I acknowledge that tourism is an important industry. It makes a great contribution to employment opportunities in this country as well as to foreign earnings for this country. I am sure that his desire for a debate on the subject is shared by my hon. Friends, but he need only look at today's business statement and recall the other matters that he knows will come before the House to appreciate that there is great pressure on time.

Mr. Andrew Rowe (Mid–Kent): My right hon. Friend may be aware that the Lib-Lab coalition running Kent county council is so monumentally incompetent that one of its spokesmen has said that it requires a 10 per cent. increase in real terms merely to stand still. As the confusion, anxiety and distress among the population of Kent at the proposed cuts by that incompetent coalition is so extreme and well-founded, may we have a debate on the council as a matter of urgency?

Mr. Newton: From what I hear at the Dispatch Box each week, my hon. Friend's view of that council is unanimously shared by the Members of Parliament for Kent. Perhaps they would like to group together to put in an application for a debate on the council on a Wednesday morning.

Mr. Jacques Arnold (Gravesham): We have.

Mrs. Alice Mahon (Halifax): Will the Leader of the House make time for a debate on the Child Support Agency, which is still not working efficiently or fairly? It is causing a great deal of distress to thousands of families and also a great deal of work for Members.

Mr. Newton: I am afraid that I cannot undertake to provide time for a debate for the reasons that I have already touched on. I draw the hon. Lady's attention to the fact that my right hon. Friend the Secretary of State for Social Security is due to answer questions on Tuesday.

Mr. Tony Marlow (Northampton, North): In past European debates one must admit that there have been slight differences of nuance on the subject between myself and my right hon. Friend. Could we have another debate on Europe soon so that my right hon. Friend and I can debate our identity of view on what my right hon. Friend the Prime Minister has said today? My right hon. Friend would then be able to agree utterly with me that it is totally out of order for anyone on the continent to suggest that we should have a unified system of taxation in Europe.

Mr. Newton: That is a very helpful question from my hon. Friend, and I should simply like to thank him for it.

Mr. Andrew Faulds (Warley, East) *rose—*

Mr. Tony Banks (Newham, North–West): My hon. Friend is always being called these days.

Mr. Faulds: Not often enough.

Is the right hon. Gentleman aware that we must have a debate [HON. MEMBERS: "Prompt him."] I do not need prompting; I am very good at my own words. We must have a debate on foreign affairs before the Government eventually cede to the need for a general election. Is the right hon. Gentleman aware of two areas where an international crisis could break out literally at any moment, for both of which the British Government in the past have been responsible? Is he aware that in Cyprus the British Government were guarantor to the constitutional arrangements of 1960, which the Greek Cypriots aborted in 1963 and in which the Turkish forces only intervened 11 years later, as they were entitled to do under the treaty of guarantee, after the Nikos Sampson coup, which tried to bring about enosis with Greece?

Is the right hon. Gentleman aware that the other area is Israel—a fake country which was created because of the Balfour declaration promises and because of the immense American pressure under President Truman on Haiti to give the one critical vote needed to create Israel? It has depended entirely on American subvention ever since.

Mr. Newton: I can readily agree that the hon. Gentleman is very good with his own words, but there do seem to be rather a lot of them. I will bear in mind his request.

Mr. Keith Mans (Wyre): Following the Government's decision to provide more opportunities for youngsters to join the cadet movement, will my right hon. Friend seek time for an early debate on the subject so that Conservative Members can reinforce their long-standing commitment to the movement—a commitment that can be contrasted to the attitude of Labour Members, particularly members of the teaching profession who have been hostile to the movement for many years? In such a debate we could also show our resistance to the proposals made by the shadow spokesman on education, the hon. Member

[Mr. Keith Mans]

for Sheffield, Brightside (Mr. Blunkett), for a politically correct millennium youth movement, which will doubtless be run by social workers.

Mr. Newton: I shall bear in mind that suggestion for a debate as many important points could be made in it. I take this opportunity to pay tribute to the excellent cadet forces in my constituency which I visit from time to time.

Mr. Doug Henderson (Newcastle upon Tyne, North): I declare an interest as a member of the GMB. The Leader of the House may be aware that 200 workers at GCHQ have had their jobs privatised and taken over by a company called Vosper Mantech, which is to announce today that it has reached a recognition agreement with the GMB union. In light of the new situation, will the Leader of the House find time next week for a debate on GCHQ, where double standards now apply? Some 200 engineering workers and others now have the benefit of trade union recognition, which I welcome, while 4,000 other employees of GCHQ are denied that liberty. Will the Leader of the House accept that that is a priority subject and that time should be found for a debate on it?

Mr. Newton: Given the background to which I have already referred a couple of times, I am sure that the hon. Gentleman will understand that I cannot promise an early debate on the subject. I will, however, ensure that his words are studied by my right hon. Friends involved.

Sir Patrick Cormack (South Staffordshire): Does my right hon. Friend recognise that there is no more important subject for the House to debate during this Parliament than the future and structure of the United Kingdom? Will he find time, either on one of the three days the week after next, or shortly thereafter, for a full day's debate on a substantive motion affirming the integrity of the United Kingdom?

Mr. Newton: As I rather expected, my hon. Friend's suggestion has widespread support from my hon. Friends and I will give it most careful consideration.

Mr. Dennis Skinner (Bolsover): Why is the Leader of the House fighting shy of having a debate or a statement on the funding of political parties prior to a general election? It should be the first item on the agenda before the general election is called so that when people cast their votes they know where the money is coming from. My hon. Friends refused to support the recommendation, not because it was no good, but because it did not go far enough. We are demanding that the Tory party reveals where it gets its funds from and the Tory party refuses to say. It was £19 million in the red last year and now it is suddenly £24 million in the black. Where has the money come from? Overseas. The public should know where the money comes from before the general election. We are prepared to tell everyone where our money comes from and it is time that the Tory Government came clean.

Mr. Newton: The hon. Gentleman might be in a stronger position if his party had implemented the recommendations of the report that we have already had.

Sir Ivan Lawrence (Burton): Further to the question asked by my hon. Friend the Member for South Staffordshire (Sir P. Cormack), has it not been an enormously long time since the House had the opportunity of debating whether, if Scotland had its own Parliament, Scottish Members of Parliament would be able to vote and decide on matters of English taxation, but English Members of Parliament would not have the opportunity of voting on Scottish taxation? Is not that matter so important that we should have debate on it very soon—or at least, before the general election?

Mr. Newton: I have already told my hon. Friend the Member for South Staffordshire that I shall give that suggestion careful consideration and I anticipate support for such a debate from the hon. Member for Linlithgow (Mr. Dalyell).

Mr. David Winnick (Walsall, North): We can discuss political party funding on 12 February. As for next week, should not the Secretary of State for Defence return to the House early next week and explain the circumstances that have now surfaced—that the decision about the royal ship was made four months ago and the only reason for its being announced yesterday was because of the forthcoming election? Is it not unfortunate, to say the least, that the present Government—desperate to win the next election—are willing to bring the Queen into electioneering? Why should the Secretary of State for Defence have made his statement yesterday when that decision, rightly or wrongly, was made immediately after the Tory party conference?

Mr. Newton: I reject, out of hand, the suggestion that the Government are seeking in any way to bring Her Majesty into electioneering.

Mr. Nicholas Winterton (Macclesfield): May I draw my right hon. Friend's attention to early-day motion 432?

[*That this House recognises the problem caused to the Teachers' Pension Agency funding by the increasing number of teachers seeking to retire shortly after reaching the age of 50; also recognises that such early retirements are, in many cases, of value to the teacher concerned, the school and its pupils; and believes also that further bipartisan consultation is necessary before any final decision is made on teachers' early retirement.*]

This relatively new early-day motion relates to teachers' early retirement and has been signed by distinguished Members of Parliament on both sides of the House. It asks that the consultation period, which officially ended last Friday, be extended. As a result of the responsible and constructive mass lobby of the House by the National Association of Head Teachers, I believe that there are good grounds for permitting further time for consultation. Will my right hon. Friend find time either for a short debate or for a statement from the appropriate Minister?

Mr. Newton: Perhaps I might draw my hon. Friend's attention to the fact that my right hon. Friend the Secretary of State for Education and Employment is due to be in the House on Wednesday next week to answer questions.

Mrs. Margaret Ewing (Moray): As the Leader of the House found an earlier question from the hon. Member for Northampton, North (Mr. Marlow) helpful, will he advise the House on whether the Foreign Secretary will

be making a statement to the House next week? We have all been told that, in the near future, he is going to make various speeches in respect of flexibility in European Community developments, yet the House of Commons is to be denied the opportunity to question him. Of particular interest to me are the issues of structural funds and cohesion funds, because, under the auspices of the Secretary of State for Scotland, the Highlands and Islands Convention will be meeting in Stornoway on 3 March and it would be helpful if we could have some form of discussion about the Government's view of those matters.

Mr. Newton: Going slightly at a tangent, I take this opportunity to assure the hon. Lady that, after the difficulties that she felt were caused on an earlier occasion, I have carefully noted the date of the next meeting of the Highlands and Islands Convention. Having said that in a helpful and friendly spirit, I have to say that I do not know of any plans for a statement to the House by my right hon. Friend the Foreign Secretary next week.

Mr. Harry Greenway (Ealing, North): May we have a debate next week on the important subject of libraries and their great value in respect of the education and recreation of our citizenry of all ages? That will give me an opportunity to raise in the House the threat to libraries in Ealing posed by Ealing's Labour council, which threatens to close Pitshanger library and curtail services in other libraries so as to save £300,000 out of a budget of no less than £250 million, which is a record budget for Ealing. The council is incompetent.

Mr. Newton: I sometimes think that my hon. Friend's observations about Ealing borough council could occupy every Wednesday morning from now until whenever and I must confine myself to encouraging him to apply for one of the slots.

Mrs. Helen Jackson (Sheffield, Hillsborough): When the Leader of the House is considering a further statement or debate on the bovine spongiform encephalopathy crisis, will he ensure that that debate or statement contains a full presentation about the disposal of BSE waste? He will be aware that it is apparent from answers in *Hansard* that only 3.8 per cent. or 1.1 million of all the slaughtered cattle have been destroyed. The rest are stored all over the country in warehouses and cold storage. The House has never been given a proper statement about the escalating costs of storage, transportation and incineration of that waste and it is high time the Government put it on the record.

Mr. Newton: That is certainly a matter which the House has had opportunities to question my right hon. and learned Friend about on many occasions when statements have been made. Of the many logistical difficulties of this whole exercise, the disposal question has been among the most difficult. No one has made a secret of that. I shall bring the hon. Lady's remarks to the attention of my right hon. and learned Friend.

Mr. Tim Devlin (Stockton, South): If, as I hope, the Leader of the House is now considering a debate on the constitutional arrangements, may we include in it some reference to the progress of the English regions? People in my part of the world are now beginning to wake up to the fact that, if we have a regional assembly in Newcastle, not only will they pay a Geordie tax to Newcastle but they will be given the crumbs from Newcastle's table when everything from London is filtered through the regional assembly sitting 40 miles away.

Mr. Newton: My hon. Friend is right to say that the confusion and dangers of much that the Opposition say on the constitution are not confined to the issues previously raised in relation to Scotland. They underline the case being made for a debate.

Mr. Tam Dalyell (Linlithgow): On Thursday 16 January, Mr. Mohamed Al Fayed went far further on television during a "Dispatches" programme than he has ever gone before. May we have a statement next week in defence of the good name of us all? This goes beyond a party matter. The leader of the House should watch a video of what was said because the statements that were made brought us all into disrepute. It is simply not good enough for the Leader of the House to say that the matter is being looked at. It is like the Dickensian circumlocution office, because a number of the right hon. Gent's colleagues want to know whether what was said was true. If it was, something had better be done about it; if it was not, our good name should be protected. That is a duty of the Leader of the House.

Mr. Newton: The hon. Gentleman will be aware that, in one sense, his question puts me in a little difficulty because it has been the convention for many years that, as Leader of the House, I am also Chairman of the Committee on Standards and Privileges, which is examining cases that interrelate with what I understand was on the "Dispatches" programme. The hon. Member for Dewsbury (Mrs. Taylor) is also a member of the Standards and Privileges Committee and she will agree that the right course is to ensure that the Committee's attention is drawn to the hon. Gentleman's remarks so that it can consider them.

Mr. Phil Gallie (Ayr): Is my right hon. Friend aware of the gastronomical and cultural disaster that faces countrymen of ours right across Europe? I refer to the haggis ban by the European Community. Is he aware that the haggis consists mainly of sheepmeat? Will he find time for a debate to discuss the merits of French frog legs and snails, or German rubber sausages, compared with the juicy, succulent haggis?

Mr. Newton: This sounds like dangerous territory for an English man to get involved in, so I shall confine myself to saying that I hope that, as normally happens to me annually, I shall have the chance to enjoy some haggis at the Burns night celebration in my constituency.

Ms Jean Corston (Bristol, East): Will the Leader of the House find time for a debate on the subject of early-day motion 434?

[*That this House notes the Government's decision to suspend the General Household Survey for 1997; notes that this survey has provided essential national information annually about how society is changing not available in such rich variety from any other source and which accounted for 27 tables selected for inclusion in the Government's own key report Social Trends 1996*

[Ms Jean Corston]

covering trends in household size, patterns of family building and dislocation, contraception, school-leavers and adults with GCSE grades A-C, membership of occupational and personal pension schemes, consumer durables in the home, visits to dentists, cigarette smoking, alcohol consumption, kind of help given by carers, unpaid services given voluntarily, mobility aids for the elderly, dwelling tenure by ethnic group and occupation, tenure one year after divorce, underoccupation and overcrowding, use of car, activities in the home, and participation in sport, games and physical activities; finds that the consultation period for this decision was 20th December 1996 to 3rd January 1997, covering the Christmas period and when the House was in recess; and urges the Government to restore the GHS on a regular annual basis in 1998.]It concerns the Government's decision to suspend publication of the "General Household Survey", a unique survey of 10,000 households. In the introduction to the last survey, two major users were described the Government for policy formulation and public sector organisations for measuring change. The survey was also the source of 27 tables or sections in the 1996 edition of "Social Trends". To add insult to injury, the consultation period for that decision was 20 December to 3 January, when the House was not sitting, most people were away for the Christmas holiday and Government Departments, research and university departments were closed. Was that done because the Government do not want people to see the evidence of how people's life chances have been betrayed by the Government? It is important that we discuss the matter, so that the household survey can be restored as soon as possible.

Mr. Newton: I am sure that the hon. Lady's words will be carefully examined. I understand that the decision by the Office for National Statistics was taken in the light of an overall consideration of users' needs for social survey data. The introduction of several new household surveys in recent years means that we are now better informed than ever about social conditions.

Mr. John Marshall (Hendon, South): Will my right hon. Friend call for an early debate on EDM 383?

[*That this House welcomes the RSPCA's review of the United Kingdom's system of quarantine and rabies control; notes that the review concluded that rabies vaccines are now very effective and failure rates are minute, blood tests to check that the vaccine is effective are now standardised, international standards for microchips have now been agreed, there has been no proven case of rabies in quarantine in the United Kingdom in the last 25 years, the EU rabies eradication programme has reduced the rabies-infected area in Western Europe to only 130 square miles, Sweden, which introduced a system of vaccination, blood testing and permanent identification in 1995, has reported no health or security problems, the costs and inconvenience of quarantine lead many pet owners to smuggle animals into the United Kingdom, there are no statutory welfare standards for quarantine kennels and in a recent NOP survey, 86 per cent. of people said they would accept an alternative system to quarantine if it was scientifically proven to keep the United Kingdom rabies-free; supports the RSPCA view that a system of vaccination, blood testing and permanent identification for cats and dogs from EU countries which are recognised by the World Health Organisation as being rabies-free in those species would provide the United Kingdom with equal, if not greater protection against rabies as quarantine; and therefore calls upon Her Majesty's Government to commission a full-scale risk assessment and full economic audit to determine how a different system could be effectively implemented to maintain the United Kingdom's rabies-free status.*] Does he accept that the present rules in respect of quarantine for dogs are unkind to their owners, unkind to the animals and unnecessary. An early debate would be well received by both sides of the House.

Mr. Newton: My hon. Friend will know that the Government announced in November that our rabies policy was being reviewed. Work is continuing, and it would be more appropriate to consider a debate when that work has been completed.

Mr. Edward O'Hara (Knowsley, South): Will the Leader of the House find time for an urgent debate on the future of the car industry in Britain, consequent upon Ford's recent announcement that it intends to shed 1,300 jobs at the Halewood factory in my constituency? The implications are extremely serious. Apart from those 1,300 jobs, a further 3,200 jobs at Halewood may be in jeopardy in the near future, not to mention the gearbox plant there, and 10,000 or more jobs at Ford's plants elsewhere in the country. Ford, the leader in car sales in Britain, will end up importing three of the four best-selling models, at a cost of several billion pounds to the balance of trade. That demonstrates that the vaunted policy of easy inward investment, especially in the car industry, is also easy go.

Mr. Newton: While I understand why the hon. Gentleman raises the matter, and why several Merseyside Members did so last week, I should say firmly that the totality of car investment decisions taken and announced recently, including that by Nissan, makes it clear that the car industry has a good future in this country—significantly better than it had 17 or 18 years ago, when the Government came into office. The hon. Gentleman will know that my right hon. Friend the Minister for Industry has agreed to meet a delegation of local Members of Parliament, local authorities and trade union delegates to discuss further the concerns that have been expressed about Halewood.

Mr. Jacques Arnold: May I support the earlier call for a debate on the financial crisis at Kent county council? My constituents are in uproar at the proposals by the Labour and Liberal Democrat coalition running Kent county council that there should be cuts of 34 per cent. in the adult education budget, 34 per cent. in the youth budget, 3 per cent. off primary schools and 7 per cent. off secondary schools—all that at a time when the Government have made available an extra £22.5 million, which means an extra 3.6 per cent. on the funding for education. During that debate it should be pointed out that Labour finance spokesmen in the House have said that they do not need more money. Let us reflect on what would happen if the Labour party was in government.

Mr. Newton: I certainly acknowledge that the speech by the shadow Chancellor earlier this week undermines—

to put it mildly—the usual lines of argument by Labour-controlled local authorities, no doubt including Kent. As I understood the sedentary interruptions earlier, efforts have already been made to stage a Wednesday morning debate. I am sure that you, Madam Speaker, will bear in mind the obvious concern that is felt in Kent.

Mr. D. N. Campbell-Savours (Workington): Will the Leader of the House reflect on the fact that all 16 Members of Parliament in Kent are Conservatives? Will he take on board the concerns of many of my colleagues on Kent county council who are very angry about the way in which their affairs are being grossly misrepresented in Parliament by Conservative Members? They, too, want to see a debate so that the full story about the financial position of Kent county council may be revealed, their words may be heard and justice may be served in allocating money to the precious services that they are trying so valiantly to protect.

Mr. Newton: As you will realise, Madam Speaker, there is cross-party support for a debate on Kent. That will not necessarily influence the position, but I am sure that it will be noted.

Madam Speaker: As soon as I get to my office I shall look to see whether an application has been made for an Adjournment debate, as I also heard the comment from a sedentary position.

Mr. Edward Leigh (Gainsborough and Horncastle): May we have a debate on the interesting idea of expanding the cadet forces? If such a debate were to take place, would the Government articulate their view that it is quite appropriate for suitable and trained youngsters to acquire military and firearms skills? Would the Government argue also that, when those youngsters leave the cadet forces, they would be encouraged to join the many institutions in this country whose constitutions state specifically that they are set up to instruct young people about firearms skills—namely, the 2,000 registered gun clubs across Britain?

Mr. Newton: I echo the words of my right hon. Friend the Prime Minister who said that participation in cadet forces gives young people the opportunity to develop qualities of leadership, responsibility, self-reliance and the like. I would want to continue to encourage such development.

Mr. Norman Hogg (Cumbernauld and Kilsyth): May I strongly support what the Leader of the House has said. I was a national serviceman and I am very proud of the fact that I completed my two years' service—unlike a certain member of the Cabinet who ran away from his obligations to his country. We would therefore contribute to a debate with some authority, and I hope that it will take place soon.

Mr. Newton: Should such a debate take place, I would look forward to the hon. Gentleman's contribution.

Mr. Peter Luff (Worcester): May I press my right hon. Friend to hold a debate on the terms and conditions of employment of public sector employees in light of the shadow Chancellor's implausible pledges on public spending and public sector pay, and the trade unions' veiled threats of a new winter of discontent. Those threats are made all the more potent by the experience in my county of Hereford and Worcester where Unison is taking the county council Lib-Lab pact to court for the shocking mistreatment of its employees, which has prompted a leading Labour councillor, Adrian Gregson, to say that his members were better off under the Tories.

Mr. Newton: My hon. Friend makes yet another plea for what I shall call a locally directed debate. I always bear in mind such requests, but I draw my hon. Friend's attention to the possibilities that exist for debate on Wednesday mornings.

Mr. Kevin Barron (Rother Valley): Will the Leader of the House allow time for a statement or debate about the operation of the cold weather payments scheme? The southern half of my constituency is served by the Nottingham weather station, which triggered one severe weather payment during the recent cold spell. The northern half of my constituency is served by the Leeds weather station, which did not trigger any such payments. Just over the border, the neighbouring constituency to the north is served by the Waddington weather station, which triggered two payments during the recent cold spell. People who live five miles apart cannot understand why some of them get one payment while others get two, and those in the middle cannot understand why they get none at all.

Mr. Newton: As I think I said last week in response to one of my hon. Friends, the suitability of weather stations in respect of that scheme is reviewed annually, and I am sure that the hon. Gentleman's representations will be taken into account as part of that.

Mr. Tony Banks: May I add my voice to the clamour for a debate on the cadet forces? Unlike the Prime Minister, I served my nation when at school by joining the Air Training Corps, where I became a sergeant, and I think the whole House can see the mess that it made of me. We do not need any lectures on the desirability of the cadet forces from a trio of white-feathered "jobbies" in the form of the Prime Minister, the Deputy Prime Minister and the Secretary of State for Defence. Would not it be better, if we have that debate, to encourage our children to join the woodcraft folk, so that they can learn to love their fellow creatures rather than how to shoot them?

Mr. Newton: I am left slightly open-mouthed by the hon. Gentleman's description of his youth, which appears to bear little relationship to his adulthood, except, perhaps, that he learnt the qualities of resourcefulness and endurance, which were among those on my list. There are many other excellent organisations, including the scouts and the guides and their associated groups, and many others as well, and none of us would wish to do anything other than encourage them. Before anybody asks me, I did not join the cadet force, because I went to a Quaker school that did not have one.

Mr. Gerald Bermingham (St. Helens, South): May I return yet again to my non-political subject of last week? Bearing in mind the fact that the hon. Member for Thanet, North (Mr. Gale) is shortly to introduce the Bill of the

[Mr. Gerald Bermingham]

late Lord Houghton, which twice went through the other place, I ask the Leader of the House to prevail on his colleagues to give that Bill some assistance through the House during the current Parliament, as it brings into effect many of the proposals contained in the Home Affairs Select Committee's report on dogs, and it would be both a tribute to the late Lord Houghton and a great service to the canine population of this country, which needs some protection.

Mr. Newton: I am sure that my right hon. and learned Friend the Home Secretary will take careful note of the hon. Gentleman's observations.

Mr. Paul Flynn (Newport, West): When can we debate the report of the Parliamentary Office of Science and Technology on nano-technology? This is the technology that will delight and provide jobs for our grandchildren and our great-grandchildren. Britain had a worldwide lead in this, yet the Government have cancelled research and broken up the nano-technology forum. Will not future generations look at this Parliament and say that we were mad, because we are spending £60 million on a symbol of the nation's pride in the last century and refusing to spend £4 million on what could be the nation's pride in the next century?

Mr. Newton: I have not had an opportunity to study the report to which the hon. Gentleman refers, but I shall ensure that I obtain a copy and look at it.

Mr. Gordon Prentice (Pendle): May we have an early debate on the crisis in further education? Is the Leader of the House aware that, in my constituency, Nelson and Colne college decided yesterday to make redundant no fewer than 37 teachers and lecturers? Is he further aware that, since incorporation in 1992, one post in every five in further education has been lost? The Governments's own chief inspector said in the annual report last year that the drift towards part-time work in colleges was seriously damaging standards. If we cannot have an early debate on that, what on earth can we have a debate on?

Mr. Newton: I cannot promise an early debate, again for reasons that I have touched on several times. The hon. Gentleman will no doubt have noted that the Education and Employment Secretary is due to answer questions next Wednesday, and I shall bring that possible debate to her attention.

Mr. Stephen Day (Cheadle): Can my right hon. Friend advise me whether, during the business that he announced to the House for next week, there will be an opportunity for me to raise in some detail the case of, Mrs. Sherratt, a constituent of mine who, regrettably, was shot and paralysed by an off-duty policeman while on holiday in Morocco? The Moroccan Government have refused to accept any responsibility for the actions of their police officer. I wish to raise this matter in some detail in the House.

Mr. Newton: It is obviously the sort of matter that, under certain circumstances, could be raised on a Wednesday morning. There is a great deal of pressure for such debates. Indeed, Wednesday mornings have been a considerable success. Apart from that, I think that the right course would be for me to ensure that my right hon. and learned Friend the Foreign Secretary has his attention drawn to my hon. Friend's concerns.

Mr. Dalyell: On a point of order, Madam Speaker. I hesitate to add your burdens, and I certainly make no complaint about being snuffed out during Question 4 to the Home Office, but could I ask that, over the weekend, you have brought to your attention what was said by Mohamed Al Fayed that Thursday evening, 16 January? This is far beyond a party matter. It reflects on the good name or otherwise of the House of Commons. You, Madam Speaker, have a stake in that, to put it mildly. All I am asking is that you obtain the video and make a judgment for yourself. If you decide to make a statement, that is Madam Speaker's judgment. At least you should be formally alerted to the situation. More than a million people up and down the country saw what happened, and they were left open-mouthed.

Madam Speaker: I listened attentively to the hon. Gentleman's question to the Leader of the House a few moments ago on that matter. I am sensitive to the points that he makes, and I shall take every opportunity to defend the honour of the House. I shall reflect over the weekend on what he said. He may find that I shall come back to the House next week on those matters.

BILL PRESENTED

Police and Firemen's Pensions

Mr. Secretary Howard presented a Bill to amend the Police Pensions Act 1976 and the Fire Services Act 1947 so as to make provision in respect of transfer values and other lump sum payments and permit police and fire authorities to provide information relating to pension schemes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 78].

Orders of the Day

Finance Bill

(Clauses Nos. 40, 62, 68, 82 and 92 and Schedules Nos. 7 and 13.)

Further considered in Committee.

[MR. MICHAEL MORRIS *in the Chair*]

Clause 40

GROUPS CONTAINING BODIES OF DIFFERENT DESCRIPTIONS

Question proposed, That the clause stand part of the Bill.

4.18 pm

Ms Dawn Primarolo (Bristol, South): I would have wished to move amendment No. 8. Is that not in order? May I have some guidance, please?

The Chairman: That amendment was not selected. The debate is on clause 40 stand part.

Ms Primarolo: I am grateful for that information. I can make the points in this debate that I would have made on our amendment, had it been selected. I hope that that is in order.

The notes on clauses explain that clause 40 clarifies how members of VAT groups, who have a special status, are treated, and prevents potential tax avoidance. When the Chancellor of the Exchequer made his Budget statement on 26 November 1996, he made several important points that relate directly to this clause and to a number of others. He said:

"Inland Revenue tax experts will be redeployed to investigate even more rigorously how some big, sophisticated companies seem to pay so little tax. They will make sure that companies are paying what they owe, and what we"—

the Government—

"intended they should owe. . .

There will be more resources in the Revenue and Customs to stem the growth of the shadow economy . . . There will be more Customs and Excise officers to tackle value added tax and other tax abuse, including . . . more to target the smuggling of alcohol . . .

The 'spend to save' package will cost £80 million over the next three years to secure . . . revenue and expenditure savings of well over eight times that amount—£6.7 billion."—[*Official Report*, 26 November 1996; Vol. 286, c. 163.]

Given the Chancellor's explicit statements relating specifically to companies, I feel that we should seek further scrutiny of the arrangements to allow VAT groups of companies. I also seek an assurance that the Government have considered the possibilities for tax avoidance that may be created by the existence of such groups. Although we do not propose that the present arrangements should be disturbed at this stage, we think that an assessment should be made, as problems have occurred in the past.

In this and previous Finance Bills, the Government have expended considerable effort on trying to close VAT loopholes, some of which have been potential loopholes rather than giving rise to significant loss of revenue. At the same time, the Government have allowed VAT group treatment to continue virtually unchanged. In discussing the relationship during debates on previous Finance Bills, they have told us that this treatment of groups costs the taxpayer some £400 million, because VAT that would otherwise be chargeable has not been charged. Clause 40 addresses the position again.

It should be put on record that the amount of revenue that would be involved if the present arrangements were disturbed might not be £400 million for very long, because companies could reorganise themselves in order to realign their tax affairs. The withdrawal of VAT group treatment might well impose a greater administrative burden on both the taxpayer and Customs and Excise, and in that sense it would not be a sensible strategy. None the less, the arrangements should be scrutinised.

Clause 40 is designed to ensure that, when a VAT group includes a company that is entitled to zero rating or exemption as a result of some special status, that zero rating or exemption does not extend to the rest of the group. Special status companies include insurance companies, education institutions and charities. Customs describe the provisions as dealing with a potential problem. If he is in a position to disclose the information, I should be grateful if the Minister could explain the potential problem and say how much revenue may have been at risk.

Overall, clause 40 appears to achieve its objective, and seems unlikely to cause significant problems. Several universities rely on their education exemption not extending to their trading subsidiaries. The debate revolves around the loss of VAT receipts. The Government have had problems for several years in forecasting likely income from VAT receipts. It would be helpful if the Government could show that the group companies arrangement does not continue to provide loopholes.

Many clauses contain anti-avoidance provisions, which are especially important given the Minister's declared objectives. The previous Minister responsible for VAT, the right hon. Member for Wells (Mr. Heathcoat-Amory), wrote to me on the matter on 31 May 1996. I had sought an assurance on potential VAT anti-avoidance problems with the group relationships. He said:

"Customs give a high priority to anti-avoidance activities. A new Headquarters branch has been set up to co-ordinate anti-avoidance policy as a response to more aggressive tax planning and marketing of avoidance schemes. Additional resources have been deployed to enable the branch to monitor and evaluate new avoidance schemes and propose measures, including possible legislative changes, for countering them. The branch is supported by a national network of Tax Avoidance officers whose role is to identify and report avoidance schemes and to provide advice to local visiting staff."

So far, so good.

Specifically, the group relationship is being examined—big companies that make tax returns individually and, in particular, companies that are grouped for tax purposes. A shortfall of some £5.5 billion has been identified—no small amount—from three possible causes. The first is a shift in consumer spending; certainly the group relationship would give an opportunity to build on that. The second is an increase in tax avoidance, or, as it is politely called, tax planning. Thirdly, it could be straightforward non-compliance and evasion—the growth of the shadow economy.

As the Government have spent so much time and effort establishing the unit and explaining the problems of VAT collection, and given the considerable press speculation,

[Ms Primarolo]

we need more guidance from the Minister about why he does not intend to scrutinise the group arrangements more closely than is provided for in clause 40.

The issue of VAT receipts and companies' ability to minimise their obligations to pay VAT is building up considerable pressure, and not only because VAT is now set at 17.5 per cent. and is a significant revenue source. In his reply on clause 40, I should be grateful if the Minister would make a clear statement on VAT-grouped companies; on whether the Government will continue to monitor and investigate VAT relationships; on whether it may be necessary to revisit the issue of VAT groupings, on precisely which potential loophole clause 40 is intended to close, on how much revenue will be protected, and on whether alternative tax-planning strategies will be open to companies so that they can minimise payments to the Exchequer—which would only be bad for citizens.

4.30 pm

Mr. Paddy Tipping (Sherwood): Clause 40 is important because it provides the Committee with an opportunity to examine the issue of tax loopholes. The clause deals with

"Groups containing bodies of different descriptions"

and the way in which those groups are able to manipulate VAT payments. It also sets out the way in which loopholes or potential loopholes—perhaps in the insurance industry, or for educational institutions—could be closed. The sum involved—potentially £400 million—is not insignificant.

I was impressed by figures provided in the Red Book, on page 69, on the shortfall in VAT receipts. Halfway down the page, it states:

"VAT receipts in 1995-96 would have been £6 billion higher."

It also contains lengthy speculation—on which I should like the Minister to comment in his reply—on the various reasons why VAT receipts have been much lower than predicted.

The Red Book goes on to state:

"VAT receipts have picked up this year, and it looks likely that 1996-97 will see the first rise in the VAT/consumer spending ratio since the late 1980s".

I should be grateful if the Minister will confirm whether that is likely to happen.

Among the various reasons given by the Red Book for VAT receipts falling so far short of predictions, one is particularly applicable to clause 40. It states:

"better tax planning and increasing tax avoidance by companies"

is a significant factor. The clause potentially closes tax loopholes, but it leaves it open to companies to review the situation and to indulge in reorganisation. I suspect that tax planning consultants will give advice on that matter.

There is an interesting tension in that the Minister, his advisers and Customs and Excise are engaged in combat with a group of highly paid and well-organised professionals. I do not think that they would put it in those terms, but it is the reality. It is important that the Government have the people necessary to be on the winning team.

I was particularly interested in some comments that the Chancellor made in his Budget speech. He said that he recognised that there was a problem and that some measures needed reinforcing. He talked at some length about a range of "spend to save" initiatives, and said:

"As part of our continuing fight against tax and benefit fraud and tax loopholes, I am introducing a package of measures called "spend to save" . . . There will be more resources in the Revenue and Customs to stem the growth of the shadow economy . . . There will be more Customs and Excise officers to tackle value added tax and other tax abuse".—[*Official Report*, 26 November 1996; Vol. 286, c. 162-3.]

The Chancellor said that his proposals would cost the public purse £800 million, but would bring in eight times that amount—£6.7 billion.

I hope that the Minister will confirm that clause 40 will close the £400 million loophole, but the "spend to save" package is extremely ambitious—spending £800 million over three years to bring in £6.7 billion over three years will take a great deal of doing. I support the commitment—it is right that we should go for it—but it is an ambitious target, which, if not met, will leave a hole in the finances which will have to be filled by a future Government.

How many Customs and Excise staff will be working specifically on the technical issues of VAT avoidance? I am conscious of the fact that I am an outsider, a non-professional, but I read the financial press and I see the advertisements from and publicity surrounding VAT consultants. I am anxious about the impression given and the rewards that appear to accrue to such consultants' clients.

In summary, I support clause 40. I am pleased that the Government are closing the loophole, or the potential loophole. I believe that companies will employ experts to try to find a way around the proposal. It is right that we attempt to tackle fraud and abuse, but the targets that the Government have set themselves are very ambitious. I hope that they can be achieved, and I am pleased that resources are to be put into Customs and Excise to tackle the problem.

There seems to have been a real change in the Government's approach. In the past, they appeared content to allow Customs and Excise staff to decline in number, but there is now a change of emphasis—perhaps a recognition that civil servants such as Customs and Excise staff are valuable in dealing with this highly technical problem. I hope that the Government succeed, but I remain slightly sceptical.

Mr. Stephen Timms (Newham, North–East): I rise to support the amendment—

The Chairman: Order. If the hon. Gentleman had been here at the beginning, he would have noted that amendment No. 8 was not on the selection list; I clarified that point. I remind the hon. Gentleman that this is the clause stand part debate.

Mr. Timms: I am grateful to you, Mr. Morris, for that clarification.

I welcome the clause, because it signifies, as my hon. Friend the Member for Sherwood (Mr. Tipping) explained, a change of heart by the Government and a recognition that the hole in the VAT receipts is now the biggest threat to public finances and to control of the public sector borrowing requirement.

The clause is one of a small number of provisions aimed at improving the alarmingly poor rate of VAT collection. I hope that the Government will keep a close

eye on its effects of the clause. As I understand it, Customs and Excise is saying, "This is a potential problem. We do not really know why the hole has appeared in VAT collection. This is one possibility, or one contributing factor." If we are to solve the problem, it is of the greatest importance that we watch carefully the effects of the clause and the other measures that are being taken to try to put the problem right.

My hon. Friend the Member for Sherwood mentioned the "spend to save" initiative, which stands alongside the clause and is designed to try to tackle the problem. It is remarkable that the Red Book projects that, to secure about £2 billion from reduced fraud, about half a billion pounds of extra spending will be needed in social security—rather less than £200 million in the Inland Revenue, and just £100 million in Customs and Excise.

The Government anticipate that, for a very small amount of extra spending—£100 million—they will raise an extra £2 billion in VAT, which will be a welcome addition. I hope that the clause will contribute to that process. We are talking about a very small amount of extra spending, from which a large amount of extra revenue is anticipated. I hope that we shall keep the whole exercise under scrutiny to ensure that it goes in the right way, because the amounts involved are so large.

My hon. Friend the Member for Sherwood suggested that many people have been wondering why it took the Government so long to realise that the problem had arisen, and why, as recently as last May, the then Paymaster General said that the Customs and Excise review would

"enable it to reduce staffing levels while maintaining or improving outputs."—[*Official Report*, 16 May 1996; Vol. 277, c. *567*.]

Clearly, that has not been the case, and the clause may be a sign that the Government are recognising the problem and doing something about it.

The Treasury has accepted, as part of the broader "spend to save" initiative, that it should publish data on the overall achievements of the initiative, monitoring spending and savings against the published targets. I hope that, in that spirit, the Government will accept that it will be valuable to monitor what happens as a result of the implementation of the clause—to monitor whether it helps to bring in some of the missing VAT revenue and to consider whether some other initiative is required as well to crack the problem.

The Exchequer Secretary to the Treasury (Mr. Phillip Oppenheim): I warmly welcome the Opposition's support for our measures against VAT avoidance. In this bipartisan spirit, I am prepared, generously, to overlook their previous criticisms.

When we have closed loopholes, we have suddenly been accused of putting up VAT rates. That accusation was made, notably, in a leaflet produced by the Opposition entitled "Twenty-two tax increases". One "increase" was a loophole that we closed by imposing VAT on gold granules. Nevertheless, converts, however belated, are always welcome. The Opposition's support is part of their current fashion of poodling along behind us. That is something, in a generous spirit, that we all welcome.

The hon. Member for Sherwood (Mr. Tipping) asked about the current position on VAT receipts. They are 10 per cent. up over the past year on current figures, which reflects the uplift in the economy, the effect of closing loopholes in the previous Budget, and the effect of measures in this Budget.

The hon. Gentleman also asked about the number of new staff who would be devoted to combating VAT avoidance. There will be 1,100 VAT staff, additional or retained, dealing with general high-profile cases and areas of VAT avoidance that we consider particularly sensitive. An extra 100 customs men and women will be put on specific fraud issues. That is quite a large increase over the previous estimated totals for the year.

4.45 pm

I am also delighted that the Opposition chose this particularly high-profile clause out of all the clauses they could have chosen for debate on the Floor of the House. The hon. Member for Bristol, South (Ms Primarolo) asked why clause 40 was necessary, and whether we had any indication that there might be avoidance problems in the area it covered.

It is part of good tax management to anticipate where problems may come from, and we had some indication from tax planners and tax lawyers that they might probe in this area. There were one or two cases in which the results were a little ambivalent, so we thought that it was good fiscal management to ensure that any loophole was closed in advance, although we do not have any evidence at the moment that there is any revenue loss. We estimate, however, that the revenue protection as a result of the clause will be £50 million, which is quite a significant sum.

The hon. Lady also asked why we were not doing more than introducing the clause. The answer is that we are doing more, because clause 41 also addresses potential group abuses. Last year, schedule 9A was designed to counter most of the existing group abuses and it appears to have succeeded. Obviously, one can sometimes move in advance of loopholes and close them, but sometimes it is not possible. Loopholes sometimes become apparent unexpectedly because, as the hon. Member for Sherwood rightly said, highly paid tax accountants and lawyers are swarming over company accounts and wanting to sell their services, and they come up with wheezes. As soon as they do, if we have not anticipated the loopholes, we try to close them.

The hon. Member for Bristol, South and some of her hon. Friends went a little further, and asked why we could not get rid of the group concession altogether. She asked whether we should not scrutinise the matter more closely; I think that that was the purpose of amendment No. 8, which was not called.

Ms Primarolo: I would like to clarify that point, because I would not like the Minister to mislead the Committee. I asked whether the Government had scrutinised the question whether VAT groups, which were provided under the existing arrangements, were in themselves opportunities for avoidance. If the Minister checks the *Hansard* record tomorrow, he will see that I was not proposing that the groups should be disturbed now.

Mr. Oppenheim: I am sensitive to the hon. Lady's sensitivities in this area; they are very touching. The Opposition should not—*[Interruption.]* Would the

[Mr. Oppenheim]

hon. Lady like to make that comment again at the Dispatch Box in exactly the same terms as she made it just now?

Ms Primarolo: The debate would be helped enormously if we could conduct it in a grown-up fashion. I do not wish to trade insults with the Minister, and I hope that he does not wish to do so with me.

Mr. Oppenheim: As I said, I have noted the hon. Lady's sensitivities. She stood at the Dispatch Box and was quite critical of Government policy. It is reasonable for a Minister to probe the Opposition about what their policies are and to point out that the hon. Lady said in her opening remarks that we should look at the possibility of changes to the group concessions that we have given.

My response, if the hon. Lady will listen to it rather than trading insults that she is, understandably, not prepared to confirm from the Dispatch Box, is this. We constantly scrutinise the position of groups, and where we think abuses are happening, we will close the loopholes. That is precisely what clauses 40 and 41 are about. If the hon. Lady thinks that there is scope to go further—if she will listen to the response to her question—she should make it clear to the Committee. We will make available any information she wants with regard to this matter. If it is the Opposition's policy to go further, they should make it absolutely clear.

The Government do not at the moment want to go further than closing the potential loopholes described in clauses 40 and 41, because the facility was originally introduced to provide administrative advantages, giving businesses an alternative to organising themselves on a divisional basis. The VAT position of a company organised in divisions and a group of companies should therefore be the same.

Steps could be taken to remove companies that are involved in exempt or partially exempt businesses from groups, because that is, as was rightly identified, an area of revenue loss. The likely reaction, however—it is likely in all sectors except, possibly, insurance—is that businesses and organisations will respond by vertically integrating to achieve a position similar to a single entity organised on a divisional basis. That will almost certainly wipe out any revenue gain.

It would be very difficult to argue that that is not a legitimate business move rather than a tax-avoiding move. To keep regulation to a minimum, and on the grounds that such a measure would be particularly onerous to business and especially difficult practically to act on, we have decided to go no further than the proposals in clauses 40 and 41.

The other point of which Opposition Members should be mindful is that many of the groups involved are not businesses—although some of them are in the insurance sector. Many are charities and educational institutions. That is why we are very keen to tread very sensitively.

Clause 40 clarifies how members of VAT groups who have a special status are treated, and prevents possible tax avoidance. The VAT liability of some supplies is dependent on the status of the person providing those supplies. For example, a supply of insurance is exempted only if provided by a permitted insurer. Where such a body is the representative member of a VAT group, some tax planners have suggested, as I said, that the status should be automatically passed to other members of the group.

If that were to be so, businesses would be able to reorganise their affairs so that the VAT reliefs associated with the representative member of a VAT group could be shared by all other group members, to the detriment of the Exchequer and the public services that it finances. It would also be contrary to the original intention of grouping provisions. The measure is designed to clarify the current position, close potential opportunities for abuse, and therefore, in effect, maintain and reinforce the status quo.

Ms Primarolo: May I put on record our acceptance of the Minister's kind offer to supply us with whatever information we require during the course of our deliberations in Committee on the clauses on VAT and potential loopholes? I am sure that it will assist greatly in our deliberations.

Mr. Oppenheim: The offer that I made the hon. Lady—I can understand why she wants to expand the concession into a major loophole—is of further information on the situation regarding groups, as described in clauses 40 and 41, with a view to changing her policy to take away the group concession. We would supply any information in relation to that—

Ms Primarolo: No.

Mr. Oppenheim: More generally, any reasonable request for information will not be refused.

Ms Primarolo: Another Tory promise has already been broken. The Minister made his offer when I gave way to him during my earlier speech.

Consistency is a wonderful quality, which politicians do not always display. I remind the Minister that, in Standing Committee D on 14 March 1995, his predecessor said that there was no need for extra Customs and Excise staff, and that, as the Government, they could maintain and improve the collection of revenue with fewer staff rather than more. The Opposition are very pleased that it has now been agreed that we were right last year to say that resources were needed.

This debate is important, despite the bristling between the Minister and me, which I am sure will develop and illuminate the Committee. I hope that it will not deter us from proper scrutiny of the Bill, with which the House charges us.

Question put and agreed to.

Clause 40 ordered to stand part of the Bill.

Clause 68 ordered to stand part of the Bill.

Schedule 7

SPECIAL TREATMENT FOR CERTAIN DISTRIBUTIONS

Sir Robert Hicks (South-East Cornwall): I beg to move amendment No. 10, in page 137, line 34, at end insert

'in relation to distributions made on or after 5 December 1996'.

The Chairman: With this, it will be convenient to take amendment No. 9, in schedule 7, page 141, line 25, at end insert—

'13. Paragraphs 4, 5, 6, and 10 above shall not apply to any distribution unless the transaction in securities is carried out for bona fide commercial reasons and does not form part of a scheme or arrangement of which the main purpose, or one of the main purposes, is the obtaining of a tax advantage.'.

Sir Robert Hicks: The purpose of amendment No. 10 is to clear up any confusion that may have arisen over the date of implementation of the proposed new arrangements for the tax treatment of certain distributions where a company purchases its own shares. I must emphasise that I have no quarrel with the Government's proposals for such a change in tax policy. The genuine confusion, and with it a suggestion of retrospection, was drawn to my attention by a family-owned company that has a major investment in my constituency. Indeed, it is the largest single employer.

The company acted in a totally legitimate manner under the previous arrangements, and it was not until the draft legislation was published on 5 December 1996 that it realised that the specific provisions might be applied retrospectively and a tax liability therefore imposed that could be damaging to its business and future investment plans. On the basis of clarity and equity, I ask my hon. Friend the Minister to accept the amendment.

Mr. Paul Tyler (North Cornwall): I am delighted to support my parliamentary neighbour the hon. Member for South–East Cornwall (Sir R. Hicks). He and I share not only a boundary but the distinction and responsibility of representing the two bakeries of Ginsters Ltd., which manufactures, as everybody in the House will know, the best-known Cornish pasties in the world. The business is extremely important to us. It also manufactures a number of other products, including custard pies. I shall leave it to the House to determine whether it is appropriate that the hon. Gentleman should represent one product and I the other.

The issue is extremely important, although, as the hon. Member for South–East Cornwall said, it is very technical and appears to apply to very few people. It has the unfortunate effect of applying retrospectively at precisely the moment when the company—Samworth Brothers Holdings Ltd.—had thought that it had obtained clearance from the Inland Revenue for appropriate treatment of the business that it wished to undertake. A press release gave the business confidence that there was no problem, and it proceeded with the transaction only to find that, when the draft legislation was published, its effect was precisely the opposite of what the business and its financial advisers had anticipated.

I am delighted that the Government are minded to respond positively to the amendment, which I am sure will be welcome. As the hon. Member for South–East Cornwall said, the business is extremely important to our part of Cornwall. Indeed, it is a flagship business for Cornish products generally.

I should like to draw the Committee's attention to an article that appeared in *Taxation* on 2 January, which emphasised that although the issue was a minor one, it raised important wider implications. The author of the leading article said:

"To my mind, if we are now entering an era in which tax rules are changed retrospectively without announcement, there is not really any point in having any rules at all in the first place. The idea of tax legislation is to tell people what tax they owe and on what date. If the legislation no longer does that, we may as well abandon our sophisticated and refined system and simply have the Revenue send round heavy boys periodically to relieve people of as much of their wealth as possible."

I acknowledge that Treasury Ministers have responded swiftly to the concerns that have been expressed on behalf of the company and I hope that the Minister will be able to assure us that problem was an unfortunate oversight rather than an attempt to get away with something that the House would deplore.

Mr. Tim Smith (Beaconsfield): I believe that the paragraph from *Taxation* that the hon. Member for North Cornwall (Mr. Tyler) read out is, if I may say so, a slight exaggeration. The problem is not exclusively Cornish and I have received a letter from a company in Nottinghamshire that said that its family-owned business would be severely hit by the retrospective and unannounced nature of the proposals. It continues:

"Clearance had been obtained from the Inland Revenue for my Companies to buy their own shares but no mention was made of a charge on the Trustees for additional tax liability."

5 pm

Only one issue of principle arises—albeit an important one—because it was not clear, when the Inland Revenue press release was published on 8 October, that the change would take place or take place on that date. It was not clear until 5 December, by which time another Inland Revenue press release had been issued. I have always been concerned that tax legislation should not contain any element of retrospection. It is not fair on tax payers who need to have a clear understanding about the tax consequences of their decisions. They cannot do that if announcements are made subsequently about changes that will take place retrospectively. We are talking only about a few weeks but a number of taxpayers are affected and I hope that my hon. Friend will be able to respond positively to the representations he has received.

Mr. Christopher Gill (Ludlow): I wish to speak briefly in support of amendment No. 10. The hon. Member for North Cornwall (Mr. Tyler) quoted from the article in *Taxation* on 2 January 1997. Later the article says:

"with self assessment being imminent . . . taxpayers will have to volunteer their own tax liabilities. They are far more likely to do so fairly and conscientiously if they consider that the tax regime is itself imposed by fair and proper means."

That brings me to the point made by my hon. Friend the Member for Beaconsfield (Mr. Smith) about retrospection in tax legislation. There should be no retrospection in tax legislation, otherwise none of us knows where we are and nobody can make their tax planning dispositions.

Samworth Brothers is one of the most pre-eminent companies in the food manufacturing industry in this country. Mr. Samworth, whose letter was mentioned by the hon. Member for North Cornwall, won this year's Massey-Ferguson award for agriculture and gave a most impressive presentation when he accepted that award. He demonstrated how his company, which I have known of for many years, has grown and grown to become a pre-eminent company in the meat industry. It provides a

[Mr. Christopher Gill]

good example to many other British companies. I have no doubt that the company's planning of its financial and tax affairs has been involved in its success story.

I hope that the Minister will agree that it would be wrong for the House to act retrospectively and I hope that he will accept the amendment.

Mr. Mike O'Brien (North Warwickshire): I hope that it will be for the convenience of the Committee—if you agree, Mr. Morris—if we have a wide-ranging discussion on the amendments and also schedule 7. In that case, we would not have to have a separate stand-part debate.

The Chairman: The Chairman is here to serve the Committee. We should have discussed that point at the beginning, but if all parties are happy for the general principle of schedule 7 to be incorporated in this debate, I am happy.

Mr. O'Brien: Thank you, Mr. Morris.

Amendment No.10 deals with the issue that arises in relation to cornish pasties and pork pies and the Minister must address it. There have been complaints not only from Samworth Brothers but from organisations such as the Law Society. I suppose I should declare an interest because I am a member of the Law Society, but I have no other interest in the matter. The Inland Revenue press releases appear to have misled certain people—innocently, I am sure. The Inland Revenue press release of 8 October 1996 said in paragraph 1 that

"the income tax liability of taxpayers who receive such distributions will be unaffected by the change."

The second press release, on 26 November, went further and it said:

"the income tax liability of taxpayers who receive such distributions will be largely unaffected by the change."

The significance of the insertion of the word "largely" became clear only when the draft legislation was published on 5 December and it became clear that it will impose a new tax liability on trusts.

The Minister should explain the sequence of events behind the press releases. Why was it not made clear on 8 October that the Minister and the Inland Revenue intended to take the course of action that they later took? As a result, certain people arranged their tax affairs in a particular way and might, as a consequence, face a liability that might not have arisen if the Inland Revenue had clearly indicated what it intended to do. I hope that the Minister will deal with that issue today.

More broadly on schedule 7, share buy-backs and special dividends have been identified as a problem for some time. Much credit must go to my hon. Friend the Member for Dudley, West (Mr. Pearson), who has repeatedly pointed out to the Chancellor, in a series of letters and parliamentary questions, the abuse of the system of share buy-backs and special dividends. I pay tribute to my hon. Friend for recognising the problem and putting pressure on at an early stage to ensure that the Treasury also recognised the difficulty. When my hon. Friend raised the issue in March with the Financial Secretary, he provided reassurances. In a letter to my hon. Friend, the Financial Secretary stated:

"The availability of a tax credit on a special dividend is not a tax loophole."

That begs the question of why the Government are now taking action. The definition of a tax loophole is a technicality, but surely creating opportunities for streaming is a loophole for all practical purposes.

The media became agitated by the way in which special dividends and share buy-backs have been used and major company takeovers that resulted in special dividend payments have highlighted the issue of tax-exempt shareholders receiving tax-exempt credits at the expense of the taxpayer. Articles in *The Times* and in the Lex column in the *Financial Times* have brought the inconsistencies in the system to public attention. In *The Times* on 18 August 1996, Graham Sargent wrote:

"Since the beginning of 1995, buy-backs have totalled some £4.8 billion. Those buy-backs cost the taxpayer more than £1 billion in tax subsidies in just 20 months."

Another example of these arrangements is Granada's bid for Forte, the loss to the taxpayer from which has been estimated at roughly £40 million. Special dividends have been widely used in the circumstances, and there are a number of estimates as to the total lost by the Inland Revenue during the past year as a result. I hope that the Financial Secretary will be able to state how much has been lost. It is right for the Treasury to examine this area as a tax issue, and we welcome the Government's decision to make changes to the treatment of share buy-backs and dividends. Our concerns are twofold: why did the Government not do this before, and why are they doing it in this way?

I shall return to a number of issues arising from the wording of the schedule in a moment. The amendment seeks to restrict access to exemptions to bona fide commercial arrangements and not those set up merely to avoid taxation. There may be circumstances in which share buy-backs and special dividends have market benefits, but the issue is whether they should be used merely to avoid tax. A legitimate use, for example, might be when a mature company with cash to spare has insufficient good investment opportunities. In such circumstances, it may be better for the surplus to go to the shareholders, who may divert it to other companies which could use the surplus more effectively.

A difficulty is that the tax rules regard dividends and share buy-backs as essentially the same thing, and treat them as the distribution of capital from a company. Companies are currently required to pay advance corporation tax on distributions at a rate of 20 per cent. on the gross dividend or 25 per cent. on the net dividend, which is the dividend paid less the ACT. Shareholders receive a dividend from the company together with a credit for the ACT paid, and UK taxpayers will pay tax on the gross dividend and can use the tax credit to offset their tax bill. Shareholders who pay income tax at the basic and lower rate pay no further tax on the dividend, and higher rate taxpayers pay an extra 20 per cent. on the gross dividend received.

Pension funds and other tax-exempt institutional shareholders may reclaim the ACT paid on dividends from the Inland Revenue by, in effect, cashing in their credit. In the financial year 1995-96, the Inland Revenue collected £23.6 billion in corporation tax, of which £9.9 billion was ACT. Tax-exempt pension funds and other institutional investors are the largest investors in UK

equities or shares, so a substantial proportion of the ACT paid will be reclaimed. That will reduce the tax yield to the Inland Revenue.

The Government proposals in the schedule will have the effect of preventing shareholders from claiming back ACT where their company has paid it as part of any share buy-back, or as dividends paid in more limited special cases. A fundamental principle of UK company law, and of tax law as it applies to companies, is that all shareholders should be treated in the same way. However, prior to the Government's decision to deny the reclaiming of tax credits, various UK companies were engaging in schemes or arrangements where most of the shares offered for buy-backs were purchased by tax-exempt institutions. This practice is often referred to as streaming, and offends the principle of equal tax treatment for all shareholders. It also applies in many ways to special dividends.

The Lex column in the *Financial Times* on Wednesday 10 January 1996 reported:

"Granada's increased bid for Forte includes a helping hand from the Inland Revenue. The 47p special dividend Granada is proposing to pay from Forte's balance sheet comes with a 11.75p tax credit for tax-exempt institutions such as pension funds. These shareholders—who will determine the bid's outcome since they account for perhaps 50 per cent. of Forte's shares—will receive an extra £50 million or so from the Revenue if the bid succeeds."

The column continued:

"No public interest is served by a loophole that involves taxpayers subsidising corporate raiders."

The timing of the Government's initial announcement in October was prompted by a transaction proposed by Reuters that involved the creation of special shares which could have cost the taxpayer an estimated £150 million. However, instead of dealing directly with the problem of streaming, the Government have denied the reclaiming of tax credits on all share buy-backs, irrespective of whether the shares have been streamed or not. The rules are mandatory, and the Inland Revenue seems to have no discretion as to how to apply them.

5.15 pm

The clause is broadly defined, and there is some danger that the innocent may be caught with the guilty. I hope that the Minister can assure us about the way in which the scheme will be enforced. The scheme may affect company reorganisations and will create another layer of complex fiscal detail. Fiscal detail is sometimes necessary, but we should be careful not to indulge in the creation of fiscal detail for the sake of it, and full explanations will be needed from the Treasury. Companies will have to contend with complex provisions when they arrange their corporate financial affairs as a result of the schedule. It will provide income for lawyers and accountants, but may in effect frustrate many bona fide financial engineering projects within the City.

Mr. Tim Smith: What point is the hon. Gentleman trying to make? Who is he saying should decide whether a "financial engineering project"—as he described it—is bona fide or not?

Mr. O'Brien: My point relates to the provisions contained in section 703 of the Taxes Act 1988, which allowed the Inland Revenue to deal with issues of tax avoidance. The Revenue can look at particular mechanisms and ask whether they are geared towards tax avoidance or towards dealing with genuine commercial arrangements with a practical benefit. Why did the Government not get the Inland Revenue to look at whether the arrangements were bona fide? There may well be good reasons for that, but it remains to be seen whether the Minister can provide a justification for the course that has been taken. The House has a right to hear such a justification.

The Government have provided exemptions to clause 68 but have not sought to distinguish between bona fide operations and any abuse of the exemptions. Why do the Government believe that those in the City who, in a sense, abuse the current system will not abuse the proposed system by, for example, exploiting the exemptions for preference shares and pre-sale distributions? I hope that the Minister can reassure us on that.

The amendment denies the benefit of the exemptions to transactions that do not have commercial justification. Each case would be considered on its merits, and the Inland Revenue would be able to exercise discretion. Where the Inland Revenue and taxpayers agree, both would have recourse to the courts which would decide on the facts and the law in each case. The Red Book forecasts that the Government will save £200 million in 1997-98, rising to £400 million in 1998-99 and 1999-2000. The amendment might provide a little extra help for the taxpayer by increasing resources. It is difficult to gauge precisely how much will be raised, but ensuring that the exemptions are used only for bona fide purposes seems to be a good way to proceed.

I have a series of questions to which I hope the Minister can give me some answers. Why have the Government taken so long to tackle the problem? They knew about the special dividend issue when it arose in bids for several electricity companies back in 1995, as well as in the Lloyds-TSB merger. Surely the Minister could have acted to deal with the matter in the 1995 Budget. Why did it take a further year to take the necessary action? Surely the Treasury must have thought about it during the intervening period, so why did a subsequent complication arise as a result of the various press releases that were issued? That complication had a detrimental effect not only on Ginsters and Samworth Brothers, but various other people have complained to their accountants that they did not realise what would happen.

Even if action was not taken in the 1995 Budget, the Chancellor was aware of the abuse. Why was it not possible to use the powers in sections 703 to 709 of the Taxes Act 1988 to challenge the tax advantages from special dividends in takeovers? The respected Stephen Edge of Slaughter and May wrote an article in *The Tax Journal* on 10 October 1996 in which he questioned whether the current changes were necessary. He thought that section 703 of the 1988 Act enabled the Inland Revenue to act. Will the Minister clarify the position with regard to that section and explain why it was impossible to use it to deal with the issues that arose in various takeovers?

Why is schedule 7 so widely drawn? Why has it not been possible better to target the abuses? Accountants and lawyers will do very well as they work out the meaning of paragraph 1(3)(a), especially the meaning of

"was . . . referrable (in some way and to any extent) to, or to the carrying out of, a transaction in securities".

[Mr. O'Brien]

Is it the intention that United Kingdom tax exempts should never qualify for ACT refund on share buy-backs? Are we not left with a complex schedule with an uncertain meaning? Will the Minister confirm that the legislation requires to say on the dividend voucher whether the distribution is affected by that legislation? That may prove difficult.

The schedule may create uncertainty because the scope of the wording is too complex and difficult to understand. It requires that companies should prejudge the outcome of any difficulty or complexity before they can issue any dividend. A company is prevented from paying up and arguing later with the Inland Revenue about whether it is covered by the schedule. If that is so, it is likely that mistakes will be made.

Are we not in danger of creating an extra burden on businesses, many of which are not large but may still be affected by the terms of the schedule? Should we not have dealt with the issue of complexity with more care?

A judgment must be made about the dividend voucher before the dividend is issued. What is the penalty for getting it wrong? I have been unable to discover it, but perhaps the Minister can let us know.

The Labour party strongly supports action to tackle the abuse of share buy-backs and special dividends for the purposes of tax avoidance. My hon. Friend the Member for Dudley, West deserves credit for repeatedly warning the Treasury about that abuse. We are concerned about the Government's failure to act earlier and the complexity of the method used to tackle the problem. The schedule adds yet a further layer of complexity to an already complex system of corporation tax. It follows other fundamental changes to the imputation system, which have been passed in recent years, such as the decoupling of ACT and the basic rate of income tax and the introduction of foreign income dividends.

The system will become yet more complex because of the schedule and because the income tax and corporation tax structures have changed significantly since the introduction of the imputation system in 1993. Is it not therefore time to consider whether we can simplify that complex system as soon as possible?

I should like to ask the Minister a few questions of a more technical nature, although I accept that he may be unable to answer them immediately. If so, perhaps he can write to me and ensure that those answers are published because the current proposals have led to a number of confusions. Can the Minister confirm that foreign recipients will not be able to claim tax credit repayments on the double taxation agreements? If so, can the Minister explain why such shareholders would be affected in that way?

Can the Minister say whether the words "made to" in paragraph 1(3) in relation to the scope of special rules for trustees referred to in sub-paragraph (4) mean that the provisions apply to bear trusts and not to just to qualifying distributions belonging to the trustees? As for the meaning of payment, can he explain whether the term "payment" in paragraph 1(2) covers payments in kind as well as payments in cash? That uncertainty might create an opportunity for abuse, so I hope that the Minister can clarify that.

As for the meaning of arrangements in paragraph 6(2), can the Minister explain whether the word "arrangement" means any agreement or understanding whether or not it is legally enforceable? On the extent of transactions in securities, can the Minister explain whether the phrase "transaction in securities" in paragraph 1(3)(a) could include the payment of the dividend? Can he clarify the meaning of the words "by virtue of which" and "made referrable to" in paragraph 1(3), which seem to add to the confusion? Can the Minister cite some examples to illustrate the strength or laxity of those important connecting words?

On the scope of exclusion for pre-sale dividends, can the Minister explain the basis of the 14-day limitation in paragraph 6? Why should a dividend that is paid more than 14 days before a sale be regarded as more offensive than one that is paid within that 14-day window? That difference may be academic, but we are here to clarify such details. It is important that we do so because a lot of people will read the answers in *Hansard*.

The Financial Secretary to the Treasury (Mr. Michael Jack): We will be here all night.

Mr. O'Brien: I hope not.

The schedule also has the odd effect that the longer the time the dividend is paid prior to sale, the more likely it is to be safe. It will not be referrable to the later sale. As the time lapse shortens, the risk gradually increases, until at 14 days it suddenly drops to nil. That does not seem logical. I appreciate that the Minister may not be able to deal with all those questions, but I want to place them on record so that answers are given to aid those who will have to deal with the issue later.

Can the Minister advise us whether for the purposes of relief as set down in paragraph 6, it is necessary that the sale should have been completed by the end of the 14 days?

We have sought to clarify the meaning of a complex set of provisions. We also want to strengthen them. The Government are tackling the right issue, but we have doubts about their methods. The Minister must answer some important questions about the effects of the press releases. The points that were raised by the hon. Member for Beaconsfield (Mr. Smith) are important and I hope that the Minister will be able to deal with them. He must deal with those problems—and not just in terms of retrospective legislation. There is also the question of the press releases and whether or not the Inland Revenue properly clarified what it intended to do.

If the Committee wishes, I shall later move amendment No. 9 formally and seek to commend it as one that will add strength and clarity to the schedule.

5.30 pm

Mr. Ian Pearson (Dudley, West): My speech will fall into three parts: first, schedule 7 and the general principle behind it; amendment No. 10; and, finally, amendment No. 9.

Clause 68 and schedule 7 tell a story—

The Chairman: Order. We have finished with clause 68 and are now debating schedule 7.

Mr. Pearson: Thank you, Mr. Morris.

Schedule 7 tells a story that I have been highlighting, as my hon. Friend the Member for North Warwickshire (Mr. O'Brien) said, for well over a year. It is the all too familiar story of Government dithering, denial and delay followed by climbdown and belated action. That is pretty much par for the course with this Government, but what marks out this case is the fact that their negligence has cost the hard-pressed taxpayer, by my calculation, £1.75 billion in lost revenue, and possibly more.

On the face of it, schedule 7 provides a number of technical amendments to be made to the treatment of certain distributions by companies. They apply to purchases by companies of their own shares and other distributions, mainly special dividends, which are linked to transactions in securities. The decision to make the changes was sneaked out on 8 October—no doubt coincidentally, but certainly conveniently, during the Conservative party conference. It did not, therefore, receive much publicity; it would probably not have received much coverage anyway. The subject of the operation of the imputation system of taxation and its effect on tax-exempt institutions does not interest the average person in the street and would not grab the imagination of the popular press, but if the story had been headlined, "Ken throws away nearly £2 billion of taxpayers' money"—which is what has happened—perhaps the tabloids would have been interested.

Mr. Tim Smith: The hon. Gentleman has twice said that there has been a huge haemorrhaging of revenue. Does he agree that, if the rules that are now proposed had been in place, the companies would not have behaved in the same way? It is unrealistic to think that, if there is a major change in the law, it does not influence people's behaviour. It is nonsense to suggest that a great deal of revenue was lost.

Mr. Pearson: Surely the hon. Gentleman is aware that the estimated cost savings—on the Treasury's own assumptions—to be made from introducing the Bill will be £200 million in the next financial year and £400 million the year afterwards. Substantial savings are predicted even if people's behaviour has been modified as a result of the change.

If the headlines had been, "Ken throws away nearly £2 billion of taxpayers' money", the tabloids would, rightly, have been interested in what happened. The sum being thrown away by the Government is the approximate equivalent of 1p off the basic rate of income tax—or about the total amount that has been given out in grants to good causes since the national lottery began. That money has been needlessly squandered by the Government when it could have been well spent on improving education and the health service.

We are talking about an abuse of the taxation system or, put differently, a tax loophole—something that the Chancellor always denies exists, but later takes action over. The loophole has been consistently pointed out to the Government by the Opposition. In this instance, it consists of a range of smart schemes that have been drawn up by corporate financiers and which favour the big pension funds at the expense of other shareholders. It has cost the taxpayer millions each time for each deal and it has distorted competition in takeovers.

The loophole was becoming known when the 1995 Finance Bill was passing through the House of Commons, and it was apparent long before the drafting of the 1996 Act. Selective share buy-backs were increasingly used by large companies through 1995 and, as my hon. Friend the Member for North Warwickshire said, the use of special dividends was common in the water and electricity industries. Special dividends were also used in other situations, such as Lloyds bank's bid for TSB and, more recently, Granada's takeover of Forte last year.

It has already been mentioned that many respected financial commentators, such as Lex in the *Financial Times* and Graham Searjeant in *The Times*, graphically pointed out the abuse. On 10 January last year, the *Financial Times*, not for the first time, talked about

"the special dividend wheeze and its close cousin the share buyback".

It said that

"no public interest is served by a loophole that involves taxpayers subsidising corporate raiders."

Labour Members, both here and in the other place, highlighted the abuse. I tabled a number of parliamentary questions on special dividends and raised the subject on the Second Reading of the Finance Bill. I even went so far as to table amendments to the Bill to alter sections 703 to 706 of the Income and Corporation Taxes Act 1988. That was a clear sign to Ministers that something was wrong, but no attention was paid and the scandal of the abuse of share buy-backs and special dividends was allowed to continue.

The Government's response was to deny the problem. The Financial Secretary to the Treasury, who has unfortunately slipped out of the Chamber for a moment—he probably has an inkling of what is to come—in a parliamentary answer dated 1 February 1996 said:

"The payment of a special dividend does not involve a tax loophole."—[*Official Report*, 1 January 1996; Vol. 270, c. *862*.]

Owing to the Minister's dithering and denial, the use of share buy-backs and special dividends escalated. Figures from Kleinwort Benson demonstrate that quoted companies cut their equity capital by £3 billion from the start of the last calendar year to the end of July alone through selective buy-backs.

The cost to the Exchequer has been an estimated £750 million. That loss could easily have been avoided by a half-competent Government. So, too, could the £50 million or so that the Revenue had to pay to subsidise Granada's takeover of Forte, not to mention the money paid in other special dividends.

In *The Times* on 19 August 1996, Graham Searjeant expressed the hope that

"even at this late stage, the Chancellor might be stirred from his supercilious lethargy to take some action in his autumn Budget."

If the Chancellor read that article—no doubt, while he was on the beach—it took him until Tory party conference week to act. Typically, he blustered his way through the climbdown, conveniently forgetting what had happened before.

The Inland Revenue press release of 8 October 1996 quoted the Chancellor as saying:

"We have seen recently companies buying their own shares or paying special dividends in such a way that the proceeds end up entirely in the hands of those who are entitled to payment of a tax credit. This has costs for the Exchequer, and if action is not taken soon that cost would escalate."

That was the issue of streaming mentioned early by my hon. Friend the Member for North Warwickshire.

[Mr. Pearson]

In the press release, the Chancellor said:

"we will not hesitate to take any further action should further evidence of abuse appear."

At least he finally admitted that it was an abuse—a tax loophole exploited by companies and their advisers—and, in so doing, he directly contradicted the Financial Secretary who has said all along that it is not a tax loophole. Perhaps he will now apologise and admit that he got it wrong.

During the debate on the Loyal Address, I challenged the Government to publish their figures on the cost to the Exchequer of allowing the loophole to remain open for so long. I had to follow up my inquiry with a parliamentary question, which was due to be answered on 7 November but was not answered until 2 December—and even then it contained an error. That shows just how unwilling the Government have been to tell the truth on this matter.

The answer from the Financial Secretary used the same method of calculation as that used for the estimated cost savings projected from closing the tax loophole, which produced an estimate of the total cost to the Exchequer of £400 million in the financial year 1995-96 and £450 million in the period from 1 April to 8 October, when the Inland Revenue announcement was made. There we have it—the Financial Secretary admitted that the cost to the Exchequer was a total of £850 million over a period of less than two years.

I believe that that is a gross underestimate and many respected commentators agree. On 9 October, the day after the press release, *The Times* made what I think is a wonderful comment on the Chancellor's decision. It said:

"The only fair complaint against the Chancellor's attack on the gross dividend scandal is that it has taken him at least a year too long to close a loophole so large that it must be visible from outer space."

It went on:

"The Inland Revenue, so deft at plucking numbers from the air, reckons yesterday's change will eventually save £400 million a year."

That is the figure still quoted by the Government today. However, *The Times* pointed out:

"share buybacks in 1996 alone appear to have attracted about £750 million in tax subsidies. Over two years, buybacks and special dividends paid in takeovers have probably extracted £1.75 billion from taxpayers."

The staff of *The Times* know a few things about goings-on in the City, and they should be listened to.

I simply do not believe the figures quoted by the Financial Secretary, nor do I accept that the long overdue changes that are to be made will yield only £200 million in 1997-98 and £400 million from 1998-99 onwards. In my view, the yields will be substantially higher than that, which will be good news for a future Labour Government.

Who will take responsibility for losing taxpayers' money on such a grand scale? Nobody, it seems. That comes as no great surprise, even though the financial director of a public company who was this incompetent at managing the business's finances would be dismissed as soon as blunders on such a large scale came to light. We have to ask, who took their eyes off the ball? Was it the Chancellor? Was it the Financial Secretary? Should everything be blamed on the hapless civil servant who undoubtedly gave the Financial Secretary bad advice when he was replying to my question? The taxpayer deserves some honest answers.

The Government's failure to act speedily in the face of the growing scandal of share buy-backs and special dividends exposes as a myth Tory claims to economic competence. When he gave evidence to the Treasury Committee on 9 December 1996, the Chancellor tried to gloss over the Government's negligence in not acting sooner. According to him, the Government acted speedily. He said:

"The particular announcement was timed because the nature of share buy-back was changing at the time and a whole new type of share buy-backs was being devised which in our opinion was not consistent with the purposes for which the previous regime was devised. That was a classic case whereby an allowance or tax arrangement was used for one purpose for a very long time and then suddenly with great ingenuity people found a new way of taking advantage of the tax relief. It is not at all unknown for the government to move quickly, we would have been criticised if we had not, to stop this."

5.45 pm

I am not sure what planet the Chancellor was on when he claimed that the Government moved quickly. Eighteen months previously, it was quite well known in the financial community that such arrangements were an abuse of the tax system. One could talk to any corporate financiers of repute about the issue and they would say, "Well, yeah, it probably is an abuse of the tax system, but we're allowed to get away with it." They all thought that it was a loophole and one that would certainly be closed—not in this Budget, but in the one before.

I shall now consider amendment No. 10, which I support. It should be clear from my remarks that I do not approve of share dividends and share buy-backs being used as a tax wheeze; however, I do believe that retrospection of taxation is an important issue and one that the Minister should address. I hope that he will take the amendment seriously—indeed, I understand that he might do so.

It is not only one prominent company in Cornwall that will be affected by the proposal. A company called The Birmingham Guild Ltd., which is based in Netherton—which is not in my constituency, but which I hope, with boundary changes and after a short general election campaign, will fall comfortably within it—wrote to me about tax-saving measures in respect of companies buying their own shares or paying special dividends. The letter says:

"Our Company, The Birmingham Guild Limited, has over the past few months been involved in certain transactions for bona fide commercial reasons. These transactions have involved the purchase of the Company's own shares from Trustees of family Accumulation and Maintenance Settlements. We have been advised in these transactions by Messrs Coopers and Lybrand who applied for tax clearances on 13 and 24 September 1996"—

before the Chancellor's announcement—

"and such clearances were duly received in October 1996. The retrospective nature of the legislation adversely affects the transactions we have entered into in good faith and in the light of the legislation prevailing at the time."

The company is clearly being penalised as a result of proposed legislation that was rather woollily outlined on 8 October and only inadequately clarified in December.

The letter goes on to quote a number of reputable sources and highlights the interest shown by the chairman of Coopers and Lybrand and by Deloitte and Touche, which has also contacted the Inland Revenue in respect of this issue. The letter concludes by saying:

"I hope you will agree that the retrospective nature of the proposed legislation is quite unacceptable in breaking as it does a long established principle and is absolutely contrary to natural justice. Your help in addressing this matter will be appreciated."

I wanted to read that because it is important for the Committee to realise that the Bill affects real businesses in the black country as well as in Cornwall. We should therefore consider accepting amendment No. 10.

Amendment No. 9 seeks to withdraw the allowance made in paragraphs 4, 5, 6 and 10 of schedule 7 if transactions are not carried out for bona fide commercial reasons. The Minister must look seriously at this matter. It was clear to me when I sought to amend sections 703 to 706 of the Income and Corporation Taxes Act 1988 last year that those sections could not easily be used to stop streaming. That may be why the Government have adopted such an approach in schedule 7 rather than making a simple alteration to that Act.

However, it is a clear principle—I suspect that the Minister will use it as a reason for opposing the amendment—that "bona fide commercial reasons" is an accepted term in law and is referred to in sections 703 to 709 of the 1988 Act. That Act relates directly to schedule 7, as it provides that if a

"transaction or transactions were carried out either for *bone fide* commercial reasons or in the ordinary course of making or managing investments, and that none of them had as their main object, or one of their main objects, to enable tax advantages to be obtained",

tax advantages gained can be counteracted. I hope that that is clear.

The amendment is similarly clear about how we would expect it to operate in law. Section 703 of the 1988 Act could apply to a takeover bid involving the offer of a special dividend but that would depend on two further requirements: first, the obtaining of a tax advantage and, secondly, the absence of a bona fide commercial defence.

In the case of Shepphard and another, trustees of the Woodland Trust, *v.* Commissioners of the Inland Revenue, members of a family who were also trustees of a charitable trust decided that the trust should be financed by dividends. The company issued bonus shares, which were announced in favour of the trust. The family then renounced the right to a dividend in favour of the trust, and the company paid the dividend to the trust. As a non-taxpayer, the trust was able to claim back the advance corporation tax paid by the company on the distribution. The Inland Revenue sought to deny the claim for repayment, relying principally on section 703 of the 1988 Act, and said that the right to claim repayment of the advance corporation tax was a tax advantage.

That was accepted in the High Court, where Mr. Justice Aldous held that the ability to claim the advance corporation tax paid by the company on the making of the distribution at a later stage on appeal was not a "tax advantage" for the purpose of the provisions, having regard to the statutory definition. He said:

"The whole idea of a tax advantage is that the taxpayer has done something which allows him to resist an assessment and the Inland Revenue can point to something which alters his position to his advantage."

That ruling followed the words of Lord Wilberforce. It is significant to amendment No. 9, which refers to "bona fide commercial reasons" and

"the obtaining of a tax advantage".

I was not surprised that the Government rejected the amendment that I sought to table last year to sections 703 to 706 of the Income and Corporation Taxes Act 1988, but I am surprised that they have not sought to go down that route themselves in their rather complicated schedule 7. I support the principles behind the schedule, but remain to be convinced whether it is effectively drawn. I suspect that clever tax accountants will still find ways to get round it.

The schedule misses the target of special dividend shares that do not require consolidation, and does not establish a level playing field for takeovers. Will the Minister clarify that, because it is an accepted principle that there should be a level playing field for takeovers in terms of the tax system. Whereas the old system offered corporate raiders a tax advantage by allowing them to make a special dividend payment from the target company on a successful takeover, schedule 7 will shift the bias from favouring the bidder to favouring the target company, which will be able to take account of certain tax advantages not available to the bidding company. I suspect that, for that reason and many others, we shall return to the matter in future Finance Bills.

I support amendments Nos. 9 and 10 and hope that the Minister will consider them favourably.

Mr. Stephen Timms (Newham, North–East): I wish briefly to put three specific questions to the Minister. First, why have the Government taken so long to stop this abuse? The original announcement of the proposals on 8 October last appeared to be linked to Reuters' proposed special dividend, but the Government could have acted much earlier. Special dividends were used in the bids for a number of electricity companies in 1995 and by Lloyds bank when it merged with the Trustee Savings bank. The Chancellor could have taken action before the 1995 Budget. My hon. Friend the Member for Dudley, West (Mr. Pearson) tabled an amendment to the Finance Bill following that, and the Government did not act. If those bids were not enough, Granada's bid for Forte should have made the Chancellor sit up and take action no later than January 1996.

My hon. Friend the Member for Dudley, West mentioned what Graham Searjeant said in *The Times* on 22 January 1996. The problem was well known more than a year ago, so I want to know why the Government are taking so long to deal with the abuse.

Secondly, why did the Inland Revenue not use existing anti-avoidance legislation to tackle the problem? As a number of hon. Members have said, the powers in sections 703 to 709 of the Income and Corporation Taxes Act 1988 exist to allow the Inland Revenue to cancel tax advantages from certain types of transactions in securities. The growth in the use of special dividend and buy-back schemes was probably prompted by the Revenue's apparent unwillingness to use those existing powers.

Stephen Edge wrote in *The Tax Journal* on 10 October, referring to the proposal that we are debating:

"This is probably an unnecessary change if the provisions of s703 were applied properly and it is somewhat puzzling that the Inland Revenue has not responded to the press clamour by saying that it already had adequate weapons to deal with this abuse."

[Mr. Stephen Timms]

Thirdly, why has the schedule been so widely drawn? Why does it not target the problem that has been identified? As it is drawn, it could catch almost any dividend, as Stephen Edge noted in *The Tax Journal*. The schedule is riddled with complexity and uncertainty, and clever people will probably find ways around it.

Those are my three questions to the Minister: why did the Government wait so long, why was the existing legislation not used by the Inland Revenue, and why has the schedule been drawn so wide?

6 pm

Mr. Martin O'Neill (Clackmannan): When we are dealing with a Government changing tack, there is always a tendency for us not to adopt the generosity of spirit implicit in the Bible when it says that there is rejoicing in Heaven over one sinner that repenteth.

Ministers always start their speeches in debates such as this by telling us that the Government have changed and that they have listened to what people have been saying. I would respond to that with the words that, as a schoolteacher, I used to write on essays, "Not good enough. Try harder." We are trying this evening to give the Minister the chance to do a little better.

The Government—inept as they may be—have recognised that for 20 months there has been a massive leakage of potential revenue. The ability of predatorial companies to make use of loopholes, and the impact of that on potential revenue, was recognised even by the Government as a matter on which they had to act.

We should all be grateful to my hon. Friend the Member for Dudley, West (Mr. Pearson), who has worked hard to highlight company excesses. We are entitled to claim credit for the Opposition's effectiveness in drawing attention to the shortcomings.

We must find out why the Revenue felt unable to use sections 703 to 709. If those provisions were not appropriate, that is a reasonable defence. It would not be unfair for the Government to accept that. The problem is that several tax experts are of a different mind: they say that the provisions could have been used and that, if the Revenue had applied its ingenuity to the problem, it could have had a go. Even if its attempts had failed, the fact that the Revenue was trying would have deterred some of those who were trying to take advantage of the loophole.

It is not good enough for the Government to claim that on the dawn of 8 October a new world was in prospect, another avoidance scandal was about to break and that, as a consequence, they had to act. Even this wretched Government probably recognised that they could not afford to ignore the issue any longer, so they drafted the measure. Unfortunately, they have botched it again. It is such a blunt instrument and is so widely drawn that it could pull into the provisions certain activities that are quite legitimate.

Amendment No. 9 is more explicit. It states:

"Paragraphs 4, 5, 6, and 10 above shall not apply to any distribution unless the transaction in securities is carried out for bona fide commercial reasons and does not form part of a scheme or arrangement of which the main purpose, or one of the main purposes, is the obtaining of a tax advantage."

A culture has developed over the past 17 years—it has assumed the proportions of an industry—that legislation should be framed in such a way that individuals can obtain tax advantages. Schemes are offered by the City to enable individuals to benefit as a consequence. That should not be the purpose of legislation. If there is to be distribution, it should be for bona fide commercial reasons.

The Minister cannot complain about our amendment. When the Opposition draft amendments, they are advised by skilled draftsmen, but those draftsmen do not have the authority of the Treasury or Inland Revenue solicitors. Amendments are often defective, but the wording of amendment No. 9 is clear and specific. The words are part of everyday parlance in the circles in which those matters are considered.

The Minister cannot say that he does not object to the amendment—he simply does not like the words. He could table a drafting amendment in Committee. That would be no problem. We all know that, from time to time, even the Treasury and the Inland Revenue are less than precise in their language. We are prepared to give them the benefit of the doubt. If the Minister wants to play around with our amendment once he has accepted it, we will be more than happy to let him do that.

We have witnessed 20 months of grief and failure. Various commentators have estimated the amount of revenue lost—£40 million in one deal alone, the Granada bid for Forte. That was a hostile bid which was hotly contested. The advantage gained by the predator in that case must have been critical in determining the price of the bid: if it appeared that assistance would be available, the bid could be framed in such a way that the company was, in effect, being subsidised to the tune of £40 million.

That example and others cited by my hon. Friends add weight to the argument that action must be taken. The Government have responded in part, but they have not got it right. We expect the Minister to claim that the Government have changed, have responded and should be given the benefit of the doubt. If we give the Government the benefit of the doubt, many people will either make a lot of money or lose a lot of money. We want to ensure that the legislation is as tightly and precisely drawn as possible. It must exclude bona fide transactions and a clearance procedure should decide what transactions would be affected. The rules should be mandatory so that the Inland Revenue has no discretion not to apply them. It must be required to do so; we must not see a return to the laissez-faire approach that existed before 8 October 1996.

The legislation must be clear; it is not enough to produce a memorandum of understanding or some form of statement of practice as guidance. The information should be in the core of the legislation. An abuse is being corrected and the issues must be clearly defined. If there is a case for moving on this matter—we accept that there is—there is an even greater case for ensuring clarity and precision.

The Government have come to the issue late in the day. I am sure that the pushing and probing of my hon. Friend the Member for Dudley, West has played a large part in the Government's U-turn. The Government must tell us why they have decided to move. Is it because the legislation at their disposal is not appropriate and that sections 703 to 709 of the Income and Corporation Taxes Act 1988 are not relevant? If that is so, the Government should refute the claims of those individuals who have argued that the relevant powers exist. The Minister must not provide a bland assurance such as, "We have been

advised that the legislation would not be appropriate to act in these cases." We want more than that: we want a clear statement from the Minister and precise legislation.

We believe that our amendment would afford such clarity: it would give Inland Revenue clear and explicit instructions about how to do its job. That would be far more effective than any side notes or advice to accountants and lawyers. We want to see clear instructions. The measure must come into effect only for bona fide commercial reasons. People must be protected and legitimate business operations should be encouraged. The Government must not introduce a catch-all provision, which we would have to change and improve in subsequent Finance Bills.

The Government deserve a little credit: the massive ship has turned around. However, it has not yet reached its destination, and we shall help it on its way. The amendment offers the Minister much-needed assistance in dealing with the matter properly once and for all. That would be a major step forward in our treatment of this anomaly.

Mr. Tipping: I support amendment No. 10, tabled by the hon. Members for South–East Cornwall (Sir R. Hicks) and for North Cornwall (Mr. Tyler). I do not know quite how to describe them. Earlier in the debate, the hon. Member for North Cornwall described the hon. Member for South-East Cornwall and himself as Cornish pasty and custard pie, and he invited us to adjudge which was which. That is a bit like being asked to separate the sheep from the goats, but I think that their amendment is right and just.

The hon. Members mentioned a case in Cornwall, the hon. Member for Beaconsfield (Mr. Smith) mentioned a case in Nottinghamshire, and my hon. Friend the Member for Dudley, West (Mr. Pearson)—to whom the Committee owes much recognition and praise for his work in this area—referred to yet another firm. I know of many other examples across the country. It is a straightforward matter: those firms acted in good faith. They were aware of the press release issued on 8 October and they believed that they were acting properly. A further press statement issued on 5 December changed the situation completely and, although the companies had acted properly with the benefit of the appropriate advice, they now stand to lose significantly. I hope that the Financial Secretary will look favourably on the amendment, and I look forward to his reply to the debate.

6.15 pm

The Committee has discussed a wider issue this evening: the significant loss of finance to the Exchequer over a considerable period. As the debate progressed, it became clear that the problem was identified 24 months ago; yet the Government have been slow to act. The Committee has disagreed on the extent of the loss to the Exchequer. For example, we are told that the Granada takeover of Forte involved a potential loss of £40 million. I think that it would be appropriate for the Minister to give us his best estimate of the loss. There is argument, first, about the length of time that it has taken Ministers to act and, secondly, about the cost to the Exchequer.

The Budget statement has featured prominently in the proceedings this afternoon, and I wish to contrast the Chancellor's words with the Government's actions. The Chancellor said:

"As part of our continuing fight against tax and benefit fraud and tax loopholes, I am introducing a package of measures called 'spend to save'."

That is an important statement of the Government's intention to act. The Chancellor devoted considerable time to the subject in his Budget statement. I support his objective: it is vital to close tax loopholes such as this.

However, I shall contrast the determination and vigour of the Budget statement with the Government's tardiness in acting on the matter. I return the Financial Secretary to the Budget statement, when the Chancellor said:

"The 'spend to save' package will cost £800 million over the next three years to secure, in a well-planned and measured way, revenue and expenditure savings of well over eight times that amount—£6.7 billion. These measures are additional to the effective steps that we have taken previously".—[*Official Report*, 26 November 1996; Vol. 286, c. 162-63.]

I contrast that vigorous statement and the commitment of significant resources—£800 million that will result in a payback of £6.7 billion in three years—with the Government's actions in the circumstances described in schedule 7. It is clear that the Government have been tardy and that a significant amount of money has been lost. Their actions contrast markedly with the Chancellor's promises in the Budget.

That leads me to my final point. Commentators are sceptical about the effect of the "spend to save" package: £800 million spent to bring in £6.7 billion in three years' time. Ministers may not be here in three years' time. It is quite clear that we will have a different Government then. It is important that the Financial Secretary assures the Committee this evening that the rhetoric in the Chancellor's Budget statement will be put into practice. Certainly the example that we have discussed tonight belies what was in it. Unless the "spend to save" package is achieved, my hon. Friends on the Treasury Bench in a future Labour Government will face a real financing difficulty. We will have an inheritance of neglect.

I commend my hon. Friend the Member for Dudley, West on his long battle to get action on this issue. I believe that he has been successful. I wish that we had seen the same passion from the Government on it.

Mr. Gary Waller (Keighley): I shall make the briefest possible contribution about amendment No. 10, to which I have added my name.

I do not think that anybody would disagree with the objective of closing unsatisfactory tax loopholes. Nevertheless, I believe that it is a key precept of our system—indeed, of any truly democratic system—that legislation should not have a retroactive effect. Many people—rightly in my view—consider that schedule 7, as drafted, will be retroactive in effect, bearing in mind the wording of the original Inland Revenue press release. As a consequence, some family trusts will be adversely affected.

We have it in our power to put matters right. I very much hope that my hon. Friend will accept the amendment.

Mr. George Stevenson (Stoke–on–Trent, South): I support amendment No. 9, which stands in the name of my hon. Friends. I shall reflect a little on the circumstances that have led us to consider this schedule and amendment. I shall also talk about the situation that we shall face if the schedule is not amended, and how that will be interpreted, given the evidence that we have, particularly that from the early 1990s onwards.

[Mr. George Stevenson]

We all know that the Conservative party is desperate—perhaps more than desperate—to establish itself as the party of tax prudence and to have probity in all matters concerning tax. If we look at the circumstances that led to schedule 7, which the Government proposed, and try to relate it to the old saying, "You can lead a horse to water, but you can't force it to drink", we will have a good illustration of the Government's complacency—some would say irresponsibility—in this area.

Some of my hon. Friends have described the situation as a tax scam. I am not sure how individual hon. Members would describe a scam, but it is a scam when a law is being abused and those abusing it benefit. I think that that is the generally accepted definition of a scam. Could any hon. Member effectively deny that that has been happening since the early 1990s in this regard?

I am pleased to say that the horse to which I referred, and which we are hypothetically taking to drink, had a halter put around its neck when the companies involved—Reuters, Granada, some takeovers of privatised electricity companies, and perhaps many more—led even the Inland Revenue to accept that millions, not tens of thousands, of taxpayers' money was being creamed off as a result of the abuse of the regulations and the irresponsibility of the Treasury and Ministers in not applying the law properly, to the evident detriment of taxpayers.

My hon. Friends referred to the estimated £40 million that was lost to the taxpayer due to the Granada takeover. I leave hon. Members to contemplate what they could do with a very small fraction of that money, which they could spend on the dilapidated schools in their constituencies. That underlines how serious this is.

I realise that the Government can sit back complacently and think, "This is a technical matter. It is buried in the schedules and clauses of the massive Finance Bill. Who gives a damn? The general public aren't going to worry about this, only the high fliers in the City, and so on." However, as has been amply shown by my hon. Friends, it does matter, because the more money the Conservative Government complacently allow to be creamed off—money that should legitimately be paid into the public purse—the less there is available for vital projects in our constituencies.

In 1995, that mechanism was used in the Reuters and Granada takeovers and in the acquisition of several electricity companies. The same electricity companies as the Government undersold when they privatised them, which had benefited from massive public subsidy when they were privatised, used this mechanism to cream off more taxpayers' money and the Government sat on their hands and did nothing.

I have heard no one challenge the fact that the provisions of section 703 of the Taxes Act 1988, had they been implemented, could have stopped this scam dead in its tracks. We are legitimately entitled to ask why.

Mr. Pearson: I should like to point out two things to my hon. Friend, who talked about the giveaway to electricity companies. According to my figures, the water and electricity companies combined have probably benefited to the tune of £400 million as a result of the loophole not being closed before the 1995-96 financial year.

Someone in the Inland Revenue must have signed cheques, because this money had been paid out to people. That is how the system works.

Mr. Stevenson: I am grateful to my hon. Friend for putting several noughts on the figures that I quoted. I have no doubt that he is correct. I suspect that no hon. Member present in the Chamber could deny that this is the tip of a pretty large iceberg.

6.30 pm

I used the metaphor of the horse being taken to water. The halter should have been put around its neck when this scam emerged. It was tightened by Stephen Edge, who, in *The Tax Journal* on 10 October 1996, said that the Government should do something about the scam. He said that they should use their powers and did not need to amend the law, and that it was costing the public purse.

This is the Government of tax probity and financial probity: they stand up in the Chamber day after day, week after week, telling us how they intend to close tax loopholes. In 1996, they were told by a reputable, well-recognised authority to do something about it. What happened? Nothing. So the halter was tightened around the horse's neck.

The next step was that my hon. Friend the Member for Dudley, West (Mr. Pearson) got hold of the halter and pulled it towards the water trough. The amendments that he tabled to the Finance Bill hit the nail on the head.

Mr. Jon Trickett (Hemsworth): On the horse's shoe.

Mr. Stevenson: On the horse's shoe. In a most effective and devastating critique of the Government's complacency and irresponsibility, he urged them—*[Interruption.]* Some hon. Members may think that this is a laughing matter, but I do not. My hon. Friend the Member for Dudley, West urged the Government to take action, and tabled an amendment to that effect. What happened? They did not do "nothing" this time. They were shaken out of the complacent and irresponsible attitude that they had taken for well over 12 months. Heaven knows how much money had been lost to the Revenue by that time because of this scam. They said, in effect, "We will not accept it."

The halter that was put around the neck of the Government horse, the pull that it was given by the reputable authority and the further pull that was given by my hon. Friend the Member for Dudley, West have brought the Government to the trough. I commend them, because they are now at the trough and their heads are bent forward ready to drink. Unless they accept amendment No. 9, they will bend their heads to drink and, before they know where they are, the clever people in the City will have pulled the plug and there will be no water left in the trough.

What can possibly be wrong? How can the Government concoct or construct a case against an amendment that says:

"Paragraphs 4, 5, 6 and 10 above shall not apply to any distribution unless the transaction in securities is carried out for bona fide commercial reasons and does not form part of a scheme or arrangement of which the main purpose, or one of the main purposes, is the obtaining of a tax advantage."

That is critical.

Mr. Jack *rose—*

Mr. Stevenson: I realise that the Minister is getting jocular, impatient and nervous. He should be nervous: he should be ashamed of himself, not nervous. His predecessors allowed this situation to develop.

Had the evidence of this scam not been there for the Government to see in the past few years, perhaps they would be entitled to say, "We do not need this amendment. We think that we have got it right." I congratulate the Government on going as far as they have already. The evidence is overwhelming that the bona fide people involved have been penalised and the scam merchants have been allowed to get away with it. That is why our amendment is so essential.

The amendment is based not on a party-political knock-about, but on the facts as we know them. First, the Government's complacency has bordered on the irresponsible. Secondly, they have allowed this scam to continue, which has cost the taxpayer millions. That blows a hole in the Government's propaganda: they have tried to convince the public that they are prudent on tax and want to close loopholes. They are now trying to close a loophole, but they will fail unless the amendment is carried. Thirdly, they will leave a mess that, after the next election, a Labour Government will lose no time in clearing up.

Mr. Jack: This has been a wide-ranging and interesting debate. I should first like to deal with the amendment that has attracted the most attention and support. It was tabled by my hon. Friend the Member for South–East Cornwall (Sir R. Hicks) and supported by the hon. Member for North Cornwall (Mr. Tyler) and my hon. Friends the Members for Beaconsfield (Mr. Smith), for Ludlow (Mr. Gill), for Keighley (Mr. Waller) and for Rutland and Melton (Mr. Duncan). The hon. Members for North Warwickshire (Mr. O'Brien) and for Dudley, West (Mr. Pearson) also took up this point. I thank them all, especially my hon. Friend the Member for South–East Cornwall, for raising this issue. A number of family companies affected by the new legislation have already made representations to me on this point.

I looked again at the Inland Revenue press release that announced these proposals, to which hon. Members referred. Although it did not intend any element of retrospection, we accept that the original press release was ambiguous, which may have led trustees to take an overoptimistic view. We are prepared to err on the side of the taxpayer and accept the amendment.

Mr. Mike O'Brien: This problem is clearly due to the Government's incompetence. Will the Minister give us the cost involved during the period between the publication of the Bill and that press release? We want to know the cost of this new commitment as a result of the Government's incompetence.

Mr. Jack: I am sad that the hon. Gentleman calls it incompetence. As I said, it was a matter of interpretation. I said that we erred on the side of the taxpayer. If we have made an error, I am always the first to put my hand up and agree that we should put matters right. That is precisely what we have done. The hon. Gentleman implored us so to do, and other hon. Members made their particular points. We have decided to act, but there are some lessons to be learnt for the future.

Mr. O'Brien: Will the Minister give way?

Mr. Jack: No, I shall not give way, because the hon. Gentleman had plenty of time to give his view.

In future, it would be sensible if taxpayers and their advisers remembered that Inland Revenue press releases are no substitute for the eventual legislation passed by the House. They simply inform the public that changes are being made. People who are considering entering into transactions can and should contact the Inland Revenue for further guidance, or wait until the legislation is finalised.

I should like to return to the substance of the remarks made by the hon. Member for North Warwickshire and his hon. Friends. It is important to focus on the heart of the matter, which is the use of the tax credit. Many hon. Members have said that money has been wasted, as if it has disappeared. The hon. Member for Stoke–on–Trent, South (Mr. Stevenson) even said that money had been creamed off. This money has gone, by and large, to exempt institutions—by that, we mean charities and pension institutions—ultimately for the benefit of recipients, especially of pensions.

My right hon. and learned Friend the Chancellor decided to act, because the cost and the use of the mechanism of paying special distributions by company share buy-backs was getting out of hand, and action had to be taken. I have been asked a number of times why we did not act more quickly. The answer—and, to be fair, the hon. Member for Dudley, West has probed us on this—is that, although we had seen what was happening, the situation had not reached the stage at which we felt that we must act.

In 1996, the use of this mechanism took on a much bigger proportion than was the case in 1995, as I think is shown by the figures published in the parliamentary answer. We therefore decided that it was right to end the activity in connection with security transactions. That is why we took the action that we took to stop the abuse that was eventually occurring. That said, the use of tax credits is important for exempt institutions, but we decided to halt the way in which they were being used by means of the mechanism of "streaming".

It has been asked why we did not use section 703 of the 1988 Act. The simple answer is that the existing legislation was not effective against most manipulation of that kind. If it had been, we would have used it, and we would not be debating the matter tonight. We have also been asked why we chose the mechanism that we chose. Classifying distributions in transactions associated with securities as the equivalent of FIDs was the most effective way in which to deal with the problem, and the terms under which that will apply are clearly stated in the schedule. The arrangements avoid the necessity to include a motive test, and the Bill sets out, precisely and unambiguously, how they will work.

The hon. Member for North Warwickshire asked a series of questions. I was grateful for his kindness when he said that he would allow me to write to him about specific points that he raised, and that is precisely what I shall do.

[Mr. Jack]

As for amendment No. 9, Opposition Members are clearly concerned that what they describe as bona fide activities are not effectively ruled out by our proposals. The legislation has been cast widely to ensure that all the transactions associated with securities that had exploited the streaming mechanism were caught, except those involving bona fide reasons—hence the exemptions for stock options, fixed-rate preference shares and ordinary pre-sale distributions. Those were carved out to ensure that bona fide transactions would not be prevented. In view of the exemptions, which have been carefully drafted to ensure that they do not put the Exchequer at risk, the amendment would produce a further set of hoops for taxpayers to jump through, and would introduce an additional and unnecessary element of bureaucracy.

Our drafting follows the spirit of amendment No. 9, but I think that the amendment is unnecessary. I hope that the Committee will accept amendment No. 10, and that the Opposition will not press amendment No. 9 at this stage.

Mr. Mike O'Brien: I am very sorry that the Financial Secretary has not seen fit to accept our amendment, which would clarify the position in a way that he has said is in the spirit of his intention. It is regrettable that the Government have not accepted an amendment that would have clarified a complex schedule. The schedule clearly needs clarification, and, in due course, we intend to press our amendment to a vote.

We have seen this Financial Secretary, and the other Treasury Ministers who are present, rise repeatedly to demand that the Labour party provides costings for this, that and everything. Here we have a Treasury Minister making a concession at the Dispatch Box as a result of the Government's incompetence in failing to set out their tax intentions properly on 8 October. He has no answer to the question, "How much will this concession cost?", but we know that the cost to the taxpayer of the Government's failure to act over the past year has been considerable. It may have been as much as £2 billion. It may have been a good deal less, but it has certainly been in the hundreds of millions.

That money has been used to finance corporate raiders and takeovers. It has been used in a way that is not in the public interest—in a way that has left hospitals short of resources, and schools facing cuts. It could have been used to build hospitals, to provide police officers on the beat and to prevent education cuts, but the Minister has failed to act.

Mr. Jack: I apologise for not dealing with the question of the cost of amendment No. 10. It would be less than £10 million.

6.45 pm

Mr. O'Brien: Over the past year, however, the Government's failure to act has cost the taxpayer much more than that—and now, simply through his incompetence in releasing a press release from the Inland Revenue, the Financial Secretary has cost the taxpayer £10 million. As one of my hon. Friends has rightly said, he should apologise to the Committee. I am ashamed that the Government have taken such a course. They knew the problems, but failed to do anything about them in the 1995 Budget. They failed even to express displeasure at the abuse that was taking place in various takeovers. They did not use the anti-avoidance provisions in the 1988 Act. *The Times* said that there was a loophole big enough to be recognised from outer space, but the Minister did not even see it.

Today, we have seen the complacency of an incompetent Government and the failure of Treasury Ministers to protect the Revenue. The complexities of tax legislation all too often deter the public from taking an interest; that is a pity, because here we have a scandal that the Financial Secretary has not properly explained. How can the Government justify failing to act when the electricity industry was using £400 million of taxpayers' money, and Granada's bid for Forte was costing up to £50 million of their money—money that could have been used in the public interest? They have wasted taxpayers' money, and that is why we must press our amendment to a vote.

Amendment agreed to.

Amendment proposed: No. 9, in schedule 7, page 141, line 25, at end insert—

'13. Paragraphs 4, 5, 6, and 10 above shall not apply to any distribution unless the transaction in securities is carried out for bona fide commercial reasons and does not form part of a scheme or arrangement of which the main purpose, or one of the main purposes, is the obtaining of a tax advantage.'.—*[Mr. Mike O'Brien.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 222, Noes 280.

Division No. 50] **[6.47 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Ms Hilary
Ashdown, Paddy
Ashton, Joseph
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Mrs Margaret
Bell, Stuart
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Blair, Tony
Blunkett, David
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, Nicholas *(Newcastle E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alex *(Montgomery)*
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ms Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunningham, Jim *(Cov'try SE)*
Cunningham, Ms R *(Perth Kinross)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C)*
Davies, Chris *(Littleborough)*
Davies, Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Eagle, Ms Angela
Ennis, Jeff
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foster, Don *(Bath)*

Fyfe, Mrs Maria
Gapes, Mike
George, Bruce
Gerrard, Neil
Gilbert, Dr John
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Ms Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hardy, Peter
Henderson, Doug
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Ab'd'n N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampst'd)*
Jackson, Mrs Helen *(Hillsborough)*
Jamieson, David
Janner, Greville
Jenkins, Brian D *(SE Staffs)*
Jones, Barry *(Alyn & D'side)*
Jones, Dr L *(B'ham Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Gerald
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Miss Joan *(Eccles)*
Livingstone, Ken
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian *(Makerf'ld)*
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
MacShane, Denis
McWilliam, John
Maddock, Mrs Diana
Mahon, Mrs Alice
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Milburn, Alan
Miller, Andrew
Morgan, Rhodri
Morris, Ms Estelle *(B'ham Yardley)*
Morris, John *(Aberavon)*
Mowlam, Ms Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Miss Emma *(W Devon)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pike, Peter L
Pope, Greg
Powell, Sir Raymond *(Ogmore)*
Prentice, Mrs B *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Ms Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Ms Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Robert
Shore, Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Ms R *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Sir Harold
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan *(Swansea W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mr. Clive Betts and
Mrs. Jane Kennedy.

NOES

Ainsworth, Peter *(E Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Kenneth *(Mole V)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Bowis, John
Boyson, Sir Rhodes
Brandreth, Gyles
Bright, Sir Graham
Brooke, Peter
Brown, Michael *(Brigg C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Carlisle, John *(Luton N)*
Carlisle, Sir Kenneth *(Linc'n)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochf'd)*
Clarke, Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre F)*
Cope, Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Quentin *(Stamf'd)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas–Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Sir Peter
Evans, David *(Welwyn Hatf'ld)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir Anthony *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gummer, John
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Sir Edward
Heathcoat–Amory, David
Hendry, Charles
Heseltine, Michael
Hicks, Sir Robert
Higgins, Sir Terence
Hogg, Douglas *(Grantham)*
Horam, John
Hordern, Sir Peter
Howard, Michael
Howell, David *(Guildf'd)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensb'ne)*
Hunter, Andrew
Hurd, Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard *(Colchester N)*
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Michael
Kellett–Bowman, Dame Elaine
Key, Robert
King, Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*

Knox, Sir David
Kynoch, George
Lamont, Norman
Lang, Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lilley, Peter
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Renton, Tim
Richards, Rod
Riddick, Graham
Rifkind, Malcolm
Roberts, Sir Wyn
Robertson, Raymond S *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Dame Angela
Ryder, Richard
Sackville, Tom
Sainsbury, Sir Timothy
Scott, Sir Nicholas
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs Gillian
Shepherd, Sir Colin *(Heref'd)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsf'ld)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir Jim *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townsend, Sir Cyril *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wheeler, Sir John
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesf'd)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George

Tellers for the Noes:
Mr. Bowen Wells and
Mrs. Jacqui Lait.

Question accordingly negatived.

Schedule 7, as amended, agreed to.

Bill (Clauses 40,62,68 82 and 92 and Schedules 7 and 13), reported, with amendments; to lie upon the Table.

Local Government and Rating Bill

Not amended (in the Standing Committee), considered.

Ordered,

That the Local Government and Rating Bill be considered in the following order, namely, New Clauses, amendments relating to Clause 1, Schedule 1, Clause 5, Schedule 2, Clauses 2 and 3, Clause 6, Clause 4, Clauses 7 to 33, Schedules 3 and 4, Clauses 34 and 35, New Schedules.—[*Mr. Curry.*]

New clause 1

PARISH COUNCILS: ADDITIONAL POWERS

'(1) A Parish Council may provide on an agency basis within the Council's area any service within the area by any public body or statutory undertaker.

(2) A Parish Council may make grants towards the enhancement or preservation of any service by any public body or statutory undertaker, including any local authority health authority, public utility, public transport operator, quasi-autonomous non-governmental organisation, housing association or any agency or voluntary body acting on behalf of or as contractor to any such body in exercise of their functions.'.—[*Mr. Rendel.*]

Brought up, and read the First time.

7.2 pm

Mr. David Rendel (Newbury): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss also the following: New clause 3—*Audit*—

'( ) Before a parish council or community council may exercise a power given to it under this Part it shall subject its accounts to audit in accordance with Part III of the Local Government Finance Act 1982.'.

New clause 4—*Local partnerships*—

'(1) Where a parish council or community council exercises a power under sections 26 to 30, it shall have regard to any transport plans published by a local authority in its area which co-ordinates local partnerships, including any interested body.

(2) Where a parish council or community council exercises a power under section 30, it shall have regard to any community safety or crime prevention plans published by a local authority in its area which co-ordinates local partnerships, including any interested body.'.

Mr. Rendel: I am grateful for the opportunity to move new clause 1. As Liberal Democrats have said all along, the Bill is generally to be welcomed, because to some extent it enhances local powers. However, we have tabled the new clause because the Bill misses a good opportunity—it misses more than one good opportunity—to do much more to enhance local powers and to devolve central powers down to local councils.

When speaking in Committee about part III of the Bill, which deals with new powers for parish councils, the Minister said

"It is a deliberately limited measure".—[*Official Report, Standing Committee B*, 3 December 1996; c. 147.]

I do not know whether it was deliberate, but it is certainly limited. The purpose of new clause 1 is greatly to enhance the new powers provided in the Bill to parishes.

Some parishes are very small and may not wish, or may not be able, to take on many new powers. Other parishes, however, are now remarkably large, and some are even as

large as the smallest district councils and unitary authorities. It is ludicrous that powers should not be given to such large parish councils after the Government have decreed that the similar powers should be given to district and unitary councils of a similar size.

It would be wrong to impose on all parishes all the powers that might be granted to the larger parishes, but there is no reason why the Bill should not at least enable parishes to take on greater powers if they feel that they are able to do so and are sufficiently large. That consideration is why new clause 1 would provide parishes with the opportunity to take such powers. Larger parishes may wish to take up those powers, even if the smaller ones do not.

The first part of the new clause would provide parishes with an opportunity to act as agent for other bodies. An important point, however, is that they would also be able to purchase improved services or even, in some cases, to preserve services that might otherwise be stopped because of financial cuts imposed on higher-level authorities.

Subsidiarity is the principle behind the new clause. Liberal Democrats believe that we should not only talk about devolving powers to lower level authorities but implement devolution whenever possible. I congratulate the Government on, to some extent, implementing that objective in the Bill. The principle of subsidiarity, however, should not be half-hearted, or available in some areas and to some authorities but not more generally. If it is true that we should pass down powers from Europe to national Governments, it is equally true that we should pass down powers from national to local authorities and from larger local authorities to smaller ones.

If the Government are genuinely to fulfil their pledge that they believe in subsidiarity, and if the Labour party is to fulfil its similar pledge, I hope that they will accept new clause 1.

Mr. Dafydd Wigley (Caernarfon): I apologise for missing the first minute of the speech of the hon. Member for Newbury (Mr. Rendel). I assume that he believes, in moving new clause 1, which deals with parish councils, that its provisions should apply equally to community councils in Wales. An argument can certainly be made for certain powers to be given to larger community councils in Wales.

When one thinks of towns such as my home town of Caernarfon and of Colwyn Bay—which have the status of a community council, with very few powers—the need for change to current legislation is apparent. Towns such as Colwyn Bay may exist in a local authority in which the hinterland and the town itself have very different natures. They therefore require the ability to fine-tune policies to respond to the wishes of an urban area, such as Colwyn Bay or Llandudno, for example, as distinct from the wishes of the entire district or county authority in which they are located. I am not certain whether the wording of new clause 1 is appropriate to achieve that aim, although I am sure that the Minister will tell us.

In coming years, there will be a growing tide of pressure from identifiable communities, such as those I have mentioned, to be provided with greater autonomy and to be able to take the decisions that they can take for themselves—which is, after all, the basis of the concept of subsidiarity.

Mr. Nicholas Winterton (Macclesfield): In principle I support the comments of the hon. Member for Newbury (Mr. Rendel) and new clause 1, and I do so as an honorary vice-president of the National Association of Local Councils—an office which I have held for more than 20 years. I agree with his comment that we should make all levels of local government meaningful. Like him, I also very much commend the Government on the modest initiative that they have shown in the Bill to recognise the role not only of parish councils and—as the hon. Member for Caernarfon (Mr. Wigley) said—community councils in Wales but of town councils, which, in urban areas, do very much the job of parish councils in the rural areas of the United Kingdom. In principle, I warmly welcome what the hon. Member for Newbury said. I presume that the brevity of his remarks, on which I also commend him, means that the new clause is perhaps a marker, and not something on which he intends to divide the House.

If it is any consolation to the hon. Gentleman, I know that some Conservative Members support the idea behind the new clause, which is to pass greater powers down to parish, town and community councils, to enable them, with their unique knowledge of the areas they serve, to carry out jobs currently carried out either by borough or district councils, perhaps even by county councils, or even, occasionally, by the Government. That work is more appropriately undertaken by those—I hope that they will forgive me for using this phrase—who operate at the grass roots level of local politics.

If, in due course, the concept behind the new clause is taken up and additional powers are granted to parish, town and community councils, perhaps more people will seek to serve in local government—people who have local knowledge and commitment and want to serve those with whom they live. They could bring to that task a unique knowledge of their area. I thus warmly support the new clause.

Mrs. Helen Jackson (Sheffield, Hillsborough): I shall be brief. I support new clause 1 in principle, but wish to relate it to new clause 3. If we are considering giving new powers to any public organisation, those organisations should be subject to proper scrutiny and public accountability. New clause 3 provides that, if a parish, town or other council is to be given new powers, its accounts should be carefully audited by the district auditor before those powers are granted in order to ensure that it is absolutely appropriate to proceed.

New clause 3 is important because there is a significant difference between a parish council and a local community association. Both can be used for consultative purposes—the consultation role is extremely important—but the power of parish councils derives from their power to levy a precept and manage a budget. That is what makes parish councils different and what makes it important that their public accountability should be stressed in the Bill.

My constituency contains the only parish councils in the city of Sheffield; the rest of Sheffield regards them in a rather bemused way and is unsure about what they are and do. There are three such councils, and each one is very different. One is in a very rural area of scattered communities but does an enormous amount—it manages and maintains the whole public footpath network in part of the Peak park and manages other parks, which it does extremely well. Its budget, however, is only slightly more than £100,000.

[Mrs. Helen Jackson]

The second council serves a larger population but covers an area that is not so rural. It does less but has a much higher local profile and spends more of its budget on its premises. The third is a small town council which is genuinely in a state of confusion about its powers, duties and budget. The district auditor is at the moment trying to clear up some of that confusion. That is one of the reasons why it is important that the Bill sets out more clearly what we intend such councils to do.

7.15 pm

New clause 3 should be accepted because the public and parish councils must be sure and made aware of the fact that their finances are to be presented publicly and be open to scrutiny. "Sleaze" is a nasty word, but sleaze is sleaze is sleaze, whether it is found on the Government Benches or our Benches, on a city, county or parish council, or whether it involves Mr. X the builder whose wife is on the parish council—we all know how local communities work.

I believe that the Audit Commission should be properly consulted about the provisions that it wants included in the Bill if, as I think we should, we pass more power to local level. That would ensure that greater accountability followed that power.

Mr. Andrew Rowe (Mid–Kent): I have to tell my hon. Friend the Member for Macclesfield (Mr. Winterton) that I was part of the original working group that led to the formation of the National Association of Local Councils, and I am delighted to learn that it is in such excellent hands. I am also a vice-president of the Kent Association of Parish Councils.

I congratulate the Government warmly on their efforts to enhance the powers of parish councils, which I believe to be entirely appropriate. It is clear that the pool of people from which parish councillors can be drawn is growing every day as people take earlier retirement, or are even forced to do so. I have great sympathy for the new clause, but, even if it cannot be accepted, I hope and believe that Ministers will agree that parish councils are increasingly demonstrating their capacity to take on more roles. I hope that the move to give them more control over their local communities—communities of which parish council members have great knowledge, on which those members are able to spend much more time and to which they can offer greater personal commitment than is often possible for borough and county councillors—will continue.

Ms Hilary Armstrong (North–West Durham): This is an interesting little debate. I am sure that the hon. Member for Newbury (Mr. Rendel) will not press the new clause, because it would in essence give parish councils a power of general competence, and therefore many more powers than other authorities would have.

Until we properly address the relationship between central and local government and the powers of other authorities, it would be perverse of the House to give parishes powers that other tiers of government cannot exercise. Were we to do that, new legislation would have to be introduced to ensure that parish councils were made accountable for those powers and that all the necessary checks and balances were in place.

I am a fellow vice-president of the National Association of Local Councils and president of the Durham Association of Parish and Town Councils. I greatly support the important role that such councils play in their localities, but I am not convinced at this stage that they want to become county and district councils too. However, I believe that they have an important role to play, together with those authorities, in exercising functions that are currently the responsibility of other tiers of government.

That is why our new clause 4 offers models of partnership on two activities that are identified in the Bill—transport, and crime prevention and community safety. Given the current framework of local government, new clause 4 is by far the best way in which to proceed. We should ensure that there is real partnership between parish councils, town councils and the other tiers of government that have responsibilities in the areas they serve.

My hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) referred to new clause 3. If the Government were minded to be sympathetic to new clause 1, new clause 3 would become even more important as an acknowledgement that the auditing of parish and town councils should be far more onerous than it is at present. I thank the Minister for his letter about auditing, which did not arrive until after we had tabled new clause 3; if we had delayed tabling the new clause, it would not have been discussed today. I appreciate that it does not take into account some of the measures that the Minister addressed in his letter.

Those of us who are concerned about probity in public office will be reassured by many of the measures outlined in the letter. I commend my hon. Friend the Member for Hillsborough on her persistence in pursuing the matter and on ensuring that we looked at it in detail in Committee. I felt that it was important to pursue it on the Floor of the House. I hope that the Minister can reassure us that the measures outlined in his letter of 21 January will be implemented swiftly, as the Bill is implemented, so that the new powers in the Bill do not come into effect until those measures come into effect.

New clause 4 deals with the powers relating to transport, and to crime prevention and community safety; it emphasises a partnership approach. The Bill addresses transport and crime prevention, but we believe that it is important to reflect the work going on in local government on the face of the Bill. Local government is committed to seeking to achieve more sustainable patterns of transport use and successful local crime prevention initiatives. Local authorities have extensive responsibilities in both areas, and, in many senses, they are in a prime position to tackle the real problems that local communities face.

We had some interesting and wide-ranging debates in Committee on the problems of transport in rural areas, which local authorities are in a prime position to tackle. By going along with the spirit of new clause 4, the Government would ensure that parish councils were involved with district councils, county councils or metropolitan authorities in ways that would mean that there was a close look at transport needs and what could be done to tackle them.

The Department of Transport is already working with local authority associations to develop further a package approach to transport investment, to ensure that

authorities in a local area work out what is needed and to ensure that they target the finance available to tackle those needs. Parish councils have an important role to play in that and we should ensure that they are fully part of any plan that is being made.

I reiterate that we believe that local authorities need to be able to secure improvements in the quality of bus services and the integration of bus services with other forms of transport. Our debate in Committee highlighted the problems of rural areas in that regard and how important it was to take account of them.

It is also important that local authorities retain the ability to influence rail services. That is not as important in rural areas as it once was or as it should be. None the less, it is important that, as part of a wider transport strategy, all the different aspects of public transport come within the partnership approach that we seek to develop through new clause 4.

We want to ensure that the Government establish a policy and a financial framework within which authorities are encouraged to implement innovative transport strategies embracing a package of measures designed to improve the quality of public transport. They should look at car use; I know that the Road Traffic (Reduction) Bill, which is before the House tomorrow, deals with that.

Yesterday, I was in Loughborough looking at what the council has done to enable that small market town to provide pedestrian access, accessibility from the edges of the town and access for the disabled. Those developments have come about because the various authorities in the area have worked together and, despite the financial constraints, have come up with a package that is working for the town. It is our job to provide the framework to encourage and give an incentive to local authorities to work together on such developments.

There are things that can be done and there are things that local authorities are already doing. We believe that the Bill offers an opportunity for the Government to emphasise that parish and town councils play an important part and need to be consulted effectively. More importantly, they should be seen as partners in transport proposals.

The same is true of crime prevention, which is important in rural areas as well as in urban areas. When I was in Loughborough yesterday, I realised the importance of the integrated way in which the authorities had tackled crime prevention and transport in the town centre.

The second part of new clause 4 addresses crime prevention by encouraging concerned people and organisations to work together, each of them playing a vital role. We know very well that, if crime prevention is left to the police and seen as the responsibility of one agency rather than all agencies, adequate solutions simply do not come forward.

I have visited areas where they have spent a year considering crime prevention and bringing together voluntary organisations, different tiers of local government, the police, crime prevention panels, and so on, so that they work in partnership to identify practical ways in which they can deter criminals and find new ways of reassuring local people about security and community safety. Getting local government to take responsibility for ensuring such co-ordination would change things radically.

The recent Audit Commission report on finding ways forward for young offenders, "Misspent Youth", marked a remarkable departure for the Audit Commission, bringing together some of the things that it does best. It made it clear that we can save an enormous amount of money and more effectively tackle the problem of young people committing offences if we take a much more co-ordinated approach and if local government plays a strategic role in ensuring such co-ordination. All our experience points to that approach. New clause 4 would ensure that parish and town councils were in the middle of a partnership approach to the development of a strategy for crime prevention and community safety. The Government ought to listen to such suggestions.

I have re-read what the Minister said the last time we debated crime prevention. He thinks that it is an issue for the police. I was not satisfied with his approach then and remain dissatisfied. The Audit Commission's report identifies other ways of going forward and the new clause would enable the Government to take them up. The new clause is not dictatorial or profess that we know best. It offers local solutions to local problems. It would begin to tackle problems in a way that I know can work. We ought to be pushing to ensure that such an approach works.

7.30 pm

The Minister for Local Government, Housing and Urban Regeneration (Mr. David Curry): If I were to recommend to the House that we vote for new clause 1, there would be a corporate heart attack among parish councillors. They constantly tell us that they want to be consulted and listened to more effectively. There is not an enormous demand for vast new powers. Parish councils range enormously in size, as I am sure the hon. Member for Newbury (Mr. Rendel) would acknowledge. In my constituency, the populations they cover range from 15,000 to covering 150 people. We must be prudent, so that we give them realistic and sensible powers that are relevant to local circumstances.

As the hon. Member for North–West Durham (Ms Armstrong) said, new clause 1—which, to put the record straight, would not cover community councils in Wales—would give more competence to parish councils than district or county councils. Many people think that there are enough tiers of local government. We need to ensure that they work together effectively. I am afraid that I cannot commend the new clause to the House.

I agree with the points made by the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) about accountancy. As she will know from the letter of my hon. Friend the Under-Secretary, the Member for Hertsmere (Mr. Clappison), we have recently revised accountancy rules. They come into effect on 1 April—before most parts of the Bill come into effect. The rules were revised after consultation with the parish councils, and we should give them a chance to work. We are looking for accountancy with as light a hand as is necessary to provide probity. I know that she will agree with me on that.

I have sympathy with the spirit of new clause 4, and I would like to consider the inclusion of advice on any consultation to which the hon. Member for North–West Durham referred and in any guidance that we give to councils on their use of the new powers. I of course know that, as she says, the Department of Transport is considering what form of advice would be sensible, and is

[Mr. David Curry]

discussing with local authorities what form of advice they would find useful. That is sensible co-operation. The problem of putting that in the Bill is that it would impose a mandatory burden on a council that sought to exercise its powers and involve a new, rather more complicated level of procedure. The new clause is somewhat unclear and vaguely expressed, although I realise that it is rather difficult to put such responsibilities in precise terms. I hope that she finds it sensible to consider practical guidance.

I have reached the same sort of conclusion with regard to crime prevention. I agree with what the hon. Member for North–West Durham is trying to do—sensible people would. She is trying to put into statute what is common sense, but is doing so in statutorily unusable language. I hope that she will therefore agree that it is sensible that local authorities, which know what they are trying to do and have practical experience, deal with the issue pragmatically and sensibly. If they think that we should be able to give guidance, we would of course want to do so. That is the sensible way in which to proceed. I therefore hope that hon. Members do not feel that it is necessary to press the new clause to a Division.

Mr. Rendel: I am very grateful to those who have supported new clause 1. Many more have spoken in support of it than in opposition to it. Perhaps that is yet another example of Conservative and Opposition Back Benchers having rather more sense than the Government.

Two points that have been made could be considered to be in opposition to the new clause. The first is that, if such powers were given to parish councils, district councils should have them also. I entirely agree with that, but do not think that that is a reason why we should not give the powers to parish councils in the first instance. Let us give such powers to parish councils and then go on to give a power of general competence to districts and boroughs as well.

The second point was that the powers might give many parish councillors heart attacks. I do not see how offering parish councillors powers that they may or may not take up, depending on whether they feel that they are able to do so and that the council is a relevant size for the powers to be used effectively, could give any parish councillor a heart attack. I therefore reject that criticism.

I suspect that the new clause would not succeed if I pressed it to a Division. I therefore beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 2

EXEMPTING SHOWHOUSES FROM NON–DOMESTIC RATING

'(1) Part III of the 1988 Act is amended as set out in subsection (2) (which provides for the abolition of liability to non domestic rating in respect of housebuilders showhouses).

(2) In section 66 there shall be inserted:

"(5A) (a) Where property

(i) has been constructed or adapted for use as living accommodation;

(ii) has not since it was constructed or adapted for use as living accommodation been used for that purpose; and

(iii) it is used wholly or mainly as a showhouse;

it shall be treated as next in use as domestic property for the purposes of subsection (5) above.

(b) for the purposes of subsection (5A)(a) above property whether furnished or not is used as a showhouse if

(i) it is used by or on behalf of its owner for display to members of the public as an example of other property constructed or to be constructed by him in order to market that other property, and

(ii) that other property is, or will be when constructed, domestic property by virtue of subsection (5) above".'.—*[Mrs. Peacock.]*

Brought up, and read the First time.

Mrs. Elizabeth Peacock (Batley and Spen): I beg to move, That the clause be read a Second time.

My right hon. Friend the Minister will be aware of my long interest in the provision of housing for purchase and for rent. This is an occasion on which the Government can help reduce the cost of new houses.

My right hon. Friend the Minister will recall that, in a rating tribunal case in 1995—Ideal Homes *v.* Ian Walker—it was decided that house-builders' show houses were properly subject to uniform business rate, not council tax. That decision followed a long period of uncertainty after the introduction of the UBR, during which some authorities claimed UBR on show houses and others were satisfied to collect council tax. Given that the uncertainty was resolved by the decision, it is understandable that most local authorities started to charge UBR, and that, based on research undertaken by the House-Builders Federation, the charge paid by house-builders paying council tax would be roughly doubled. The federation has always argued that show houses should be subject not to UBR but to council tax, and new clause 2 sets out to achieve that.

I am sure that my right hon. Friend the Minister will be asking himself—and possibly me—about the cost of the proposal. Perhaps I might tell him. The cost of making show houses subject to council tax rather than UBR is—I estimate—about £5 million per annum, based on current levels of house-building activity. That is a small sum in United Kingdom accounting terms, but it is real money that has to be paid by housebuilders at a time of relatively poor trading activity, although recently we are seeing many more house starts and much more activity.

The change in law requested would have no cost to the Government: it would merely switch funds between local authority budgets. Levying UBR on what is housebuilders' stock is an unusually onerous approach and one that breaches the general principle of not taxing stock. The showhouse is an empty, unsold house and should be subject to the appropriate council tax regime, which is intended to provide an incentive to avoid keeping property empty unnecessarily. A showhouse serves the same purpose as a new car in a car showroom—it is there to increase the rate of sale of other stock. A car in a showroom is not taxed until it is sold. That principle is already breached by the levying of council tax at the basic rate.

I appreciate that my right hon. Friend the Minister of State may choose to remind the House that showhouses are sometimes used as sales offices and we must bear that in mind. It is, however, penalising the legitimate use of housing stock to subject it to UBR, which was essentially intended for commercial, retail or industrial property. Moreover, it appears from the original record of debates

in *Hansard* that it was never the intention of Parliament to tax domestic buildings with the commercial rating legislation. A showhouse, like a car in a showroom, is temporarily and briefly used for demonstration purposes before reverting to the residential use for which it was designed and built. It should therefore be taxed only in the manner appropriate to its intended residential use—through the council tax.

The impact of UBR is uneven. Some 50 per cent. of authorities charge UBR and the other 50 per cent. charge council tax. That is clearly unfair, but the removal of the anomaly can be achieved only by increasing costs in a sector in which I imagine the Government wish to see non-inflationary recovery. Any further cost burden will only retard recovery, while its removal would be a small but welcome step forward.

The majority of housebuilders are not large, publicly quoted companies, as we are sometimes told. They fall within the small and medium-sized enterprise sector, which the Government and all of us wish to encourage. Removal of the anomaly and reduction in cost would therefore clarify the tax treatment of an important group of SMEs and, I hope, be reflected in house prices, which would benefit all our constituents.

7.45 pm

Mr. Nicholas Winterton: I declare my interest as chairman of the Manufacturing and Construction Industries Alliance. I congratulate my hon. Friend the Member for Batley and Spen (Mrs. Peacock) on new clause 2 and register strong support for what it seeks to achieve. My hon. Friend advised the House that the cost to the housebuilding industry of making showhouses subject to uniform business rate rather than council tax is estimated to be some £5 million. I am sure the House will agree that that is not a huge sum in the context of the size of that important sector of our economy, but I emphasise that the small to medium-sized building firms and companies are hit disproportionately by the tax, at a time when—as my hon. Friend said—profit margins have been squeezed by the recent severe recession in the housing market for which the industry itself was not to blame in any way.

Newly built showhouses awaiting sale are simply the stock—I emphasise the word "stock"—of the housebuilding industry or, at worst, are unoccupied residential premises. Their prime purpose and their prime use is simply display so that potential purchasers of a new home can see the product that they are considering buying. It is inevitable that in some showhouses there may be a receptionist to greet visitors or perhaps even a salesman or saleswoman available, on a part-time basis or by appointment, to negotiate a sale, but that is not necessarily typical of many of the showhouses on the many small developments where the local building company or firm has neither the resources nor the inclination to maintain the cost of a sales team. We need therefore to assess the tax liability of such premises not on the basis of what minor activities may on occasion be undertaken in showhouses but on the basis of their prime purpose which is, as I have already said, as the stock of the building industry.

Some people have expressed the irrational fear that the new clause's amendment to the local government tax regime would set a precedent for other industries seeking to widen the benefit. I do not accept those arguments. Dentists or pharmacists who use one or two rooms in their home for their practice are using those premises not as stock for sale but as a place of business under the prime purpose criteria. Retailers who live above the shop could not claim the shop as part of their residence because its prime purpose is the conduct of retail trade.

Simply because a housebuilder might on occasion undertake limited secretarial or administrative work in a showhouse—as Members of Parliament sometimes do in their homes—should not mean that suddenly the prime purpose of the premises is considered to be the commercial conduct of secretarial and administrative work. The prime purpose of the property is its sale. If that were not the case, in the interests of justice all right hon. and hon. Members who cannot escape paperwork, correspondence, filing, meetings and even media interviews at home would have to be charged the uniform business rate as well as the council tax.

I sincerely commend the new clause to my right hon. Friend the Minister of State and I hope that he will listen carefully and sympathetically to what has been said tonight and accept that the unjust anomaly should be addressed. I hope that he will undertake to make acceptable proposals of his own for putting the matter right. We have spoken briefly but to the point and I hope that the Government will make proposals to put right the current unjust anomaly.

Mr. Curry: As my hon. Friends will know, we can add to the list of eligible properties and businesses under the order-making powers that are attached to the Bill. We would look to use that mechanism in any additions we made to the Bill and on those grounds I will ask my hon. Friends to withdraw the new clause.

I wish to state clearly, so that there is no misunderstanding, that I am in two minds on the issue. There is a good case on both sides of the argument. As my hon. Friend the Member for Batley and Spen (Mrs. Peacock) said, the land tribunals have defined the problem recently so the legal uncertainty is now at an end. She also admitted that the way some builders use the showhouses has a business element. When showhouses lie empty for a while, we must also take into account the tax treatment of empty properties under the council tax regime.

Equally, I can see that placing show houses on the business rate list—even for a short time—and moving them on to the council tax list once they are sold as dwellings would place an administrative burden on the council tax payer and the Valuation Office. Therefore, on the grounds of deregulation, there is a case to be listened to. I can tell my hon. Friends the Members for Batley and Spen and for Macclesfield that I am ready to listen to that case and I am willing to receive representations to balance the arguments. If they can persuade me that this is the correct move, I will use the order-making powers in the Bill to bring it into effect and I shall do so conterminously with the discussions on the legislation.

Mrs. Peacock: My right hon. Friend the Minister of State has obviously listened to what I and my hon. Friend the Member for Macclesfield have had to say, and I hope that he will be able to introduce a measure along the lines that we have suggested. I therefore beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 5

EXEMPTION FOR SPORT AND RECREATION CLUBS

'In Schedule 5 to the 1988 Act there is inserted—

"Sport and Recreation Clubs

15A. A hereditament is exempt to the extent that it consists of property used wholly or mainly by a club, society or other organisation not established or conducted for profit for purposes of sport or recreation.".'.—*[Mr. Macdonald.]*

Brought up, and read the First time.

Mr. Calum Macdonald (Western Isles): I beg to move, That the clause be read a Second time.

The intention of the new clause is to remove the liability for non-domestic rates from voluntary sports and recreation clubs and associations. The effect of this would be to bring the treatment of clubs in England and Wales into line with the treatment of clubs in Scotland. I hope that the Government will recognise that this is an important issue, and that it is a fair and reasonable proposition to which they should respond positively.

The Government should make a positive response for two reasons; the first being the importance of sport to our national life. The Government have explicitly acknowledged that, and the Prime Minister made his contribution last year in a document called "Raising the Game". The document was all about the need to improve the access of British people—particularly young people—to sporting facilities. We all acknowledge that an important part of that is the role of voluntary clubs and associations, and particularly the role of the thousands of volunteers who devote much of their time trying to involve young people in sport and recreational activities.

The second reason why the Government should accept the fairness and common sense of the new clause is that clause 2 of the Bill aims to correct the anomaly that currently exists between the treatment of sporting rights in England and Wales and the treatment of sporting rights in Scotland. However, I wish to point out to the Minister that a second anomaly—between the treatment of sporting clubs in England and Wales and the treatment of such clubs in Scotland—still exists. That anomaly is no different in principle from that which the Government are trying to tackle in clause 2 affecting sporting rights. If it is right to do away with one of those anomalies, I suggest that—by the same logic—the Government should do away with the other. That is what I am trying to do in new clause 5.

One of the reasons why the Government could not include the measure at the outset was that they were apparently unaware of the existence of the anomaly. Certainly the Minister seemed to be unaware of the matter when I raised it in Committee, although he has since checked and found that it does exist. He wrote to me on the matter and sent copies of the letter to all other members of the Committee. I hope that he is now prepared to take a fresh look.

The question of costs must be addressed, and the Central Council of Physical Recreation—the umbrella body that covers all voluntary clubs and associations—has looked at this. Its most recent study of the effect of the new clause suggested that the cost to the Exchequer would be £14 million a year. That sum, I suggest—although it is not negligible—is relatively modest when compared with the total take of taxation, whether local or national. More relevant, perhaps, is that it is a reasonable sum when compared with the cost of removing the anomaly affecting sporting rights.

The Government estimate that the cost of removing the sporting rights anomaly will be £4 million to £5 million. That anomaly affects only 6,000 holders of sporting rights in England and Wales. By comparison, the sporting clubs anomaly affects over 150,000 clubs and associations—25 times as many clubs—and will affect the 6.5 million people who enjoy and use these clubs. Given that the additional costs of removing the anomaly dealt with by the new clause are only £14 million—compared with the £5 million costs of clause 2—the Government will be getting good value for money.

I represent a Scottish constituency, and I am aware that I am speaking on an issue affecting England and Wales, but that is entirely within the rules of the House. I have tried to be brief, and I shall conclude by quoting briefly some of the clubs and associations that have been in touch with me to allow them to have their say directly—as it were—on the importance of the issue. The National Cricket Association has been in touch with me through the firm of chartered surveyors that acts as rating adviser to the association, and it pointed out that most of the individual members of the association are small voluntary cricket clubs

"who survive purely on the income that can be generated from their individual members. Over the last few years . . . many of the clubs have fallen into severe financial difficulty".

This has occurred as a result of the generally difficult economic background of the past few years. Inevitably, the association said, a number of clubs will not survive.

At the same time, the association said that a

"substantial increase in rate liability . . . has fallen on the clubs as a result of the rating revaluations in 1990 and 1995, and the generally unsympathetic attitude of Local Authorities to the applications which have been made for . . . rate relief".

The association's letter continued:

"The first effect of this is usually that the club will halt any expenditure on maintenance or equipment. Club premises fall into disrepair, reducing the attraction of the club to new members. The falling standard of facilities such as nets and practice equipment also deters parents from encouraging their children to participate in the youth activities at clubs which in turn will have a knock-on effect in the next few years on the number of talented youngsters rising to the top level of our—

meaning the English—

"national summer game."

Given the state of English cricket today, that seems to be a cry from the heart to which the House should respond. The association then stated:

"A straightforward and very tangible benefit which could be provided for clubs would be mandatory rate relief . . . clubs would undoubtedly view this as a significant encouragement to their activities which would help strengthen the long term future of the game throughout the United Kingdom."

I should like to mention a letter that I received from the secretary of the English Indoor Bowling Association to illustrate the different types of sport that are affected by the rating liability. He pointed out that a lot of capital investment is needed to provide the basic facilities for indoor bowling. The association believes that it has a strong case for arguing that those facilities should benefit from rate relief. He made an important relevant point when he stated:

"Indoor bowls is played by people of all ages, there is no advantage in gender, size, age, and within reason, physical fitness. It is played by many people with disabilities with the majority of clubs providing sessions each week for the blind and partially sighted, wheelchair bound bowlers and other mentally and physically handicapped people . . . the operation of the bowls hall is often left to the clubs themselves and in common with the majority of the members clubs, they are run mainly with voluntary labour since without this they would not be viable."

8 pm

It is useful to compare the services that such associations provide for young people, the handicapped and the old with those provided by the holders of shooting rights, who will enjoy a 100 per cent. exemption under clause 2. That comparison makes clear the case for extending the exemption to voluntary clubs and associations.

The Football Association has told me that many of its members are voluntary clubs, local clubs and associations. It has stated in a letter to me:

"We understand that it is the intention of the Government to introduce measures which will assist financially those business 'sporting rights' owners throughout the UK. In our view, it is equally important that our affiliated voluntary clubs that have to pay the Uniform Business Rate should be afforded equal status".

The FA goes on to point out that it

"is committed to investing in establishing links between clubs and local schools."

It argued that if such clubs were granted relief from rates they could reinvest the finances in youth coaching programmes.

The letters and representations that I have received from different clubs and associations make my case. I hope that the Minister will offer a positive response. I cannot see any reason why the anomaly between England and Scotland in respect of sporting clubs should be allowed to continue if it is the Government's intention to remove the anomaly between England and Scotland in respect of the holders of sporting rights.

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I agree with the hon. Member for Western Isles (Mr. Macdonald) that sports clubs play an important role in communities across England, Wales and Scotland. I, too, would like to pay tribute to the individuals whose voluntary efforts help to sustain those clubs which play such an important part in the community, especially for young people. It is because of the potential value of sports clubs to the community that they are eligible for 100 per cent. rate relief at the discretion of the local authority.

I believe that it is right that discretion should continue to rest with the local authorities since they are in the best position to decide which club is of genuine benefit to the community. Local authorities will know the needs of the local community and will be able to judge the importance of particular sports clubs in the light of the range of services already on offer. Not all such clubs will be equally deserving. Even those that are not conducted for profit may have constitutions or membership rules that effectively exclude sections of the community. In all the circumstances it is appropriate that relief should be discretionary.

As the hon. Gentleman said, the funding of discretionary relief was discussed in Committee. Local authorities in Scotland can grant discretionary relief to non-profit-making sports clubs in the same way as they can in England and Wales. In England and Wales, however, 25 per cent. of the cost must be met by the local authority, whereas in Scotland the Exchequer meets the full cost. I appreciate that, because of those arrangements, sports clubs in England and Wales may consider that they are at a disadvantage compared with their colleagues north of the border. That is certainly an anomaly and we are as keen as anyone to avoid such anomalies.

Changes to the funding arrangements are a matter for secondary legislation. I and my colleagues at the Welsh Office and Scottish Office propose therefore to undertake a review of how discretionary relief is funded in England, Wales and Scotland with a view to providing consistent treatment for all sports clubs. We will aim to complete that review by the time that the Bill receives Royal Assent. In the meantime, I invite the hon. Gentleman to accept my arguments about why discretionary relief should be awarded. I invite him to accept what I said about the review that we will carry out into the funding of that relief and to withdraw the new clause.

Mr. Nick Ainger (Pembroke): On the anomaly between England and Wales and Scotland, can the Minister assure the House that the review will not have any detrimental effect on Scotland?

Mr. Clappison: I would not like to pre-empt or prejudge how that review will be conducted. We have all accepted that there is a case for such a review and I hope that the hon. Gentleman will accept that our approach to it is constructive.

I should like to share the timely sentiments that the hon. Member for Western Isles expressed about English cricket, although we may diverge on other sports.

Mr. Macdonald: I am grateful to the Minister for his constructive reply.

I am happy to withdraw the new clause on the assumption that the result of the review will not mean that clubs in Scotland end up being liable for rates or that their local authorities will end up losing some of the support that they currently receive. The Minister would not be a popular person if he chose to go down that road. I look forward to seeing the results of the review. On that basis, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Schedule 1

RELIEF FROM NON-DOMESTIC RATES FOR GENERAL STORES ETC. IN RURAL SETTLEMENTS: ENGLAND AND WALES

Ms Armstrong: I beg to move amendment No. 38, in page 20, leave out lines 21 to 23 and insert—

'(a) on the day concerned the hereditament is

(i) within a settlement identified in the billing authority's rural settlement list for the chargeable financial year, or

(ii) is designated by the billing authority as being used for purposes which are of benefit to the local community'.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss the following amendments: No. 29, in page 20, line 29, leave out from beginning to end of line 5 on page 21 and insert

'any conditions prescribed by the Secretary of State by order are satisfied'.

No. 30, in page 21, line 37, leave out '(ii)'.

No. 31, in schedule 2, page 23, leave out lines 2 to 23 and insert

'any conditions prescribed by the Secretary of State by order are satisfied'.

Ms Armstrong: In many senses the amendment brings us back to the debate on the definition of a general store and a post office which kept us busy for some time in Committee. We simply want the Government to think about the matter.

As it stands, the Bill makes it clear that to be eligible for mandatory rate relief a hereditament must fulfil several key conditions. It must be situated in a rural settlement with 3,000 people or fewer; it must be used as a general store or post office; it must be the only general store or post office within the settlement; and it must have a rateable value below an amount prescribed by the Secretary of State by order.

In Committee, we discussed in detail what was a post office or a general store. The argument about that definition relates to where such a facility may be located. We were concerned particularly about urban areas where relative social exclusion and social deprivation have meant that the role of the urban post office or general store is now similar to that of the village post office or village general store. The Government went some way towards trying to meet those concerns in Committee, for which we were, and are, grateful. They made it clear that the Secretary of State intends to designate rural areas even when they may fall within the boundary of a metropolitan district and be on the edge of a much larger conurbation.

In Committee, several of my hon. Friends raised that issue and were grateful for the Government's response. However, there remains the problem of urban estates that may be at the edge of a conurbation, but be isolated because their residents do not move from the estate very much. In Committee the Minister said that that issue could be tackled through the use of the single regeneration budget.

I have been considering the matter and I do not believe that the SRB is designed to help struggling general post offices or general stores in an urban area. The SRB is important in terms of raising an area's economic status and improving it generally. There is no doubt that, if that happens, the ability of the general store or post office to survive will improve, but the size of the SRB fund means that there is no chance of every estate with such a problem being able to use it. In addition, the SRB programme is designed to tackle much more comprehensive situations than the sort of problem that the Bill seeks to resolve.

I understood what the Minister was trying to say, but he did not give an adequate answer. I shall not seek to press the amendment to a vote, but I ask the Minister to recognise that the responses that we have received so far are not sufficient. Problems exist on some bleak and desolate urban estates that are similar to those of a rural village. It is the responsibility of the House not to forget that problem when we tackle similar problems in rural areas. It is in that spirit that I have moved the amendment.

Mr. Rendel: I am delighted to have the opportunity to speak to amendments Nos. 29, 30 and 31, which go to the heart of the decision on how discretionary or mandatory relief should be given to local businesses. I think that all hon. Members are aware of the needs of small businesses in rural areas and of the benefit that the Bill may bring to some of our smaller rural communities, but the way in which that benefit is to be given has to be questioned. The aim of my amendments is to enable all the rate relief to be given on a discretionary basis rather than the mandatory basis contained in the Bill.

One of the most interesting aspects of the Government's decision to make some of the relief mandatory is that, in other areas of their business, they have been keen to try to ensure that where Government money is handed out it is targeted on those who are most in need. That has happened in the past with discretionary rate relief and, more recently, with the Government's benefit legislation. It seems odd that in this instance the Government are moving away from targeting the rate relief on those who are most in need and moving towards a generalised policy of giving rate relief of at least 50 per cent. to certain types of business even if some of them do not need it.

Once again, we come back to the important principle of subsidiarity, which lies at the heart of my amendments. In Committee I said that it was odd that the Government should go for a half-and-half policy; my point was not properly answered. Half the rate relief for post offices and general stores is to be mandatory and the other half is to be discretionary.

8.15 pm

In Committee, the Minister said that it was not a half-and-half policy; he said that businesses that were most important for rural villages would receive mandatory relief, but less important businesses would not, but that was not the half-and-half aspect to which I was referring. I was making the point that the Government cannot make up their mind about the best way to give rate relief, even to those businesses that they consider to be the most important in rural areas—small post offices and general stores. They cannot decide whether rate relief should be given on a mandatory or discretionary basis. I see no logic behind this half-and-half system, where some of the relief can be left up to the discretion of the local authority and some of it has to be decided here in Westminster.

The one criticism of the amendments that has been made, and which may, if not properly understood, concern some smaller local authorities that may benefit from rate relief, is that some of them simply would not have the money to give discretionary relief. It is clear that the Government will set aside the money in their future Budgets as soon as the rate relief system is introduced. That money can be distributed in a number of ways. If the mandatory part of the Bill were removed, it would be possible for the Government to decide, in next year's rate support settlement, that some of that money should be used directly to enhance rate support for those local authorities that are expected to pass on rate relief on a discretionary basis. If that is done, there is no reason to

assume that any local authority will be worse off as a result of using discretionary powers. The discretionary powers will be properly available to them, as will the money to use them. Therefore, the small businesses that need the rate relief will receive it.

I firmly believe that local people know best where to spend the money. I was happy to hear that that belief was strongly supported by two Conservative Members who spoke on new clause 1. If councils believe that the right way to use the money that they will have in future is to give discretionary relief to local businesses, they will do so. If they do not believe that, they should have the right to choose how best that money should be spent. Some authorities may have greater needs for the money than rate relief for small businesses. It is their choice; they are in the best position to know. Some local authorities may give much more discretionary relief than the Government currently envisage.

By making part of the rate relief mandatory, the Government are showing that they do not trust local government to support vital rural businesses in the way that all hon. Members would like them to be supported. It is a case of, "We know better than them." The Government are saying that they know better than local authorities where the rate relief is needed, but that is not true, and I was happy to have the support of two Conservative Members on that issue. The amendments provide a touchstone to show the commitment of parties in the House to the principle of subsidiarity, of devolving powers to the lowest level, and of trusting local authorities to take the right decisions for their people because they are in the best position to make the right decisions. Because the amendments go to the very heart of the principle of subsidiarity, I shall do everything I can to force a Division on them tonight.

Mr. Curry: I am grateful to the hon. Member for North–West Durham (Ms Armstrong) for the way in which she introduced her amendment, saying that she wanted to extend further the debate about isolated shops. She was effectively talking about estates that are rather remote from cities.

I hope we agree that, in practice, the relief scheme might be of little assistance in such cases. Generally speaking, in villages, there are unlikely to be a range of social problems affecting the environment in which a shop operates—basically, it is a question of numbers. In urban areas, there are far more likely to be adverse factors arising from the broader environment in which a shop operates. Such factors may include a deficiency in purchasing power, social problems, vandalism and crime—in short, the sort of problems that we have seen in city challenge areas.

Whereas in a village one can address the specific problem of a shop in terms of a deficiency in its financial buoyancy, in urban areas one has to look mainly at the general environment. In such areas, the sort of schemes I spoke about—the single regeneration budget schemes, of which there will shortly be 500 throughout the country—can be of assistance. If the hon. Lady would like to discuss how SRB schemes or other Government programmes can incorporate the sort of problems she raised, I should be happy to oblige her. Such programmes have to be developed, and each succeeding round brings its own lessons. When discussing such issues, I can wear my urban regeneration hat as well.

As for the points raised by the hon. Member for Newbury (Mr. Rendel), I recall that when I was in the Committee on what became the Housing Act 1996, the Liberal Democrat spokesman spoke at great length about how wicked was our intention to do things by order and through secondary legislation. He said that everything should be on the face of the Bill. The hon. Gentleman is now saying that it is terrible that everything appears on the face of the Bill, and that discretionary powers should be used. That would give my right hon. Friend the Secretary of State for the Environment gargantuan powers.

The hon. Gentleman overlooks the fact that, under the amendment, the Secretary of State would have to prescribe the conditions that have to be fulfilled before the relief was exercised. I know that my right hon. Friend will be deeply touched by the hon. Gentleman's confidence in him, but, for once, my right hon. Friend believes that this responsibility and power should be expressed clearly and defined by Parliament. The purpose of the Bill is simple, easy to administer, easy to deliver and easy to understand. Local authorities have made it clear that there will be no problem applying it.

The village shop and post office in the circumstances that we have described represent a clear and definable case for assistance. We should extend mandatory assistance to them so that they can be sure they will receive that assistance. The measure is an indication of our willingness to address the real concerns affecting those areas. I am, therefore, not willing to transfer that assistance into a discretionary relief. We have tried to be precise in our intentions, and our action has been welcomed. If we were to accept amendment No. 29, we would remove certainty, clarity and simplicity from the Bill, so I cannot commend it to the House.

Amendment negatived.

Amendment proposed: No. 29, in page 20, line 29, leave out from beginning to end of line 5 on page 21 and insert

'any conditions prescribed by the Secretary of State by order are satisfied'.—*[Mr. Rendel.]*

Question put, That the amendment be made:—

The House divided: Ayes 10, Noes 97.

Division No. 51] **[8.23 pm**

AYES

Ashdown, Paddy	Rendel, David
Campbell, Menzies *(Fife NE)*	Skinner, Dennis
Carlile, Alex *(Montgomery)*	Tyler, Paul
Foster, Don *(Bath)*	
Lynne, Ms Liz	**Tellers for the Ayes:**
Maddock, Mrs Diana	**Mr. Archy Kirkwood and**
Nicholson, Miss Emma *(W Devon)*	**Mr. Chris Davies.**

NOES

Ainsworth, Peter *(E Surrey)*	Butler, Peter
Ancram, Michael	Carrington, Matthew
Arnold, Jacques *(Gravesham)*	Cash, William
Atkinson, Peter *(Hexham)*	Channon, Paul
Baldry, Tony	Clappison, James
Banks, Matthew *(Southport)*	Clarke, Kenneth *(Rushcliffe)*
Biffen, John	Clifton-Brown, Geoffrey
Boswor, Sir Nicholas	Coe, Sebastian
Bowis, John	Congdon, David
Brandreth, Gyles	Conway, Derek
Browning, Mrs Angela	Coombs, Anthony *(Wyre F)*
Bruce, Ian *(S Dorset)*	Currie, Mrs Edwina

Curry, David
Davies, Quentin *(Stamf'd)*
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble V)*
Evans, Roger *(Monmouth)*
Fox, Dr Liam *(Woodspring)*
French, Douglas
Fry, Sir Peter
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Alastair
Greenway, John *(Ryedale)*
Harris, David
Hughes, Robert G *(Harrow W)*
Hurd, Douglas
Jenkin, Bernard *(Colchester N)*
Kirkhope, Timothy
Knapman, Roger
Kynoch, George
Lamont, Norman
Legg, Barry
Leigh, Edward
Lester, Sir Jim *(Broxtowe)*
Lidington, David
Lloyd, Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
Malone, Gerald
Marlow, Tony
Merchant, Piers
Mitchell, Sir David *(NW Hants)*
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Norris, Steve
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, Michael
Redwood, John
Roberts, Sir Wyn
Robinson, Mark *(Somerton)*
Spencer, Sir Derek
Spink, Dr Robert
Sproat, Iain
Steen, Anthony
Stephen, Michael
Sumberg, David
Sweeney, Walter
Townsend, Sir Cyril *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Waller, Gary
Waterson, Nigel
Watts, John
Whittingdale, John
Widdecombe, Miss Ann
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfld)*
Wolfson, Mark
Wood, Timothy
Young, Sir George

Tellers for the Noes:
Mrs. Jacqui Lait and
Mr. Bowen Wells.

Question accordingly negatived.

Clause 27

GRANTS FOR BUS SERVICES

Mr. Clappison: I beg to move amendment No. 32, in page 15, line 38, leave out 'in the council's area'.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 23, in page 15, line 39, after 'area', insert

'or which serves the needs of persons living within the Council's area.

Government amendments Nos. 33 and 24.

Mr. Clappison: Amendments Nos. 32, 33 and 24 fulfil undertakings we gave in Committee, and I believe that they will be widely welcomed. On that basis, I hope that the hon. Member for Newbury (Mr. Rendel) will feel able to withdraw amendment No. 23.

Mr. Rendel: I shall not detain the House long on this amendment. I was delighted to see that one of my amendments had been taken over by the Government, particularly as I had already tabled it for this debate before the Government tabled their amendments. I moved this precise amendment in Committee, when the Minister said that he would look at it again and bring forward a technically proven amendment on Report. I am delighted to hear that my original amendment in Committee and this amendment on Report have now been proved by him to be technically competent.

Amendment agreed to.

Amendments made: No. 33, in page 16, line 4, after 'if' insert—

'(a) the bus service benefits, or appears to the council likely to benefit, persons living in the council's area, and

(b)''.'.

No. 24, in page 16, leave out lines 8 to 10.—*[Mr. Clappison.]*

Schedule 3

MINOR AND CONSEQUENTIAL AMENDMENTS

Mr. Clappison: I beg to move amendment No. 35, in page 24, line 9, at end insert—

'Local Government (Financial Provisions etc.) (Scotland) Act 1962 (c.9)

. In section 4 of the Local Government (Financial Provisions etc.) (Scotland) Act 1962 (reduction and remission of rates)—

(a) in subsection (5) for "the following subsection" there is substituted "subsection (6) or, as the case may be, (6A) of this section",

(b) in subsection (6) for "the following subsection" there is substituted "subsection (7) of this section", and

(c) after subsection (6) there is inserted—

"(6A) Without prejudice to subsection (6) of this section, where any reduction or remission of rates is determined under subsection (5) of this section in the first six months of a year, the reduction or remission may be granted—

(a) for the preceding year;

(b) for a specified term of years, not exceeding five, beginning not earlier than the preceding year nor more than twenty four months after the date of the determination;

(c) for an indefinite period beginning not earlier than the preceding year, subject to the exercise by the rating authority of their powers under subsection (7) of this section.".'.

Madam Deputy Speaker: With this, it will be convenient to discuss also Government amendment No. 36.

Mr. Clappison: The purpose of the amendment is to give local authorities greater flexibility at the end of the financial year to deal with certain cases where otherwise injustices would arise as a result of the year coming to an end and not working with council procedures.

Amendment agreed to.

Amendment made: No. 36, in page 27, line 28, at end insert—

'. In section 47(7) (discretionary relief), after "made" there is inserted "more than six months".'.—*[Mr. Clappison.]*

Order for Third Reading read.

Madam Deputy Speaker: Queen's consent? I shall suspend the sitting for five minutes owing to a technicality.

Sitting suspended.

8.41 pm

On resuming—

Queen's Consent, on behalf of the Crown, and Prince of Wales's Consent, on behalf of the Duchy of Cornwall, signified.

Motion made, and Question proposed, That the Bill be now read the Third time.

Mr. Rendel: I am pleased to have an opportunity to speak briefly on Third Reading. We discussed subsidiarity earlier this evening, but there is one aspect about which, for various reasons, we have not spoken.

We failed to get across the point about whether discretionary or mandatory relief should be given, and the point about the powers of parish councils. It is sad that the Bill afforded yet another opportunity that was not taken up by the Government: the chance for London boroughs to have parish councils.

Since the matter was raised in Committee, there has been a great increase in interest in whether London boroughs should be allowed to have parish councils. A number of campaigns have begun, and it was reported in the *Evening Standard* that many Labour councillors in London support the idea, although their party did not support the relevant amendment in Committee.

I hope that the amendment will be moved in the House of Lords, as that is now the only chance of its being including in the Bill. That is a strong possibility. The matter was raised once before in this House—a Bill on London parish councils was introduced about 20 years ago. Its purpose was to make changes in the administration of local government in Greater London by the establishment of London parish councils. The Bill was presented by the then hon. Member for Sutton and Cheam, Mr. Graham Tope, now Lord Tope. Among the Bill's supporters was the right hon. Member for Suffolk, Coastal (Mr. Gummer). I should be interested to know whether he still supports the principle.

Question put and agreed to.

Bill read the Third time, and passed.

Chesterfield Tribunal Suite

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Peter Ainsworth.]*

8.44 pm

Mr. Harry Barnes (North–East Derbyshire): The subject of the debate is the closure of the Chesterfield tribunal suite. In normal circumstances, my right hon. Friend the Member for Chesterfield (Mr. Benn) would be present, as the tribunal is located in his constituency, but he has flu and cannot be with us tonight; my hon. Friend the Member for Bolsover (Mr. Skinner) is present—all three of our constituencies are affected by the closure.

From correspondence that the Minister has sent me, I know that an apology will be made later on certain matters in which he is involved and which affect aspects of the matter under debate.

The Chesterfield tribunal suite operates under the independent tribunal service. It hears about 1,000 cases each year and has a six-month backlog, with 329 cases outstanding on social security matters alone. Throughout the whole of the east midlands last year, 4,591 cases were dealt with, and that figure includes the considerable work load of the Chesterfield tribunal suite.

Five types of case are heard: appeals on social security matters, appeals on disability living allowance and so on, child support appeals, vaccine damage appeals and medical appeals. Sixty per cent. of the Chesterfield tribunal suite's cases are social security appeals, 20 per cent. are disability appeals and 20 per cent. cover the other three types.

The catchment area is wide, covering sections of west Derbyshire from Buxton to Matlock, virtually all the constituencies and districts of Amber Valley, Bolsover, North-East Derbyshire and Chesterfield. As the Mansfield suite was closed in February 1996, cases from Nottinghamshire are also occasionally dealt with in Chesterfield.

In many cases, representatives appear on behalf of the appellant. It is estimated that 50 per cent. of Chesterfield's cases are attended by representatives of various organisations assisting the appellant. That compares with a figure of 25 per cent. nationally and for the east midlands. The Minister may have more accurate information; those figures were supplied by the organisations involved.

The bodies that represent appellants include the welfare rights service of Derbyshire county council, which covers about 60 per cent. of cases. Nottinghamshire county council's similar service is occasionally involved. Representatives of citizens advice bureaux from a wide area attend, including those from Chesterfield, Staveley, North-East Derbyshire, Matlock and Worksop. Trade unions such as Unison, the Amalgamated Engineering and Electrical Union, the GMB and the National Union of Mineworkers, and bodies such as the Chesterfield law centre, the Derbyshire unemployed workers centre, the Chesterfield support network and Incapacity Action are involved. A wide range of organisations, many centred in Chesterfield, are concerned with the well-being of citizens who are dependent on benefits, and who often encounter difficulty in the interpretation of their cases and need assistance.

[Mr. Harry Barnes]

The appeals procedures were changed last year under SI 2540, Social Security (Adjudication) and Child Support Amendment (No. 2) Regulations 1996. I believe that that change affects four of the five areas—vaccine damage is excepted—that I have mentioned. However, the traditional pattern of procedure still operates—I shall describe that which applies in the social security area. Recommendations are issued by the independent tribunal service, which supervises the activities of tribunals, and hearings are held in public unless there are agreed exceptional circumstances. If hearings are to be public, I think that it is more sensible to hold them locally. Any decisions reached by tribunals are likely to have local significance and to affect local organisations, including some of those that I have mentioned. If hearings were held further afield, it would be more difficult to translate the information at a local level.

People have a right to attend appeals hearings and be heard—although it is argued that the statutory instrument to which I referred discourages that practice. It is much easier for people to attend, present their case and be heard if hearings are held locally. People will feel much more comfortable in a local setting. The appeals procedure is traumatic enough without requiring people to travel to distant parts and present their case in unfamiliar surroundings.

The independent tribunal service procedure guidelines state that appellants should be put at ease. That is much more likely to occur—although it will always be difficult to achieve—if hearings are held in familiar surroundings where people may be represented by local bodies with which they are associated. The appeals board is expected to determine the facts by questioning the appellants and their representatives—although the statutory instrument seems to suggest that it should deal with matters of law and that the facts of the case should be resolved at an earlier stage. Nevertheless, the sequence of events is significant.

The results of appeals are very interesting. The Minister provided some figures on 4 November 1996 in answer to a question from my hon. Friend the Member for Newport, West (Mr. Flynn) about social security appeals and the all work test. They show that 46.2 per cent of appeals were successful. The success rate was roughly the same for cases that were presented by either the appellant or his representative—46.3 per cent. for the appellant and 45.8 per cent for the appellant's representative. However, 67.3 per cent of cases were successful when the appellant and the representative appeared together. When neither the appellant nor his representative attended the hearing, the success rate was only 6.5 per cent.

The results for other tribunals follow a similar pattern, and the pattern in Chesterfield is of that nature: the most successful hearings by far are those where the appellant and his representative appear together, and the least successful are those where no one turns up. If the Chesterfield tribunal suite is closed and people are forced to travel further afield, there is an increased danger that they will fail to attend hearings—or, at best, only the appellant will turn up. That will reduce the appellant's chance of achieving a successful outcome, as the best results are achieved when both the appellant and his representative are in attendance. I cannot stress that point too strongly: the success rate of appeals hearings will suffer if the closure takes place.

Why has the tribunal been threatened with closure? I refer to "The Annual Report of the Council of Tribunals for 1995-96", which was laid before Parliament by the Lord High Chancellor and Lord Advocate pursuant to section 4(7) of the Tribunals and Inquiries Act 1992. It was ordered to be printed by the House of Commons on 17 December 1996. Page 52 states:

"The President"—

the president of the independent tribunal service—

"informed our Chairman in December 1995 that they had appointed an Estates Manager to establish their accommodation policy, and it was hoped that the appointee would be reporting on needs, demands and overall policy, by the autumn 1996. The Estates Manager subsequently explained to our Secretariat that the Independent Tribunal Service were preparing their accommodation plan against a requirement to reduce their accommodation costs by 30 per cent. over three years."

The policy to reduce accommodation costs considerably is affecting the tribunal service. Between January and early November 1996, no fewer than nine venues were closed—at Mansfield, which is near Chesterfield, Bridgend, Merthyr Tydfil, Pontypridd, Gloucester, Yeovil, Huddersfield, Scunthorpe and Paisley. Those closures took place despite the fact that the tribunal's report said that it would move towards considerable cuts late in 1996. Those cuts took place in advance of the schedule set out in the report.

In a written answer that will be a matter of some discussion, in which he was given the information about the nine venues that had closed, my hon. Friend the Member for Newport, West was also informed:

"The independent tribunal service has no plans to close any other venues."—[*Official Report*, 4 November 1996; Vol. 285, c. *386*.]

The Minister sent me a letter today, before the debate, in which he pointed out that there were inaccuracies in the previous answer and that it should have been different in the circumstances. People in the area are considerably agitated, because things were said in the House that turned out not to be correct, and the independent tribunal service was moving towards closure programmes, which had been denied in the earlier answer.

On 14 January 1997, it was announced at a meeting of tribunal users that the Chesterfield tribunal suite was to be closed. Furthermore, that announcement is in conflict with letters that Members of Parliament for the area have received. I refer in particular to a letter sent to my right hon. Friend the Member for Chesterfield on 6 January, from the operation manager of the Birmingham region of the independent tribunal service, which said:

"As yet, however, there has been no formal decision about closure. We will continue to consult with all local interested parties and this process will include discussion on whether, having perhaps closed the permanent venue, we can/should identify a suitable casual venue that could be used on an ad-hoc basis. A tribunal user group meeting has been arranged for 14 January and it is hoped that some of the issues raised by local welfare rights groups can be addressed more fully.

I will ensure that all interested parties are notified of any developments in this matter."

However, at the meeting on 14 January, which was attended by 40 people from user groups, and by those who support user groups, it was announced that the venue was to close and that any consultations would be about not the

closure of the venue but the mechanism of transformation, or possibly the establishment of a casual venue. That resulted in a powerful reaction in the area, because people expected that the meeting would occur at a stage in the process of consultation on whether the venue would close.

I have given the Minister prior notice of a number of questions so that he can provide answers. I shall elaborate on each question. First, when was the decision made to close the Chesterfield suite? Was it made by 4 November, when the question from my hon. Friend the Member for Newport, West was answered in *Hansard*? Was it made by 6 January, when the letter went to my hon. Friend the Member for Chesterfield? Had it been made by 17 January, when early-day motion 354 was submitted, which had the support of my right hon. Friend the Member for Chesterfield and of my hon. Friends the Members for Bolsover and for Mansfield (Mr. Meale)? Exactly when was the decision taken?

Secondly, who was involved in the decision-making process? Had any prior consultation taken place? The letter that the Minister sent to me earlier suggests that there was some consultation, because letters were flowing between Members of Parliament and the industrial tribunal service. To my knowledge, those letters arose because of objections from Members of Parliament, and they received answers. I think that that was the approach with many user organisations as well.

Thirdly, what criterion is used when deciding to close the venue? Is it mainly costs? Is any consideration given to what benefit the tribunal's operations might have to the local community that it serves? There will be financial benefits within that community. Are they assessed in any way against the revenue costs involved, perhaps per case?

Fourthly, what are the accommodation costs of the Chesterfield suite? Is any consideration given to the moneys, for example, that it raises for the local economy? If we had that information, perhaps we could judge the cost criterion among the interested groups, individuals and Members of Parliament.

Fifthly, what other venues are to be closed? In particular, is the Derby venue safe, given the closure in February 1996 of the nearby Mansfield venue? Derby is a single tribunal suite similar to the Chesterfield model. If it were also under threat, there would be no provision in Derbyshire. That is not to say that the maintenance of the Derby suite would be adequate for north Derbyshire, because many cases would be directed to Sheffield rather than to the other end of the county.

Sixthly, are there plans to abolish and replace the independent tribunal service? A number of people have expressed their concerns about that. Seventhly, is the current closure programme due to pressures on the ITS? Has it come up with a programme of reduced costs in response to those pressures?

Eighthly, why was the closure of the Chesterfield suite announced without proper prior consultation with interested parties? Ninthly, is not the decision to close the suite contrary to the written answer that was given to my hon. Friend the Member for Newport, West? I suspect that the Minister will say that it was, but that a further answer has been provided, so there has been a retrospective adjustment. I am not sure that retrospective adjustments are acceptable; it is the information in the original answer that has affected the position until now. Only now, in this debate, will the problems be clearly explained to us, and we can respond to that.

My final question is, can the decision to close the Chesterfield suite be withdrawn, at least to allow the promised consultation on its future genuinely to take place? There are strong reasons for holding such consultation, given the written answers in *Hansard* on 4 November.

A high representational level at Chesterfield would be helpful to the tribunal service. Welfare rights bodies and bodies such as the unemployed workers centre discuss cases, and if they do not stand much of a chance, because the facts of the case do not comply with the regulations, they are weeded out. It is helpful to have well-organised experts who can advise people locally.

If people want me to put a case to the ombudsman, I feel that it is my duty to ensure that they put their case as fully as possible; otherwise, I say to them, "No, this is not a matter for the ombudsman. You would be better going to a solicitor. There are other avenues that you could take first, so that your case is stronger at a later stage." The bodies in the area are as well organised as they can be with limited resources. They have expertise, and can offer this type of assistance.

The alternative to the Chesterfield suite is in Sheffield. It is not in the centre of Sheffield, so some people have to make three or four bus journeys. It has been argued that that is no different from people having to travel from north Derbyshire to Sheffield for social and shopping purposes, but that is not so. As it is not in the centre, people have to travel to Attercliffe. Judge Keith Bassingthwaighte, president of the industrial tribunal service, advanced that argument in a letter which, although it has been circulated quite widely, has not been sent to local Members of Parliament.

Many people in the area are in the poverty trap. They do not have cars, or access to them. People living in areas in my constituency such as Danesmoor and Holmewood would find it very difficult to get to the other side of Sheffield. The Minister may say that the tribunal service can offer alternative facilities, and in some circumstances it is possible to use taxis, but even with the Chesterfield suite it is not easy to establish such an arrangement.

"A Guide to Reviews and Appeals", NI 260, contains a section on taxis and hired cars. Page 89 states:

"You can claim for the hire of a taxi or private car if:

you are unfit to travel by public transport (this could be because of age or infirmity)

or public transport is not available at a suitable time.

You will be asked to give a written explanation.

You should get a receipt for expenses. If the DSS agrees that a taxi is necessary and you would like the fare to be paid in advance, arrangements can be made with the taxi company for a bill to be sent direct to the DSS for payment."

That is clear when we study the detail, but the arrangement is not simple or straightforward for those who are trying to deal with officialdom, and to obtain what assistance they can.

Not only appellants but bodies representing them will be affected. In many cases, the further afield they are supposed to be going, the harder they will find it to act on behalf of individuals. The problem will be as bad for them as it is for appellants, if not worse.

It is difficult for people even to use the current provision. In many instances, the pressure of dealing with an alien system full of rules and difficulties puts

[Mr. Harry Barnes]

people off. The Derbyshire unemployed workers centre, operating from Chesterfield, published the case of a Mansfield man who had written to the centre. He had tried to cancel his appeal, and had then refused to attend. He wrote:

"I have been made sick by the trauma which has been put on me and I wish I had never started this nightmare.

The laws and rules are against you before you start anything.

I have not been sleeping at night worrying about the Tribunal. I will stay on my small pension.

It's worse than being tried for murder.

So please do as you like. I can't do anything about it. I am trying to put the nightmare out of my mind. Please, please leave me alone and let me forget this nightmare".

We do not know the details of that case. Perhaps the individual concerned had a particular problem; perhaps a bit of counselling and assistance would have enabled the case to be pursued. It does, however, illustrate the daunting nature of the procedure for many people, and that procedure should not be made even more daunting.

The context of the tribunal procedures has been affected by the statutory instrument to which I referred earlier. Many people feel that they are under pressure to forgo oral hearings. Things will be more difficult in the Chesterfield tribunal, but the move to Sheffield will add to the problems.

I forwarded to the Minister a letter from my constituent, Mr. Marsden-Jones of Holymoorside, who helps at a citizens advice bureau. The Minister replied:

"Mr. Marsden-Jones is concerned with oral hearings, on which there has been a misunderstanding of the effect of the regulations. Articles in the Press have fuelled that misunderstanding. Those opposed to the change have contended that it represents a reduction in an appellant's rights. I can assure you that it does not; the right to an oral hearing remains absolute."

I know that that right remains, but the rest of the Minister's explanation suggests why people might turn to the procedures less and less. He continued:

"Appellants are being asked at the outset if they want to attend the hearing of their appeal and if they do not reply, or say no, arrangements will be made for the appeal to be heard on the papers. Appellants can change their minds at any time up to the issue of the tribunal decision on the case. This change is designed to identify in advance those appellants who will not be attending so that the Independent Tribunal Service can arrange its work more efficiently."

However, that change also means that appellants are more likely to be persuaded by the rules to forgo their right of appearance; they will be encouraged to pursue appeals through written documentation.

The Minister's letter continued:

"As Mr. Marsden-Jones is aware, some appellants undoubtedly find the prospect of appearing at even an informal hearing daunting. We believe that they would welcome the opportunity to appeal, and still have the opportunity to respond to the adjudication officer's contentions, but not feel obliged to appear in person."

I grant that there is a sense in which that might be true for some people, but the Minister is really saying that the procedure is good because it works in cutting the number of oral cases. I do not think that its operation will benefit the people concerned.

Mr. Marsden-Jones said:

"As a volunteer in the CAB for over nine years my experience is with the 'real world'. The average member of the public cannot be aware of the implications for them of the ever increasing benefit and disability legislation, consequently we only see a very small percentage of those with legitimate claims. It is crucial therefore that these changes do not further prejudice their chances at appeal. I feel strongly that these changes should be challenged and that careful monitoring will prove this to be well founded."

Even if my hon. Friend the Member for Bolsover and I persuade the Minister to put off closure of the Chesterfield tribunal suite, many problems will remain for it and its equivalents elsewhere. Certainly, the difficulties increase the further away such services are from centres of population.

Until now, the House has been misled about whether there would be further closures, but I know that that situation will be corrected. Retrospective answers are not entirely satisfactory. That is another reason why the closure statement should be withdrawn. User organisations should be able to enter into proper consultations so that their points can be fully put and weighed.

Today I received a copy of a letter from Philip Robinson, chairman of CHART '99—the Chesterfield area regeneration team—to the president of the independent tribunal service. He states:

"The main purpose of CHART '99 is the economic regeneration of North Derbyshire and most of our activity is directed to the supply side of market activities. We are, as may appear obvious, also concerned with the demand side of economic life in our area though our interventions are typically more problematic and probably have a tendency towards maintaining positions rather than increasing them.

In our area blighted by pit closures and general 'downsizing' in other local industries, too many of our citizens, through no fault of their own, are dependent on welfare benefits. Our task is to reduce their number by creating jobs. However we can only be concerned that, until we have made significant progress in that direction, the legitimate take up of benefits is maximised."

He goes on to say:

"I am led to understand that just one of the Chesterfield based agencies recovered over £250,000 following appeals and £1.3 million totally. In a stressed economy such as ours, that is not an insignificant sum to place in jeopardy.

I am sure my Board would support me in appealing that you reconsider your decision to remove tribunal facilities in Chesterfield."

There is therefore widespread feeling against closing the suite among trade unions and organisations in the Chesterfield area—such as CHART '99, for example. They are very concerned about the matter and urge the Government to ensure that the doors are not closed and that a consultation exercise—which they had expected to occur—is undertaken. They understand that the ITS is involved in a rationalisation programme, but believe that there should first be consultation. I ask that we first fully consider all the factors, so that perhaps some of the heat that has built up on the issue in the Chesterfield area can be diffused.

9.21 pm

Mr. Dennis Skinner (Bolsover): I thank my hon. Friend the Member for North–East Derbyshire (Mr. Barnes) for stepping in for me last week on a point of order on this matter to Madam Speaker. He asked her whether she could intervene in the issue, and she very kindly told him that he should use his ways and means to try to raise it in the House, and that he might be allowed 15 minutes to do so. Today, the net result has been that

he has been able to speak on it at much greater length than we had expected, because the House finished its business early.

I also compliment my hon. Friend on his chronology of events leading up to the meeting with Mr. Coulthard, the regional director of the independent tribunal service. Last week, in Chesterfield, Mr. Coulthard met my friends and other people's friends, who thought that they were going to meet him for consultation on the proposed closure of the Chesterfield tribunal suite.

Those people thought that the meeting would allow them an opportunity to make a case against the closure, but, lo and behold, it turned out to be a completely different type of meeting. Contrary to what we have been told by the Tory Minister, who said that consultation was on the way, the director told them, "There ain't any consultation; we've come here to sound a death knell," such as has been sounded over factories and pits across Britain, especially in our area.

For some years before I was elected as a Member of Parliament, I represented many people—mostly miners with whom I worked in the coalfield—at tribunals. It was not unusual for me to go to places such as Sutton in Ashfield, which is in a neighbouring constituency, to Chesterfield, to Mansfield or to a medical appeal tribunal in Nottingham to represent disabled people. Although we occasionally fought other cases, by and large we made representations on behalf of people who worked in the coal mining industry who would be gasping for breath when we met them on the stairs. They were casualties of the coal mining industry and people who needed help, and we operated with that in mind.

My job as those people's representative was to make a case on their behalf and say, "Look here, you got it wrong. This person should have the special hardship allowance." The Government changed the hardship allowance to the reduced earnings allowance, and then reduced the reduced earnings allowance from about £40 to about £9 a week. The people represented at last week's meeting are the same type of casualties who want to appeal against what they regard as harsh decisions. As my hon. Friend pointed out, other groups now need to be represented, some of whose appeals relate to disablement benefits. However, in the main, it is still the same kind of operation with which I was involved.

Recently—since I came to the House—the Sutton in Ashfield venue was closed, and then the Mansfield venue closed. That meant more people having to go to the Chesterfield tribunal to have their cases heard. As my hon. Friend asked, is it any wonder that Chesterfield not only has to deal with more than 1,000 cases a year but has a backlog of more than 300, according to the local social security office? They are not our figures—we have not culled them from a Marxist periodical—but the Government's figures.

We fervently believed that our friends were going to take part in a consultation to try to convince the regional director of the need to keep the Chesterfield venue open. Parts of a total of six constituencies are affected. The total area covered includes High Peak and Buxton and extends to west Derbyshire. Much of the area is rural and descends into Bolsover, which is nearly 30 miles long and contains 20-odd villages. My hon. Friend's constituency probably also has 20 villages.

Bus services in those areas are poor, and the people affected by the closure are the very ones who had difficulty getting even to Chesterfield, but are now being required to make the long trek not just to Sheffield but to the far side of Sheffield. We have calculated that, in future, some people going to appeal against decisions will have one train ride and two or three bus rides—in some cases, four.

In the past few years, some of us—my hon. Friend in particular—have been fighting for equal rights for disabled people. We have been told time without number that the Government are anxious to help the disabled and give them equal rights, so they introduced a Bill—it was a tinpot Bill and not what we wanted, but the Government claimed that it was going to provide some form of equality.

I have to say that one cannot provide equality to disabled people by closing appeal venues and calling on those people to go to Chesterfield station, down the steep hill—it is not on the flat—get off the train at Sheffield and find their way to the other side of the city. And all for what? Presumably the aim is to save money.

The people affected live in an area where there used to be 30-odd coal mines and some factories associated with the mining industry. They have all been closed; not a single pit remains—but the casualties are still there.

Surveys carried out in my constituency and that of my hon. Friend found that, in some areas, unemployment is more than 50 per cent. Of course, not all the unemployed get unemployment benefit. Some get the benefits to which my hon. Friend referred—that is the nature of things. The unemployment figures are phoney. We are dealing not with the same work force that we once had but with people who probably need benefits of one kind or another, and need to appeal against decisions on those benefits to a greater extent than was the case when all the pits were open.

The area is generally rural. If it was a chunk of a city, I could understand some civil servants sitting in their room and charting out a little place for a tribunal venue. We are talking, however, about all or part of six constituencies; we are talking about a population of well over 300,000. All those involved are having to tramp up and down to get their cases heard.

We are not talking about golden handshakes, are we? There is a world of difference between somebody receiving a golden handshake and somebody appealing at the Chesterfield tribunal for a benefit of the kind that my hon. Friend the Member for North-East Derbyshire described. We are talking about a few pounds a week in some cases, not about the golden handshakes that are handed out to the fat cats in the City. Is it any wonder that, when the consultations took place last week, there were 30-odd representatives from the unemployed workers centre, from every local authority, from all the unions concerned and from the citizens advice bureau, whose workers do their jobs on a voluntary basis?

It was not just Labour people who attended the meeting; there were people from other political parties. My hon. Friend the Member for North-East Derbyshire referred to Mr. Robinson. He is part of a well-known Tory family in Chesterfield; there are not many left. He is head of some quango, as one would expect, but even he has put his name alongside the names of those who want the Chesterfield tribunal to remain in operation.

[Mr. Dennis Skinner]

This is a class issue; I know that this is only an Adjournment debate, but it is a class issue. There are people who can make money when they leave their jobs, but we are talking about people who are scratching about for a few pounds a week, and who are being told that they have got to go to Sheffield.

The net result—they probably know this—is that the Government will save a bit of money because some people will not be able to make the journey. Everyone knows that disabled people have to weigh up the consequences of marching here, there and everywhere. For disabled people, it is a matter not just of sitting on a bus, but of the problem of having to go through a bit of exercise. The time they will have to spend is also a problem. Some of them want to be at home; they do not want to travel for more than two hours to Sheffield, attend the tribunal and then have a journey of more than two hours back home.

The Government should play the game. The answers that I and my hon. Friends received led us to believe that there would be a nice little consultation and that we could rely on the people from the local authorities and the others to put forward such a sterling case that the tribunal would be able to survive. That did not happen, and it is unfair.

On that count alone, the Minister should say, "Let's turn the clock back. A wrong has been done." The Minister gave me a parliamentary answer that turned out not to be true. We think that he will admit that tonight; he has already done so in a letter to my hon. Friend the Member for North–East Derbyshire. A mistake has been made. As the Minister has made a mistake—he may have done so inadvertently, but a mistake has been made, and somebody has been led up the garden path—he should do the decent thing and say that the Department will start all over again. We are not talking about £60 million for a royal yacht. I only say that en passant, but I am trying to make a comparison. We are talking about a small amount.

The Minister should be big enough to say, "Yes, a wrong has been done. I made a false statement. I didn't realise that the information I received was wrong, and I passed it on to the House. I am sorry. As there has been a mistake, we are going to start the process again."

I have a suggestion for the Minister—my hon. Friend has more or less put it to him as well. Let us not close the door today. Let us have a meeting between Members of Parliament, to which we will bring some of the representatives who were at the meeting last week, so that the case can be put again and they will know that at least some consultation has taken place. If the Minister agrees to that, they will be able to convince him—perhaps more effectively than myself and my hon. Friend—why it is necessary to keep the place open.

Some people say that the Chesterfield tribunal suite is going to close because of the cost. I should tell the Minister, in case he does not know, that the lease for the suite includes other rooms—some of which are unoccupied. That is not the fault of the representatives who go there to put cases on behalf of their clients from the unemployed workers centre, welfare rights groups or citizens advice bureau. It is part of the Government's philosophy to keep such rooms empty. The Government should not blame the representatives for part of the block not being let, or say that the costs are so extreme because of it.

The Minister should not tell us, either—I do not think that he will, although my hon. Friend and I suspect that it is true—that the service is being shifted to Sheffield because his Department has some spare space up there as well. The disabled people who are going to be plodding down the hill to Chesterfield station, plodding back up the other one in Sheffield—another hilly city—and then getting on a bus will have to suffer just because the Minister's Department has not been able to deal with things that are out of other people's control and ensure that the leases get full value for money. That responsibility should belong with the Government.

I could draw a comparison with the Department of Trade and Industry. I have been walking up Victoria street for the past 20-odd years, and over the past five or six, I have been passing closed DTI offices. That closure has cost a small fortune; a third of Victoria street has not been let. It belongs to the Government and has been paid for by the taxpayer. Now, it has opened again. How much has that cost?

We are talking about a little place, where a few representatives go along to meet the chairman of the tribunal, someone from one side of industry and someone from the other to hear the case of someone who has come up the stairs coughing their lungs up, or someone who has a leg missing, or someone who does not have two ha'pennies to rub together. That is a far cry from all the money that has been spent on the DTI offices just up the road.

I could cite many more examples of how the Government have wasted money, such as £6 million on refurbishing the Tea Rooms and other facilities in this place during the long recess. Our friends up in north-east Derbyshire, Bolsover and Chesterfield read the papers, and they cannot understand why they have been picked on in such a fashion. First their jobs have been taken away from them, and then, when they have to appeal to get a few benefits, they are kicked in the gutter.

Judge Bassingthwaighte has told us that his information is that there was a noisy meeting last week with our friends the representatives. They were bound to be noisy. Such was the nature of the response, there were not enough seats. It is very rare to get representatives of every local authority and welfare rights group together in one fell swoop. They had to sit and listen to this fellow say, "There is no consultation. I have come to tell you that the place is going to close."

I am told that, at one point in the meeting, there was a little chink of light, when it was indicated that there might be an opportunity to use another Chesterfield venue on occasions. I do not know whether the Minister knows that.

I have another proposition to put to the Minister, apart from suggesting another meeting. We have a place called the miners' offices, which have a lot of space—after all, there are only a few miners left. If there are cost problems at the Chesterfield suite, the Minister should try the miners' offices—they will come a lot cheaper. Those offices would be ideal, and they are in a good situation in the middle of Chesterfield.

There is a case to be made. The Government's parliamentary answer was not correct: people were led up the garden path. People also felt that that they had a raw deal from consultation. Somebody has to climb down and give those people a second chance to ensure that their cases are put. We are ready and willing—myself, my hon.

Friend the Member for North–East Derbyshire and my right hon. Friend the Member for Chesterfield (Mr. Benn), when he has got over the flu—to meet the Minister.

The Minister or some of his civil servants should go and look at the place. They should visit a few villages. As I said earlier, the tribunal area starts at the bottom of my constituency, including Pinxton and South Normanton, and it extends way out to West Derbyshire and up to Buxton. The Minister or his civil servants should go and see those pretty villages which are all part of that hinterland. Chesterfield and Staveley are highly populated, but the rest are old-fashioned pit villages or farming areas. The area is too big for the tribunal to be moved to Sheffield. The Minister should have a site visit, and take a fresh look before the matter is closed for good.

The issue will not benefit my hon. Friend the Member for North–East Derbyshire and me. I do not suppose that we would be inconvenienced if the suite closed. We would feel guilty about it, but the issue is not about us. It is about disabled people, because most of those people who use that place in order to appeal against threatened reductions in benefits have been damaged in some way, either by their work or in other ways. In many cases, mother nature has not has been as kind to those people as she has to my hon. Friend, the Minister and me. Some of them have been born with disabilities, and are constantly fighting against the system. Instead of telling them that they must travel another 20 or 30 miles to make their appeal, a decent society should enable those people to go round the corner to their village hall or local town council.

The case has been made by my hon. Friend the Member for North–East Derbyshire, and I am here to help him to ask the Minister not to close the book. Give us a another chance to ensure that the Chesterfield tribunal suite, or some other place in Chesterfield, remains open for those people, many of whom are disabled.

9.43 pm

The Parliamentary Under–Secretary of State for Social Security (Mr. Roger Evans): It is one of the glories of the House of Commons that hon. Members can raise serious constituency interests at length, as has been done this evening. We have listened to two very powerful speeches. I am especially grateful to the hon. Member for North–East Derbyshire (Mr. Barnes) for writing to me today and setting out a list of his queries. He outlined those queries in his speech, but I have had the courtesy of notice from him and I hope to answer as many of his questions as possible.

I shall begin with the matter of a parliamentary answer, which has been mentioned several times. I gave a written answer to a question tabled by the hon. Member for Newport, West (Mr. Flynn):

"To ask the Secretary of State for Social Security which venues have ceased to be used by social security appeals tribunals since January 1996; and which venues it is proposed to cease using."

I answered by listing the nine venues referred to by the hon. Member for North–East Derbyshire, and I will not delay the House by repeating them. I then added:

"The independent tribunal service has no plans to close any other venues".—[*Official Report*, 4 November 1996; Vol. 285, c. *386*.]

I will explain what happened in detail, and then explain why, in my view in retrospect, that was not a satisfactory answer. I shall also apologise. From the point of order raised by the hon. Member for North–East Derbyshire on 15 January, I was aware that the answer had been queried. Since then, I have asked for a number of inquiries to discover precisely what happened.

When a parliamentary question is asked about the activities of the ITS—which is an independent service—information is requested by my officials from the ITS. Officials of the ITS and my Department then liaise on the reply. It is done in this way to be as helpful as possible to parliamentary colleagues and to avoid having to refer them directly to the ITS. At the time that I approved the draft answer submitted to me, I believed that the reply was correct. After the point of order was raised, I ordered a thorough investigation to be made into the circumstances surrounding the preparation of the answer.

What had happened was that the parliamentary question was faxed to an official of the ITS, and a reply was given by telephone. I do not have a written answer from the ITS or a note of that telephone conversation, but it seems reasonable to say that there was a misunderstanding between the two people who dealt with this as to the extent and nature of the question and the reply. When I answered that there were

"no plans to close any other venues"

the language was too simple for what was at stake. Does "plan" mean a settled and determined course that has been finally decided? Does it mean a mere proposal? Is it a promise—as the hon. Member for North–East Derbyshire believed—that nothing will happen in the future? That kind of ambiguity should have been resolved by a more detailed wording to explain the background. My view, in retrospect, is that the answer should have stated that the ITS constantly reviews its running costs—of which accommodation forms a large part—and that the ITS was considering the continued usage of a number of tribunal venues. The answer should have stated that liaison with local users was also taking place.

The hon. Member for Bolsover told us this evening—although I was unaware of it at the time of the answer—that he and other parliamentary colleagues had corresponded with the ITS on the Chesterfield situation. Open correspondence concerning Chesterfield had been raised as early as March 1996, and continued with various local interested parties for the rest of the year. But I stress that no firm decision had been made at the time I gave the answer on 4 November.

After making further inquiries, I have been informed that it was not until 17 December 1996 at a management meeting that a provisional conclusion about the viability of the venue was reached. That provisional conclusion remained such so that a meeting could be held with local users on 14 January 1997 where arguments in favour of keeping the venue open could be considered. It is clear from everything that I have read—and from what I have been told this evening—that the meeting of 14 January was, if I can use the most neutral language, not a happy occasion.

The intention of ITS was that arguments could be listened to, and that the decision would be made afterwards. The ITS took the view that no persuasive arguments were raised at that meeting and the decision was made, I am told, the next day—15 January—when it began to be circulated. I apologise unreservedly, as I should have been aware of more of that detail. I should have made further inquiries. Unhappily, I did not, and I

[Mr. Roger Evans]

gave a simple answer to what was clearly a complex history and background of which, at that time, I was unaware.

I should like to deal with the serious, immediate and practical issues involved, particularly those raised by the hon. Member for North–East Derbyshire about where do we go from here. The hon. Member for Bolsover made a powerful peroration to the effect, "Would the Minister do that and would the Minister do this?" I shall specifically answer his questions in a moment, but the position is not quite as simple as his speech might have suggested.

The independent tribunal service is by statute just that. The responsibility for running the ITS rests with its president, his honour Judge Keith Bassingthwaighte, who is appointed by the Lord Chancellor in accordance with the Social Security Administration Act 1992. He is both the judicial and—this is the unusual feature—the administrative head of the ITS. He is responsible for providing the forum to hear appeals against decisions of adjudicating officers. It is a matter of statute that decisions about tribunal venues, for example—the material matter which we are considering this evening—are a matter for him.

I cannot think of another parallel in Government or in the judicial system in which a judge is responsible by law for administrative matters. It is one of the oddities or unusual features of the ITS. That is one of the very matters considered in the consultation paper on improving decision making and appeals in social security which was mentioned by the hon. Member for North-East Derbyshire. It is a matter which the Government are considering now. In due course decisions will be made and subsequently announced.

That is the background to the debate. I should now like to consider the 10 specific questions that the hon. Member for North-East Derbyshire asked me. First, he asked when the decision was made to close the Chesterfield tribunal suite. A number of different dates were put to me.

I am advised by the ITS that the final firm decision was made on 15 January 1997 following the unhappy meeting the day before on the 14th. That news was communicated in a press release on 15 January and in a subsequent letter on 20 January from the president to interested parties, including some hon. Members who attended the meeting.

Mr. Barnes: The Minister mentioned a meeting on 17 December 1996 at which a provisional proposal for closure was put forward. It was then made the subject of consultation at the meeting on 14 January. There are clear differences of perception about what occurred at the meeting on 14 January. The ITS is treating it as a consultation meeting at which the user organisations would not focus on the issue. They went away on 15 January and finally made their decision. That is not the perception of the user organisations, which all argue that its representatives were told from the start that the venue was to be closed and that they were only there to be consulted about the method of closure. There is a case to look again more closely at what happened on 14 January because it affects the procedures involved. Although it was not satisfactory to have consultation on the 14th and the decision made on the 15th, with hardly any time to mull things over, it was procedurally permissible because it represented a certain order of things. Did the process occur like that? If not, there is a good case for going back to the beginning of the process.

Mr. Evans: I hear what the hon. Gentleman has said, and I will outline what we should do next when I have finished answering his 10 questions. The hon. Gentleman is saying quite clearly that there is a conflict of view about exactly what happened at the meeting on 14 January. One party appears to take the view that it was a fait accompli and that it was just a question of the mechanics. I readily concede that that is not a proper consultation. The other view, which I gave on instruction, was that the meeting was a consultation.

In fairness, I was not there any more than you were, Mr. Deputy Speaker—all that we can do is rely on those who were and their recollections. His Honour Judge Bassingthwaighte wrote a letter to the various interested parties on 20 January. I imagine that the hon. Gentleman may have seen it. I shall quote from the letter because it is important that both views of the meeting are given. He said:

"I directed that tribunal user groups should be set up throughout the ITS because I wanted to build a better relationship between the ITS and those who use the facilities which we provide. I did so expecting to provide a forum for rational and considered discussion by people who are willing at least to accept that different viewpoints exist, whether or not those viewpoints are ones upon which agreement can be reached. Such meetings have been held widely throughout the ITS during 1996 and have generally been successful, ordered and well received.

I am saddened to hear that the meeting on 14 January was ill-tempered"—

the judge was not there; he was reporting what his officials had told him—

"and at times abusive and that a group of representatives left the meeting in a demonstration of dissent. Such behaviour does not augur well for future such meetings."

Neither I nor the judge was there. There are conflicting reports of what happened, but I think that I can describe that meeting with fair accuracy as not a happy one.

Mr. Skinner: The judge does not know any more than us, does he? Many of the people who went to Chesterfield had been to Mansfield earlier in 1996 when it was proposed that Mansfield should close. They did not view the matter with the same importance and they took part in the consultation, which seemed to be at a different level. Many of those who went to Chesterfield were at Mansfield, where there was no animosity, nobody got terribly excited and the decision was finally accepted. The reason why there was such ill-feeling and rancour at the Chesterfield meeting was simply that, having arrived in a crowded room where there were not enough chairs for everyone, people were told, "What's the point of you being here? We're going to close it."

Mr. Evans: I was not present and I cannot helpfully comment on that account, but I readily agree that if that is what happened, it was not a happy way to spend the evening and it was not a constructive consultation exercise.

I was asked who was involved in the decision-making process. I understand that the final decision was taken by the president after consultation with senior and local managers. I was asked what criteria are used when

deciding to close a venue. That is a difficult question to answer helpfully. I am advised that the broad principles taken into account include accessibility, suitability, usage of venues and value for money. Having regard to those principles, the ITS decided that Chesterfield did not meet the criteria for remaining open. I was asked what that meant; I was asked what the accommodation costs were at Chesterfield.

I am instructed that the ITS is liable for £128,000 a year in respect of rent and rates and for certain maintenance and utility costs of another £3,500. The point made by the hon. Member for Bolsover (Mr. Skinner) is correct: the ITS occupies only a portion of the building and pays about £28,000 of the rental costs. The ITS is responsible, on its budget, for the balance. Of the ITS budget, £7 million is spent on accommodation; if £100,000 is spent on unutilised accommodation—however it has arisen and whatever the circumstances—that is a sufficiently large sum for concern.

I was asked, not merely to correct the position in respect of Chesterfield, but about what other venues were to be closed. Understandably, the hon. Member for Bolsover asked me specifically about Derby. Let me bring the picture up to date. I stress that it is a matter for the ITS, but I am advised that Derby remains a core area for the maintenance of a tribunal venue for the foreseeable future.

In fairness to other hon. Members, having asked further inquiries to be made, I shall give the picture for other parts of the country. Consideration is being given to a new venue at Chelmsford that would replace the current leased venue at Colchester and poor-quality, casually hired venues in Essex. In Newport, Isle of Wight, consideration is being given to replacing a leased venue with casually hired premises. Bury St. Edmunds cases have been transferred to Ipswich. There is some rationalisation of casually hired venues in London. Barking and Walthamstow appeals are being heard in central London at Whittington house. Discussions are taking place on future plans for Edmonton. On the other hand, new premises have been opened in Blackburn and further new premises are planned for Motherwell.

I was asked specifically whether all that was due to pressure relating to the future of ITS—is it all about abolition? The answer is simply no. Decisions on venues are a matter for ITS. Decisions on the future of the appeals process are elaborately discussed in the document that was mentioned earlier. As I have indicated, the Government are considering the consultation and will make decisions and announce them in due course.

ITS has responsibility for its budget and it has to deal with the problems facing it. It is important that I stress the problems—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Timothy Wood.]*

Mr. Evans: There are serious problems facing ITS. The figures that the hon. Member for Bolsover quoted do not come from Marxist comics; they are, in part, the Department's figures. The striking figure was the six-month wait to get an appeal heard, as mentioned by the hon. Member for North–East Derbyshire, which is typical throughout the country. It is too long and is especially unfortunate because, generally speaking, no benefit is received without the appeal being heard. Cases such as we have discussed should be tried more quickly.

What has happened is that the numbers of appeals have been rising dramatically in recent years. That is partly due to the introduction of incapacity benefit, but there are several other factors. The appeals intake in 1993-94 was 198,000, in the next year, it was 210,000, in 1995-96 it was 236,000, in 1996-97 it was 291,000 and it is anticipated to reach 334,000 in 1997-98. ITS has had the resources to match that. Strikingly, in 1994-95 there was actually an underspend of £5 million and the money was returned to the Department. There was a £2.3 million underspend in 1995 on a budget of £52 million. In 1996, the budget was increased to £54 million and it is not expected that there will be an underspend, but it is intended—this was part of the changed programme of economy measures—that somehow administration costs must be reduced. For 1997-98, the budget in the books is £49 million.

The effect of all that is that while in 1993-94 there were 35,000 sessions a year, that figure will rise to 68,000 in 1996-97. In other words, ITS has almost doubled the number of cases that it is hearing. That is extremely important in the interests of the public and Ministers are greatly concerned that that progress be maintained.

Mr. Skinner: It sounds to me as if, instead of closing the suites, the Government should be turning their attention to opening more. Here we have a massive backlog of cases and a rising number of people who are appealing—mainly, as the Minister said, for incapacity benefit, because about 4 million people have no job. Instead of closing the Chesterfield suite, the Government should open a few more.

Mr. Evans: Would that it was quite as easy as that. The problem is how to use such resources as are at ITS's disposal in the most effective way. I am not making this point in respect of Chesterfield, but, in the past, ITS venues have grown up haphazardly over a large number of years.

The hon. Member for North–East Derbyshire talked about the problem of oral hearings—indeed, one of his concerns was that, for several reasons, fewer people would attend, which argument he developed powerfully in connection with Chesterfield. Our change to the appeals regulations in asking people to request an oral hearing was made because, quite often, people filled in the form saying that they wanted to appeal, but did not explain what the issue was all about and then never turned up. If six cases are listed for a hearing before an appeals tribunal in a morning or an afternoon and one, two or three people whose appearance was expected and awaited and provided for then fail to turn up—often they never had any intention of turning up—it causes massive dislocation. It is an inefficient deployment of resources and forces other people to wait.

The Government have looked at that problem, which is why we have tried to improve the adjudication regulations. It is really a matter of domestic housekeeping to try to make the system work more smoothly and increase throughput. I stress that it is not a case of deterring people from appealing, nor of hoping, as the hon. Member for Bolsover suggested in one of his more

[Mr. Evans]

rhetorical passages, that we would save programme expenditure, as we are processing nearly twice as many appeals. We are trying to get the system moving more quickly because we are faced with a large caseload.

Mr. Barnes: I presume that people's failure to turn up for oral hearings and the problems that that creates for the ITS would be a smaller issue in Chesterfield than in many other areas. My argument was that in 50 per cent. of cases people were represented but only 25 per cent. of people were represented nationally. The strong organisations that exist in the area are feeding people through and sorting out some of the problems. They are ensuring that the cases are not simply speculative with no information behind them. It can therefore be said that Chesterfield is doing the type of job that many other bodies should be doing.

Mr. Evans: I heard what the hon. Gentleman said and, in my judgment, it was a striking feature of his speech that he made that point. I am not trying to argue—I would not dream of doing so—that, if the appellant and the person representing him are there, they will not do better. The hon. Member for Bolsover has represented people before such tribunals, and I did not practise at the Bar for more than 20 years without appreciating that advocacy occasionally produces results. We all know from our constituency surgeries, when we help people, that if one is there to help and advise, the chances are that one will identify the problem at least and point people in the right direction. If people go along to argue, that is better. I shall certainly draw Judge Bassingthwaighte's attention to that matter.

The next issue that I was asked was why the closure of the Chesterfield suite was announced without proper prior consultation with the relevant interests, a promise having been made in a letter to the right hon. Member for Chesterfield (Mr. Benn) on 6 January 1997. Let me say straight away that there is clearly a conflict about the history of what actually happened, and I shall come to what we shall do about that in a moment.

The next question that I was asked—realistically, this is the most important question—was whether Chesterfield's closure could be withdrawn at least to allow the promised consultation about its future to take place on a genuine basis. The hon. Member for Bolsover ended his speech on a very powerful note. I respectfully say that I was moved by it. He said, "A mistake has been made; do the decent thing and start all over again." Indeed, he asked me personally to do that.

I have a genuine difficulty: I cannot say that we shall start again because that is a decision for the judge, not for me. However, I can certainly say, and I will if it is desired by either of the hon. Gentlemen or their colleagues, that if they want to discuss the matter my door is open and I shall happily see them. It may be more constructive and helpful for them to meet representatives of the ITS because I think that what they really want to do is persuade the ITS that it should give the matter another thorough examination with an open mind. I cannot direct that such a meeting take place but I have heard the arguments—

Mr. Skinner: You can give them a nudge though, can you not?

Mr. Evans: I shall send the ITS a copy of *Hansard*, including the powerful speech of the hon. Member for Bolsover and that of the hon. Member for North–East Derbyshire on the matter. It makes one unhappy when one has the sense that what has happened was not fair. That is not satisfactory.

Let us be practical for a moment. There are real problems with the present premises for a variety of reasons, of which I suspect the £100,000-worth of vacant space is the greatest. I surmise that it would be more practical to come up with some other venue in Chesterfield. The hon. Member for Bolsover made a specific proposal, but I will not play estate agent with him. I will communicate it to the independent tribunal service. It may be a helpful suggestion, which I will be happy to discuss with the hon. Gentleman later. It may be appropriate for the owners of the building to make a formal proposal in writing.

To sum up, there has been an unhappy clash over the past couple of weeks and an unhappy meeting on 14 January. A reorganisation may be necessary, and the ITS considers that there are compelling reasons to leave the present accommodation.

With regard to the inconvenience that would be caused to the hon. Gentleman's constituents if they had to travel to Sheffield, I am not familiar with the geography of the area.

The hon. Member for North–East Derbyshire referred once or twice to the industrial tribunals service—an easy slip of the tongue, but an entirely different organisation.

The independent tribunal service was said to be limited and daunting, but one of its striking features is its offer to pay for public transport or taxis to bring people to a hearing, and there are occasions when tribunals can be convened in people's homes. People who claim to have been unfairly dismissed would not get such treatment, but those who are unable to move might get it. It is a matter for the independent tribunal service. I shall re-examine the guidance. If there are difficulties in the way in which it is drawn and it puts people off, we will see whether anything more can be done.

Mr. Barnes: The Minister's contribution has been helpful. He has not opened the door in the way that we requested—he said that he could not do so, and that it was a matter for the Independent Tribunal Service—but he has not closed the door on us. He has given us some hope, and will pass on some material to the ITS. We might then have an opportunity to meet that body and, if necessary, the Minister.

Mr. Evans: I stress that I cannot open the door, as it is not my door, but that of the Independent Tribunal Service. I will meet the hon. Gentlemen and commend to the ITS the desirability of an early meeting. If the hon. Gentleman could put together alternative proposals for Chesterfield as quickly as possible, that would be helpful.

This has been an unfortunate matter as far as I am concerned, which began with the answer to a parliamentary question. I did not dream of the complications that lay beneath what appeared to be a simple matter to answer. Now that I have been informed of the facts, it is clear that there was more to it. I repeat the apology that I made earlier to the House.

Question put and agreed to.

Adjourned accordingly at twelve minutes past Ten o'clock.

House of Commons

Friday 24 January 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Confiscation of Alcohol (Young Persons) Bill

Order for Second Reading read.

9.34 am

Dr. Robert Spink (Castle Point): I beg to move, That the Bill be now read a Second time.

The raft of law and order measures brought forward by the Government and by various hon. Members through private Members' legislation sends a clear message to the country that this Government are determined to protect innocent people, and to make our streets safer. The Bill will help to do that. It complements the excellent anti-drugs measures promoted by my hon. Friend the Member for Milton Keynes, South–West (Mr. Legg) last week, because alcohol abuse often leads to drug abuse. Indeed, the culture and loss of judgment that young people experience when drinking alcohol is often a factor in their first and subsequent use of drugs. The evidence to support that is legion.

I want to tell the House about the wonderful, caring "Bar'n'bus" Christian outreach project, which tries to help young people in south Essex.

Mr. Nick Hawkins (Blackpool, South): My hon. Friend has pointed out that his Bill is valuable and important. Is it not surprising that the Opposition Benches contain only one Labour Member, a Front Bencher, and one Liberal Democrat Member? The remaining Opposition Members are absent. Does not that show, once again, what little interest the Opposition have in valuable law and order measures? We cannot trust Labour or the Liberal Democrats on anything to do with law and order.

Dr. Spink: My hon. Friend makes an important point, but I will not follow his line, because my Bill has all-party support. I do not want to put that in jeopardy, because this is an important measure that will help to make the streets safer.

Ian King is one of the key organisers of the Barnabus Christian outreach project. He is closer to the sharp end of the problem on the streets than almost anyone else in this country. He says that the Bill is very much needed and that it will make an important—perhaps the most important—contribution to solving the general malaise that faces our young people on the streets today.

My constituency-wide surveys, through the Castle Point Westminster report, reveal that law and order and safer streets are the top concerns among my constituents. I listened to them and have acted for them in bringing forward this Bill. It will tackle the problem of young people drinking alcohol in public. It will make a real difference to the quality of life for people throughout the country. It will make our streets safer.

At the moment, because of the way that the Licensing Act 1964 is framed, the police may see a group of young people tanking up on cans of lager or bottles of whisky, but there is nothing they can do to prevent it. I am sure that the House will agree that that is complete nonsense. The Bill will give the police the power to stop such drinking. They will be able to step in and confiscate the alcohol before it becomes a cause of trouble, both for the public and for the youngsters. It is a common-sense approach.

The Bill will not turn young people into criminals; it will not give them a record that might blight their future careers—it will simply allow the police to impose a bit of good, old-fashioned discipline to prevent the mischief at source, and to inform the potential miscreants' parents so that they can apply the necessary control.

This Bill is the sort of measure for which the country is yearning. I am sure that it will make a real difference to the health and safety of the young people concerned. Indeed, it will help to keep them out of the criminal justice system. This is a rare opportunity for the House to enact a preventive measure that will, at the same time, strengthen families by putting the control and guidance of young people back where that should be—with their parents and family groups.

I do not suppose that, when the licensing laws were drawn up in 1964, the legislators thought that young people might be able to obtain cans of beer and then hang around in bus shelters or recreation grounds and get drunk. In 1964, young people went to coffee bars. At that time, legislators would have thought that the measures to prevent young people drinking were tight enough. The 1964 Act prohibits young people from drinking in licensed premises and from buying alcoholic drinks, but it does not prohibit them from drinking alcohol in public. Sadly, as we all know, that has become a real problem.

Parents rather than the police should exert control and give guidance to their teenage children, but sometimes they fail to do so. Some youngsters have a drink problem even before they are old enough legally to buy drink—but they are a small minority. The media image of young people is negative, because they are too often portrayed as inconsiderate thugs. But that is certainly not the case in south Essex. The great majority of young people are good, caring, enthusiastic, thoughtful and courageous. Of course, they are at times boisterous, and that is natural. Their energies need to be properly channelled, and I shall address that later.

When youngsters get hold of alcohol, they get drunk, and they can make people's lives a misery. They also damage their own lives and commit offences when drunk that they would not dream of committing when sober. They can be drawn into vandalism, and may engage in all sorts of petty crime. They can be abusive to passers-by; a drunken 14 or 15-year-old can be just as intimidating as an older person, particularly to elderly constituents.

[Dr. Spink]

Drunken youngsters can be a danger to themselves as well as to other people. They may get into fights and become involved in serious crime and fall prey to criminals. Some of them steal cars and engage in so-called joy riding, which can endanger their own lives and those of others. As we all know, that results in deaths every year. In my constituency, some youngsters indulge in bad behaviour as a result of drinking alcohol in public. They have terrorised some neighbourhoods, and the police have been able only to move them on to new areas, where they continue to be a nuisance.

Such young people cause problems for our churches, add costs to business, and cause misery to those who experience their inconsiderate and sometimes criminal behaviour. I shall give some examples. On 3 January, the *Evening Echo (Southend and Basildon)* stated:

"Under age drinkers in South East Essex are turning to the strongest alcohol they can get for an instant hit . . . P. C. Michael Grout, Southend's Licensing Officer, said 'We have had a number of children taken to hospital to have their stomachs pumped.'"

Constable Andy Ford of Basildon's licensing office, who is greatly supported by my hon. Friend the Member for Basildon (Mr. Amess), who backs my Bill, reported a similar situation when he said that under-age drinking was an increasing problem.

On 9 January, the *Evening Echo (Southend and Basildon)* performed a public service by highlighting the fact that a quarter of 13 to 17-year-olds get into arguments or fights after drinking. That is an important statistic. The newspaper reported two incidents on 14 January in Rayleigh which the police believe were related to under-age drinking. In the first incident, a 17-year-old student was slashed across the back of the head with a beer bottle and needed 25 stitches. At the same time, a second teenager, 16-year-old student, had two of his front teeth smashed and his nose broken. There have been even worse examples of violence in Essex.

Under-age drinking is a problem not just in Essex but throughout the country, and many of my hon. Friends will speak about what happens in their constituencies, because they care enough to be present for the debate and to support me. My hon. Friend the Member for Blackpool, South (Mr. Hawkins) mentioned that. I thank in particular my right hon. Friend the Member for Wirral, West (Mr. Hunt) for his support for the Bill. He has made me aware of evidence from Merseyside police, who have found a clear link between under-age drinking and youth disorder, both of which they say are on the increase in Merseyside as elsewhere.

In West Yorkshire, Divisional Commander Med Hughes spelled out the problem when he said:

"Drinking alcohol under age leads to all sorts of problems . . . a minority are getting alcohol . . . and are behaving in an appalling manner which often leads to violence and vandalism . . . young people who have been drinking are vulnerable. They are at risk of being involved in road accidents, or falling prey to criminals."

While I am dealing with West Yorkshire, I should like to congratulate the *Keighley News* on its magnificent campaign to protect the community and help its young people, particularly to avoid drug and alcohol abuse. I know that many local newspapers follow the fine example that has been set by the *Keighley News* in its action of community spirit.

Mr. Nigel Evans (Ribble Valley): Does my hon. Friend agree that many elderly people out in the early evening or at night feel intimidated by large groups of young people, and that that problem is greatly exacerbated when the young people have been drinking? Elderly people are fearful of going anywhere near them.

Dr. Spink: My hon. Friend makes an important point, which I shall expand by giving another example of the intimidation that he has highlighted and about which all hon. Members get letters.

Inspector Martin Stephen has talked about such intimidation in Eastbourne and has run several police operations to combat under-age drinking, because that sort of behaviour has resulted in a flood of complaints, not just from elderly residents but from holidaymakers. They have complained about young people drinking and causing trouble on the seafront, where people like to promenade and enjoy themselves.

The Eastbourne *Gazette* reported that a number of juveniles have already been arrested, and there have also been incidents of vandalism, theft and harassment, and of young people hurling abuse at passers-by. No doubt much such abuse was directed at the elderly. As my hon. Friend the Member for hon. Friend the Member for Ribble Valley (Mr. Evans) has said, the elderly feel especially vulnerable.

My Bill seeks to address the problem of youngsters who are under the influence of alcohol in a public place. Inspector Stephen also said:

"We are not being killjoys, but there is a big problem with young people drinking and breaking the law."

In a letter to me on 16 December, Inspector Stephens stated:

"Over the years I have run several Police operations to combat this problem which is most relevant in this area during the summer months, along the seafront promenades. These efforts have been hampered by the lack of legislation to support positive Police action. Your bill in my opinion will go a long way in tackling this area of public concern."

We must listen to the police officers who have to deal with the problem on the streets on behalf of society at large.

Lady Olga Maitland (Sutton and Cheam): I warmly congratulate my hon. Friend on his most important Bill. Does he agree that another group of people feel vulnerable when faced with these drunken louts? I refer to women travelling alone on trains. I have felt intimidated by bunches of raucous young people boarding the train, swilling their drink and throwing it across the floor. I hope that police powers will extend to trains.

Dr. Spink: My hon. Friend makes an important point. Police powers will extend to public transport. In south-east Essex, people using public transport have suffered precisely the problem that my hon. Friend highlights.

Some people say that we should use the model byelaw which has been taken up by about 40 councils, which prohibits the consumption of alcohol in public by anyone of any age. I am sorry to say that that law would be inappropriate in seaside areas such as Eastbourne. In any event, the problem is specifically associated with under-age drinking in public. Those who are over the age of 18 can drink in pubs, and hon. Members will be delighted to hear that I am not planning to legislate against that.

Lloyd Girling of Burkhill is one of many who have written to me in support of the measure. His letter states:

"The relationship between alcohol misuse in young people and crime is well documented and although the cost to the nation is considerable, the cost, however, to young people themselves, their families and their communities is incalculable."

Those are wise words. Mr. Girling goes on to speak about the negative impact of under-age drinking on the fabric of our society, and states that children as young as 11 are involved. I have a surprise for him. Children even younger than 11 are involved. The House must act now to protect those young children by supporting the Bill.

On 17 December 1996, commenting in *The Daily Telegraph* on schoolboys and girls indulging in drinking binges, Sergeant Geoff Elms of Cleveland police said:

"The girls tended to be about 14 and just hanging around darkened corners they are making themselves vulnerable.

The fact that they are drinking means they will not be fully in control and therefore at even greater risk.

In one instance we found nearly 80 youngsters in a school field drinking. The youngest boy we came across was just nine."

Nine years old, and this little boy was legally drinking alcohol in public. Clearly we must now act to stop such nonsense.

My final example, and one of the most important, takes me to Dorset. In promoting the Bill, I have been particularly influenced by Weymouth police's excellent and pioneering initiative, which is supported by the *Dorset Evening Echo* and is known as the "Do you know where your children are?" campaign. It was initiated by Sergeant Bernie Macey, whom I congratulate, and has been successful and well received, locally and nationally. The Home Secretary, who helped last year to launch the Bill for me, visited the campaign and gives it his support.

Of the 139 children who were apprehended last year, only eight came to the police's attention on a second occasion. That tells us something. It shows clearly that, after their parents had been informed, they dealt with the situation. That shows that parents do care and will act to control their children—or, at least, most do—and I welcome that fact. That is why it is right that the Bill should include the provision for police to take names and addresses of under-age drinkers and to report the matter directly to a youngster's parents. That brings me to the Bill's provisions.

The Bill gives police the power to confiscate alcohol or a drink that appears to be alcohol, where there are reasonable grounds for suspecting that the person is under the age of 18, and is in a public place or a place to which he has unlawfully gained access. Police would therefore be able to use the power if a group of youngsters were trespassing on private property such as school grounds, empty derelict property or any place to which the public or any section of the public had access at the material time, on payment or otherwise, either by way of right, or by virtue of express or implied permission.

The police will also have the power to confiscate alcohol from people who are aged 18 or over in such a place, if there are reasonable grounds for suspecting that the person has made alcohol available to someone in his company who is under the age of 18 or is likely to do so.

The Bill also gives the police the power to require the person in possession of the alcohol to state his name and address. That person's refusal either to surrender the alcohol or to provide the police with his name and address is an arrestable offence, punishable by a fine not exceeding level 2 on the standard scale, which I believe is currently £500.

The Bill applies to England and Wales but not to Scotland, where a similar measure is included in the Crime and Punishment (Scotland) Bill, or Northern Ireland, although we are considering that matter carefully. It may be appropriate to extend the Bill to Northern Ireland, which could be achieved by an amendment in Committee or in another place.

Before the Bill was drawn up, the Home Office consulted interested parties on the measures. They included the police, health organisations and interest groups, the licensed trade and local councils. As one might expect, the proposals received widespread support, including from the Association of Chief Police Officers, the Police Federation, the British Medical Association and Alcohol Concern, which do such good work. Local councils came out heavily in favour of proposals. It was interesting to note that the Federation of Licensed Victuallers Associations and the Society of Independent Brewers made no objections.

Practical difficulties that the Bill will impose on the police are not now, I trust, a cause for great concern. For many years, the police and society have had to deal with the difficulty of judging whether someone is 18. It has not caused any overriding problem. In any event, in mixed age groups where alcohol might be shared, all that alcohol will be liable to be confiscated.

Mr. Michael Stern (Bristol, North–West): As my hon. Friend will appreciate, my life has been based on being somewhat vertically challenged. I have no doubt that, in any such mixed group, until I was about the age of 25, if not later, I would have been regarded by the police as probably under 18. Is he sure that, in those circumstances, we wish to introduce a power to enable the police to judge purely by external appearance whether they should remove private property from someone?

Dr. Spink: I am grateful to my hon. Friend for giving me the opportunity to go further into this problem. Of course, I would advise him to take up the Portman Group's "proof of age" identity card scheme for young persons over the age of 18. I personally want an identity card system, either voluntary or otherwise, which would be a good measure.

In any event, the police we are talking about are generally police on the street. They know who their youngsters are. They meet them and come across them regularly. They know who is abusing alcohol and who is getting up to a little mischief here and there. They are sensible and streetwise, not unwise and sitting behind desks. They have their ways and means of deciding how old someone is. If they make a mistake, it errs on the safe side. It prevents that youngster—perhaps my hon. Friend—from drinking alcohol when the policeman has gone, getting into trouble and ending up with a criminal record, which would have barred my hon. Friend from coming to this place.

The fact that the Bill does not give the power of search on the street is a great strength. It is right not to give the police such a power in these circumstances, because it could cause unseemly confrontations if youngsters decided, as they sometimes might, to act up in front of

[Dr. Spink]

their friends. We have widened the Bill to enable non-uniformed officers to use its powers, and we have taken trouble to define a public place carefully, so that problems such as those raised by my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) are avoided.

Those questions are important, but the benefits offered by the Bill far outweigh the slight practical difficulties. The Portman Group, which represents the drinks industry, said:

"Abuse of alcohol by under-18s can lead to problems at home and school and to threatening behaviour in public. It can also lead to health problems for young people.

But whilst the law bans the sale of alcohol to under-18s, there is clearly a minority that misuses it, often with distressing results."

The Portman Group's particular concern, expressed to me, was to stress that no single measure would, like a panacea, remove all alcohol abuse problems in society. Of course I and all of us here accept that. It is simply common sense. Crime, alcohol abuse and other problems associated with youths must be tackled in a variety of ways. For instance, we need more closed circuit television and better controls at the point of sale of alcohol. The Portman Group's "proof of age" identity card scheme has helped in that respect. I hope that my hon. Friend the Member for Bristol, North-West (Mr. Stern) will consider it.

In the seven years since it was introduced, the card has been issued to about 250,000 people over the age of 18. I congratulate the Portman Group on that scheme, and I hope that ways can be found to promote its more widespread use. One way would be to consider the example given by licensing authorities in Glasgow, which makes it compulsory for retailers who want a licence to take up the scheme. That has been successful. There has been a 600 per cent. increase in the scheme's take-up by young persons. All licensing authorities should consider doing that, although, if they did, the Portman Group might be looking for sources of funding to finance it. No doubt we will hear from it about that.

We need more street policing. I have yet to see a replacement for the bobby on the beat. My Bill will help to make him more effective. We need to support and promote parental control, and my Bill will help to achieve that as well. Those are active, interventionist measures, but there are other passive measures that society could and should take.

We should provide better education for our children, and, indeed, their parents, on the use of alcohol. Children's knowledge of alcohol should be developed in the family setting, as it is in France and other Mediterranean countries. That would help to avoid the problem of children suddenly bingeing behind the bicycle shed or in the recreation park when they get to a certain age. We should tackle truancy. We need better lighting targeted at streets and public areas, including the darkened street corners, where, as Sergeant Elms of Cleveland police said, 14-year-old girls stand drinking. We must remove graffiti immediately.

A more responsible attitude should be taken by brewers and advertisers who try to sell our children alcopops and other superficially nice but fundamentally nasty substances. They are obviously targeted at our young people. Alcopops include alcoholic lemonade and colas, as well as the infamous home brew kits. The industry must tackle that nasty trade, or the House will introduce strict regulations to protect young people. I trust that the industry will take that warning seriously.

Mr. Nigel Evans: Has my hon. Friend seen the reports in this morning's newspapers about three particular drinks that may attract youngsters? The makers of those drinks are violating a voluntary code. I shall just mention two of the names—Purple Passion and TNT Liquid Dynamite. Their very packaging and the advertisements for them may attract young people to experiment with those alcoholic drinks.

Dr. Spink: My hon. Friend is absolutely right. A selling point of the one that he did not mention is the claim that the drink is "dangerously drinkable". We do not want dangerously drinkable substances to be pushed at our children through marketing and clever packaging. The House will have to act if the industry does not get its act together.

Even more important than all the measures in the Bill, we need to provide better youth facilities—alternatives that are exciting and available to all youngsters. That means alternatives which are not school-based. Such facilities should include sports centres, bowling alleys, cinemas, youth clubs and dance venues.

We must recognise and promote the excellent work that is already carried out by many adults who give up their time to help our youth at sports clubs and football clubs as well as through uniformed organisations such as the Air Training Corps, the scouts and the sea cadets. We need to provide more recreational sports and social activities for our youngsters. They must offer a real challenge to them. In the meantime, we need to protect our children as best we can, and that is why the Bill must be introduced without delay.

In Castle Point, a former mayor, Peggy Grant, helped to establish a youth forum of which she is now president to promote more facilities for our young people. I congratulate Peggy and subsequent mayors of Castle Point on continuing that initiative and providing more youth facilities. So far, Canvey Island has benefited and the council now needs to deliver facilities for Benfleet and Hadleigh. It has my entire support.

Nationally, the Prime Minister has promoted a new youth honours system to provide encouragement and reward for our youngsters. I also welcome the possibility of expanding the scope of the cadet forces scheme. That gives youngsters respect and responsibility, as well as fostering discipline and self-confidence. I pay tribute to the excellent cadet forces in Castle Point, Basildon, Southend, West and other areas of Essex—they do an excellent job.

We must not forget the contribution of the national lottery, which is providing massive funding for young people. I shall cite just two of the many examples of the help it has provided in Castle Point. It has given £46,364 for the Castle Point brass band and £200,000 for the Deanes sports hall. Those are just two examples of what has been achieved as a result of successful Conservative policy, which was opposed by the socialists. It is, however, delivering real benefits for Castle Point's youngsters and many other people as well.

I congratulate the Government on providing two new sixth forms for Castle Point. Education facilities are the most important facilities that we can provide for our youngsters. They are much more important than drop-in centres, bowling alleys or anything else. All the more shameful, then, that local Labour councillors in Castle Point tried to stop the provision of those new facilities for our youngsters.

For the past five years, I made the provision of such facilities for my youngsters a personal crusade. Hon. Members are fed up of hearing me talk about the new sixth forms for Benfleet and Canvey Island. [HON. MEMBERS: "Not at all."] I am grateful to my right hon. and hon. Friends for their encouragement. I assure them that I will not have to crack on about those facilities in the future, because the Government have now made them available, despite the opposition of Labour local councillors.

Overall, I believe that the measures in the Bill will provide a strong disincentive to youngsters to start drinking in public, because they will know that they will not get away with it. They will know that, if they do drink in public, they will be wasting their money. As one 14-year-old young man told me on the streets of Benfleet at 10.30 last Friday night, if his dad found out he had been drinking, severe action would follow to control his behaviour. Make no mistake, under my Bill his dad would find out, and that 14-year-old youngster and many more constituents might be saved a lot of trouble as a result.

This is not a killjoy Bill. I enjoy the occasional glass of wine. It is a discretionary measure. I emphasise that it will not be the duty of the police to confiscate alcohol in any circumstances. Police officers would not be expected to seize alcohol from a family having a picnic if a youngster had a sip of alcohol from one of the glasses.

The Bill is a measure that the police can use with common sense, integrity and good will, and within the guidelines, to prevent under-age drinking when it seems set to become a problem. Its effect is therefore preventative, because it gives the police the power to remove the offending alcohol before youths come under its influence, make misjudgments and put themselves and the public at risk. It is an absurdity that the police cannot act now to do that, in order to cut crime and help our communities and our children.

The fact that the police will generally be expected to take the names and addresses of young people drinking alcohol in public and subsequently write to their parents about that is a great strength of the Bill. It puts control and the guidance of teenagers back where it belongs, with families, not with the police.

Mr. Hartley Booth (Finchley): My hon. Friend refers to the guidelines, but they are not mentioned in the Bill. Does he expect the Home Office to issue guidelines at some point?

Dr. Spink: Those guidelines will be explained in detail in Committee. They are basically those that I have set out, which my hon. Friend the Minister will outline. They will be fully explained in Committee, which is one reason why my Bill will go to Committee—which I am sure you, Madam Deputy Speaker, will be pleased to hear.

If the alcohol drunk by young people is not given up when they are questioned by the police or false details are given, the police will have the power to arrest without warrant. They will take those youngsters to the police station. In those circumstances, they usually become very sensible very quickly, especially when their dads turn up to collect them. That power will avoid any street confrontation between youths and the police. We are all in favour of that.

This common-sense Bill will help to make our streets safer for young and old alike. It will keep teenagers out of trouble, and will therefore save the police and the courts time and money. It will reinforce parental responsibility. That is why the Bill has all-party support, which I greatly welcome, and why it would be unthinkable for anyone to oppose it. I commend it to the House.

10.8 am

Mr. David Hunt (Wirral, West): I congratulate my hon. Friend the Member for Castle Point (Dr. Spink), not only on introducing a much-needed Bill, but on making one of the best speeches that I have heard in a Second Reading debate on a private Member's Bill. He has put his case clearly, simply, and cogently, and he has comprehensively covered the reasons why the Bill is needed. I have no doubt that today marks a very important stage in the partnership between Parliament and the police.

I am also grateful to my hon. Friend the Member for Castle Point for responding to a problem in my own constituency, about which the police wrote to me just before the ballot on private Members' Bills. In my 20 years in the House, I cannot recall an occasion on which a senior police officer has written to me to ask me to introduce legislation. In November, however, Chief Inspector Garnett, the operations manager of Merseyside police, based in Wallasey, wrote to me. He said:

"Dear Mr. Hunt,

You may be aware that I am researching problems associated with drinking in public places, particularly amongst the young people on Wirral. The recent coverage given to this subject by the *Wirral News Group* and in the National Press has highlighted that it exists, not only on Wirral, but elsewhere in the Country . . .

My purpose in writing to you is to seek your views on whether you would be prepared to sponsor a Bill and monitor it through Parliament . . . it would go some considerable way in helping to solve some of the Youth Disorder incidents now faced by many Police Forces".

As it was the first occasion on which I was able to enter the ballot for many years, the House can imagine my disappointment when the ballot was held for private Members' Bills and I lost. However, in the ballot, I noticed that my hon. Friend the Member for Castle Point had come in fourth, and I immediately made approaches to him on the matter. To my delight, he took up the cudgels on behalf of my local police, and I cannot thank him enough for enabling me to respond so positively to their concerns.

The background to the matter goes much wider than that, however, because we have had a series of meetings in Wirral, which have been conducted by the Merseyside police authority. On 15 May 1996, we had one such meeting—at the Holy Trinity school, in Hoylake—with the Wallasey and Hoylake police and community forum. The minutes of the meeting show that it was dominated by the issue of youth disorder, and particularly by disorder associated with under-age drinking. Problems were experienced in the Kings Gap, which is just round the corner from my home, in Kale close, and in other key

[Mr. David Hunt]

areas, including West Kirby. The extent of the problem demonstrates the need to pass new measures, such as those in the Bill.

Action is required elsewhere in Wirral. My good friend and colleague Les Byrom—the Conservative prospective parliamentary candidate in the Wirral, South by-election, who I hope will soon be joining us on the Government Benches—shares my belief that the problem of under-age drinking in public places is one of several law-and-order issues on which action must be taken, and that a closer, stronger and more positive partnership is required between the public, police and Parliament. Les Byrom has already told me how delighted he is that the Bill is receiving such strong support, not only across the political spectrum but from many people across Wirral.

The problem of under-age drinking has become very serious in the Woodchurch estate in my constituency. I became aware of the problem in August, through correspondence with my constituents in The Meadow, which is part of the estate. One local resident wrote of

"the numerous problems we are having regarding the youths who congregate on The Meadow.

The youths who are aged between 13-18 use the area adjacent to my property as a local meeting area for drinking and"—

sadly—

"drug abuse."

Soon after I received that letter, I was able to attend a meeting of all interested parties on the estate—including the excellent staff of the Woodchurch Young Persons project, other local representatives and police—and I was asked to approach the local authority to discover whether a byelaw banning under-age drinking could be introduced. After I approached the Home Secretary and my local council, however, I became aware that we required more than a byelaw, as a byelaw cannot identify a particular age group but must apply to all local people. It therefore could not single out those under 18. That limitation has reinforced my view—which is shared by the Woodchurch Residents and Tenants Association and the Woodchurch Community Association—that primary legislation is required.

Fridays in the House are always interesting, because we often deal with private Members' Bills that express good notions which one should like to support, although there is often very little time to make progress on them. I could not be more delighted that today we will deal with two Bills—this Bill and the Road Traffic Reduction Bill; the first two Bills on today's Order Paper—that I very strongly support. However, I believe that this Bill is more immediately relevant to our problems. Road traffic reduction is a more difficult problem and will require much more time to deal with, whereas the problem of under-age drinking can be dealt with immediately.

I again congratulate my hon. Friend on his marvellous speech. Until I became aware this year of the extent of the problems in my constituency, I had not realised—which is my fault—that it is not an offence under current legislation for a person under 18 to drink alcohol, whether in public or in private, or for an adult to buy alcohol for someone under 18 to drink away from unlicensed premises. The gap in the law is another good reason why we so strongly support the efforts of my hon. Friend the Member for Castle Point.

My hon. Friend has told us that the Bill's purpose is to introduce preventive measures, which is what the issue is all about. I especially support him on his point about reinforcing parental responsibility. The Conservative party is all about opportunity and choice, particularly for parents, whereas from other parties we hear too much about rights and too little about responsibilities.

The Bill gives us an opportunity to remind parents that they have considerable responsibilities for their children and teenagers. It is a common-sense measure that will not only help to make our streets safer for young and old people alike, but will keep teenagers out of trouble by placing the primary emphasis on alerting parents to the problem.

The Bill will permit police to confiscate alcohol held in public for use by young persons, and establishes the right to take names and addresses so that police can write to young people's parents, thereby placing control and guidance of teenagers where it belongs—with families and parents—and not with police. Particularly in key areas of our constituencies, police have enough to do without having to tackle the problem of under-age drinking. Parents have the primary duty and responsibility of dealing with the problem.

The Bill also contains no powers of search on the street, which I welcome. The absence of such powers could be controversial, but I believe that the way in which my hon. Friend explained the matter makes it clear that it is right and appropriate not to have them. If a power to search were in the Bill, unseemly confrontations could develop between police and youngsters who like to show off in front of their peers.

Under the Bill, if the alcohol is not given up, or if false details are given, the police will have the power of arrest without warrant and can take the youngsters straight to the police station—where, as my hon. Friend pointed out, they usually become sensible very quickly, especially when their parents turn up. I hope that that power, together with the increasing community dimension to policing, means that we will be able to tackle the problem positively.

I greatly welcome the way in which the police are becoming more involved in their local communities. In many parts of my constituency, we are at last seeing more police on the beat, which I also welcome. For too long, we have been denied more policing in Wirral because of the over-emphasis on policing Liverpool, especially the inner-city areas. However, I know that the chief constable is aware, from what fellow Wirral Members of Parliament and I have told him, that there is a need for more bobbies on the beat.

I am arguing that the police funding formula needs to be improved to enable more resources to be channelled into the Merseyside police force. I realise that that is a debate for another day, but I flag it up to show that it is a matter of serious concern to Merseyside Members. Provided we have adequate resources, there is no substitute for police being able to get involved in their local communities. I welcome not only the police and community forum in my constituency but the extent to which our local community police are getting involved in local community organisations. That can only be for the good.

The Bill is much needed, and I wish it a speedy passage. It will do a great deal to improve co-operation between the police and the public. It has identified a

problem and will enable it to be dealt with quickly. I cannot thank my hon. Friend the Member for Castle Point enough for the speed with which he is attempting to tackle that problem.

10.22 am

Mr. Chris Davies (Littleborough and Saddleworth): I congratulate the hon. Member for Castle Point (Dr. Spink) on introducing the Bill, which I welcome. It is clearly well intentioned.

Like every Member of Parliament, I hear complaints from constituents about the behaviour of youths, often associated with drinking. I am thinking especially of the complaints made by pensioners in the village of Uppermill about youths who drink on the George V playing fields, but similar problems arise elsewhere in my constituency and across the country.

Youth behaviour is known to be one of the biggest causes of complaints to the police from the public. Raucous, drunken behaviour by groups of youths increases the fear of crime experienced by many of our constituents, and, of course, the fact that alcohol is often involved increases the likelihood that there will be a propensity to violence or to destructive acts.

It is clearly illogical that it should be an offence for someone under the age of 18 to purchase alcohol but not for him to drink it in public. I therefore welcome the Bill. Having said that, however, I must issue words of caution. The Bill should bear the health warning "Handle with care".

We have heard much about alcohol misuse by young people. I am pleased that hon. Members set the right moral tone. Of course no hon. Member speaking in this debate ever drank before he was 18—except me. Like almost every young person, I admit to having been intoxicated a number of times before my 18th birthday, although, in my defence, not at the age of nine—which was the case in one incident that we heard about today—but 16, and not, I think, in public but in the safety of private homes on a Saturday night.

Mr. Stern: The Bill would not affect a person's right to drink in a private place under the age of 18.

Mr. Davies: I accept that, but someone—perhaps me in the case to which I was referring—presumably committed an illegal act in procuring the alcohol, knowing that it was to be consumed by someone under 18. If I have misunderstood, I shall no doubt be corrected.

For many young people, drinking alcohol is one of the rites of passage on the way to adulthood. All aspects of adolescence are difficult. Every parent knows that, and I would not wish to be an adolescent again for love or money. Adolescents are too old to go to organised youth clubs—if there are any—but too young to go to the pub, especially if, like the hon. Member for Bristol, North-West (Mr. Stern), one looks too young even at 20 or 21 to go into one without clasping a birth certificate as a safety precaution.

Where are young people supposed to go? How are they supposed to enjoy themselves? We are not providing any real solutions, but the Bill states what they must not do, which is disrupt the lives of other citizens by raucous or drunken behaviour in public.

We expect the police to deal with any problems. One of the most interesting aspects of my work since being elected to the House is my involvement with the police in my community and the knowledge that I have gained of the way in which they operate. I have come to admire them hugely at all levels.

It is important that we recognise that, to most ordinary people, the role of the police is not simply to curb crime but to maintain order and tranquillity. I pay tribute to one area constable, Jim Hodgkinson, in Milnrow and Newhey in the borough of Rochdale, who has worked hard with young people, some of whom were getting into trouble and giving rise to complaints from local residents. He helped them set up a youth council, which is now working to establish a drop-in centre.

It is certainly a contrast to some recent debates on the Crime (Sentences) Bill, when so much attention was devoted to the need for harsher sentences, to find that much ordinary police work in fact involves setting up youth councils rather than catching criminals, who are the demon figures most often portrayed in the House.

In public places, it is the police who most often interact with young people. The ordinary peaceful citizen may cross the road or take a different route to avoid passing a gathering of youths. The police's task is bound to be immensely difficult. Meeting public concerns without alienating the young people whose adolescent behaviour may be poor but who are basically good is the challenge facing the police. There is a danger that, in the hands of the wrong sort of policeman—perhaps an inexperienced officer or someone who comes from a different area and does not know the locality or the kids involved—the powers provided in the Bill might make things worse. The reality is that they will more often be ignored than acted on.

After all, what is a police officer supposed to do if he approaches a group of 10 lads sitting on a park bench? Perhaps they have been drinking double-strength cider which they purchased from the local supermarket. They have probably had a few drinks already, and the bottles and cans might be scattered around them. Will the officer have the power to get the lads to clean up the mess which, the following morning, is as much a cause of complaint as the drinking itself? That power is not included in the Bill, and he will not have evidence of any one individual being responsible for the mess. Will he have the power to force the young people to put the bottles and cans in the bin? I do not see that provision in the Bill, either.

What, then, is the officer to do? Does he get the 10 youngsters to hand over the bottles? Does he put his fingers in the top of the bottles and set off to look for a litter bin, with the bottles hanging from his fingers like a bunch of bananas? I can almost hear the raucous jeers behind him as he does so. Of course he will not put himself in that situation; it would compromise his dignity and lessen the sense of authority that he conveys. What if he cannot find a litter bin? Is he to walk up the high street clutching those bottles in front of the rest of the citizenry?

I suggest to the House that that the police officer will not do any of those things. In reality, he is much more likely to go up and say, "Lads, we've had some complaints about you. I am going to walk away now. I'm going to come back in five minutes and I don't expect to find you here—and get rid of the bottles on the way." He will not use the powers that would be available to him in the Bill because it would simply make him look ridiculous and would undermine the authority of the police. He might take the names and addresses of those involved,

[Mr. Davies]

which is a very effective way of dealing with such situations. In Oldham, that is already standard practice, so I assume that the police have the moral authority—if they do not have the legal powers—that seems to ensure that names and addresses are handed over freely by the young people involved.

During the campaign for the by-election that brought me to the House, one gentleman said to me, "I'll vote for you, Mr. Davies, if you can do something about the youths who are causing such a mess in the park every night." I replied, "If someone introduces a Bill that will put an end to yobbish behaviour, I'll vote for it." Sadly, life is not that easy.

The Bill attempts to curb aspects of yobbish behaviour, and I welcome it for its intention. I support it because it gives an extra bit of armoury to the police, a bit of extra legal authority, although that authority is rarely likely to be used. In practice, however, I do not believe that the Bill will do much more than good policing already does, and we should not pretend it will.

10.31 am

Mr. Nick Hawkins (Blackpool, South): I am very pleased and proud to have the opportunity for the second Friday morning in a row to congratulate one of my hon. Friends on introducing an enormously important law and order measure. On this occasion, I most warmly congratulate my hon. Friend the Member for Castle Point (Dr. Spink) on this exceptionally important measure.

Last week, we were dealing with the misuse of drugs in places with public entertainment licences; this week, we are dealing with under-age drinking on the streets, and I shall concentrate this morning on the success of clamp-down campaigns. Even before this most important Bill was introduced, local authorities have taken steps to control this difficult social problem.

I spent the first few years of my professional career as a practising barrister in the midlands. There was no doubt that the misuse of both alcohol and drugs, especially by young men and young women, was one of the most serious social problems. It provided a very large part of the enormous increase in the workload of the courts, and the strains on the police and the prisons.

More recently, some local authorities, as my hon. Friend briefly mentioned in his excellent opening speech, have taken steps to try to control drinking in public places. I think that the first city to pioneer this in a major way was Coventry. It so happens that, during my early years practising at the Bar, I lived in Coventry, and I saw the extent of the problem that much of the drinking in the streets of the city centre was causing.

Coventry suffered enormously from bombing by the Luftwaffe during the war. When the city authorities rebuilt the city centre, they provided very large pedestrianised areas, which were, of course, extremely attractive for shoppers. Coventry city centre was regarded in the 1950s and 1960s as a showplace, but, with so many pedestrianised areas, drinking in the streets was becoming an exceptionally serious social problem. When the byelaw was introduced, the citizens of Coventry noticed a huge difference. That byelaw, as my hon. Friend mentioned, has since been copied by many other towns throughout the land. Unfortunately, the police had no legal powers to confiscate the alcohol that was being consumed by those under 18. My hon. Friend's Bill will correct that tremendously difficult lacuna in the law.

I am well aware of the serious problem in parts of the country of the lack of facilities for under-18s. I warmly congratulate some of our big national companies that have been willing to support, sometimes in quite substantial financial sums, efforts by local communities to provide facilities for the under 18s. The hon. Member for Littleborough and Saddleworth (Mr. Davies) said that he would not like to be an adolescent again, because people under the age of 18 sometimes regard themselves as too old for organised youth clubs, if there are any, but too young to go lawfully into a pub.

I recently worked with Councillor John Saunders and a number of other concerned people, and we received support from Shell, one of the major oil companies, in the provision of a new youth club to correct a particular problem whereby young people were hanging about the streets, with not enough to do, with the potential for noise and damage. I have no doubt that under-age drinking played a part in that.

It is important that all of us in the House who care about this problem should praise the major companies that are prepared to work with local communities and the police to provide facilities. There is no doubt that the police, as my hon. Friend rightly pointed out, very much welcome the proposals in the Bill. I should like in particular to expand on the point mentioned by my hon. Friend about the campaign that began in Weymouth: "Do you know where your children are?" I would encourage every police force in the country to go forward from the provisions in the Bill and have a similar campaign in every area.

It seems that, with every week that passes, yet another tragic youngster is headline news—on the television, the radio and in the newspapers—and that another youngster has disappeared. Sometimes they are as young as eight, but their parents just allowed them to wander off from home. Sometimes they have gone to the chip shop. Sometimes they have gone to buy a newspaper. Sometimes, I am sad to say, they have gone out to join up with other groups of youngsters, to hang around on street corners and drink. In any event, they are the vulnerable ones, because their parents do not look after them, or, if they are unfortunate enough to be in local authority care, because the care homes do not have a proper curfew system.

In my constituency, I have had considerable problems with a care home in a residential area. Local residents had their lives constantly disrupted by the bad behaviour of youngsters who were simply allowed to roam the streets because there was no proper curfew system. There was vandalism and criminal damage right across the area. The police were being called to the street where the residential care home is situated, sometimes several times in a single night.

On another occasion, because of the disruptive behaviour of children from that care home who had been allowed out on the streets, the fire brigade was summoned three times in one night. That is not behaviour that law-abiding citizens should have to put up with. I am sure

that my hon. Friend's Bill will play a significant part in enabling the police to take corrective action to ensure that the alcohol is confiscated as soon as a problem arises.

My hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) mentioned the significant threat to women on the streets or travelling on public transport. That is a particularly significant matter, which the House has attempted, through other Bills—particularly those on stalking—to deal with recently. Once again, my hon. Friend's Bill will be enormously important in that regard. There is no doubt that much of the threat caused to women who are travelling, simply walking their dogs, or whatever, is caused by young men who have consumed too much drink, illegal drugs, or both.

All these social problems are linked. They come back to the fact that, in far too many cases, parents are simply not aware of what their youngsters are doing. As my hon. Friend the Member for Castle Point has rightly said, responsible parents always ensure that their children are at home and properly looked after. The best local authority care homes have proper curfew systems, but, sadly, a minority of parents are prepared to allow children as young as eight to roam the streets. They are vulnerable to becoming victims of serious crime; they are also, in many cases, those who cause serious crime. I hope that, as a result of this important Bill, far more parents are encouraged to take active steps to check where their children are in the evening.

If, as my hon. Friend rightly says, the guidelines that result from the Bill ensure that police officers, when they have confiscated alcohol, also have the power to take the names and addresses of the youngsters and to see the parents, those youngsters will not get into trouble again. Once the parents are brought up short by a visit from a police officer, pointing out that their son or daughter has been found drinking late at night, they will take preventive action—at least, one hopes that any responsible parent would take such action.

I am a parent of one teenaged child and two somewhat younger children. As I drive round different parts of the country, I am constantly horrified to see how many groups of young people are out late at night, especially in the winter months, when it gets dark as early as 5.30. Despite that, groups of youngsters are often out until 10, 10.30 or 11, with, as the hon. Member for Littleborough and Saddleworth (Mr. Davies) said, nothing serious to do. That is how mischief occurs, especially when drink plays a part.

We have seen a huge increase in crime since 1951. Just over a week ago, in a debate on BBC radio, the distinguished journalist John Torode pointed out that, although we have seen a welcome fall in crime in the past few years as a result of the important measures introduced by this Government and the big increase in the number of police officers on the beat, to which I had the opportunity to draw attention at Home Office questions yesterday, one needs to look at the whole period since 1951. In 1951, there were only 500,000 crimes; we are now talking about 5 million and more.

The main reason why there has been a huge expansion in crime is the relaxed social attitudes which began in the late 1950s and continued through the 1960s, and the fashionable liberal ideas that have been so championed by members of the Labour and Liberal Democrat parties over the years. It is interesting that, in a profile in *The Independent* this week, the journalist Polly Toynbee said that she trusted the hon. Member for Blackburn (Mr. Straw) as the Opposition Front-Bench spokesman. The main reason why this party—this Government—will be triumphantly elected in a few weeks' time is that the majority of people do not trust the hon. Member for Blackburn.

Mr. George Howarth (Knowsley, North): If it is the Opposition's fault that crime has increased so much, why has crime more than doubled while this Government have been in office, whereas the number of cases that result in a conviction is only one in 50? Convictions are down and crime is up. How can that be our fault?

Mr. Hawkins: The hon. Gentleman has failed to realise that, in the past three years, there has been a significant drop in crime as a result of this Government's policies finally working. Whenever a Conservative Government have sought to introduce tough law and order measures, the Labour party has either opposed them or abstained.

Labour has not supported the increase in tough law and order measures. The acres of empty green leather behind the hon. Gentleman are, once again, proof positive that the Labour party simply does not care. Many of my hon. Friends are here supporting my hon. Friend the Member for Castle Point because this is the party of law and order. Every step of the way, Opposition Members have derided the Government's policy.

Even at Home Office questions yesterday, we once again had implicit support for the legalisation of soft drugs, to which the Under–Secretary of State for the Home Department, my hon. Friend the Member for Bolton, West (Mr. Sackville), drew attention. At every step of the way, this is the party of law and order, and that is the party of apologists for crime.

Mr. Howarth: The hon. Gentleman really should not be free and easy with the facts. The Labour party's position, as the Under–Secretary of State for the Home Department, his hon. Friend the Member for Leeds, North–East (Mr. Kirkhope) will confirm, has been consistent. I have been responsible for it for the past couple of years. We are opposed to either the legalisation or the decriminalisation of any form of currently illegal substance. That is the Labour party's policy, and that is what we shall take forward to the electorate. There is nothing between the Government and ourselves on the matter. We have worked hard to establish a bipartisan position on it, and we will maintain that position.

Mr. Hawkins: The hon. Gentleman is giving the Front-Bench position. He ignores the fact that, as recently as last year, about 30 of his colleagues signed an early-day motion, once again calling for the legalisation of soft drugs. The Labour party has never had a consistent position.

Mr. Howarth: If the hon. Gentleman wants to cite individual Back-Bench Labour Members, he might take the trouble to read the book written by his hon. Friend the Member for Rutland and Melton (Mr. Duncan), a senior member of his party, in which he called for the legalisation—

Mr. Ian Bruce (South Dorset): Senior?

Mr. Howarth: The hon. Member for Rutland and Melton is the Parliamentary Private Secretary to the

[Mr. Howarth]

chairman of the Conservative party, and he called for the legalisation even of hard drugs. Will the hon. Member for Blackpool, South (Mr. Hawkins) condemn him?

Mr. Hawkins: I condemn any call for the legalisation of any illegal drugs. However, the hon. Gentleman cannot get away from the fact that, as recently as last year, about 30 of his colleagues called for the legalisation of soft drugs. There will not, of course, be any mention of that in the Labour manifesto. The Liberal Democrat conference has more than once passed motions calling for the legalisation of soft drugs.

Mr. Chris Davies: The Liberal Democrat conference has done no such thing. It has passed a resolution calling for a royal commission to look at all aspects of the matter. [HON. MEMBERS: "Oh."] Conservative Members should read the motion we passed rather than their own propaganda.

Will the hon. Member for Blackpool, South (Mr. Hawkins) accept from me that, whatever the views of some Back-Bench Labour Members, some hon. Members believe that a different strategy needs to be examined if we are to deal with the menace of drugs, and that some of us believe that the hon. Member for Knowsley, North (Mr. Howarth) is burying his head in the sand?

Madam Deputy Speaker (Dame Janet Fookes): Order. Before the hon. Member for Blackpool, South (Mr. Hawkins) continues his speech, I must tell the House that, although the Second Reading debate on this Bill can be fairly wide, it is not all-encompassing. I suggest that the hon. Gentleman addresses his remarks more closely to the text of the Bill.

Mr. Hawkins: I am delighted to do so, Madam Deputy Speaker. However, what we have seen in the past few minutes is a case of Opposition Members trying to defend the indefensible. The electorate will give their judgment on law and order matters at the election in a few months' time.

The Bill is exceptionally important. My hon. Friend the Member for Castle Point has drawn attention to the welcome his proposals have already received from police officers. I can tell him that police officers in the world capital of clubland—Blackpool—will also welcome it.

It is important to note, as my hon. Friend has stressed, that the Bill is not a killjoy measure. None of us wishes to damage young people's opportunity to go out and have a good time. The Portman Group has made a proposal, to which my hon. Friend has drawn attention, that young people should be able to carry proof of age on a voluntary basis. My hon. Friend and I would both support the introduction of identity cards, which would make a scheme such as the Portman Group's entirely unnecessary. I hope that, in due course, the Government will be able to pursue that matter.

It is important that, when young people go out to enjoy themselves, they should do so without disrupting the lives of law-abiding citizens. The Bill will help to give the police the powers they need to deal with the serious problem of under-age drinking. The Government have rightly increased the number of police constables on the beat. In 1979, when this Government came to power, the police were 8,000 under strength. Police morale was so low as a result of a perceived lack of support from the then Labour Government that there were even threats of a police strike.

By contrast, this Government have increased the number of police constables by 16,000. There will be further increases in the number of police officers on the beat. As a result of this important Bill, when it becomes an Act, the police will have the powers they need to confiscate alcohol and to prevent drinking by under-age drinkers.

10.49 am

Mr. David Amess (Basildon): I congratulate my hon. Friend the Member for Castle Point (Dr. Spink) on introducing the Bill. If he does nothing more during his time in the House, he will have achieved a great deal by this measure. My noble Friend Lord Braine of Wheatley represented Castle Point for 40 years and was the Father of the House. I know that he would strongly support the Bill.

It is all very well to have the slogan, "Tough on crime, tough on the causes of crime", but we need to demonstrate that toughness on crime. This morning, my hon. Friend has received tremendous support from Conservative Members, many of whom are present in the Chamber. I hope that people outside the House will draw their own conclusions from that.

The danger for me in supporting the Bill is that it will be perceived as an Essex problem. Although my constituency and the constituency to which I aspire adjoin that of my hon. Friend, I am convinced that the problem exists throughout the country.

Mr. Peter Atkinson (Hexham): My hon. Friend is quite right to say that the problem is not confined to Essex. My constituency is in the north-east of England, which, sadly, is second in the league table for offences of drunkenness—followed by Merseyside and ahead of London. There is a real problem in the north of England.

Mr. Amess: My hon. Friend the Member for Hexham reminds us that there is also a problem in the north of England.

My hon. Friend the Member for Castle Point made a splendid speech that leaves his supporters with little more to add. I am proud to be one of the sponsors of his Bill, and I shall mention just a few specific points.

My hon. Friend mentioned the yobbish tendency that we sometimes experience on public transport. Last night, I travelled with my right hon. Friend the Member for Shipley (Sir M. Fox) and Mr. Ken Hargreaves, a former Member, on the newly privatised Fenchurch Street line, which is now run by Prism. We enjoyed a most comfortable journey. According to the passengers we met, the service has improved tremendously. We witnessed no yobbish behaviour, and my colleagues were extremely well behaved.

My hon. Friend the Member for Bristol, North–West (Mr. Stern) referred to his own stature. I join my hon. Friend the Member for Castle Point in supporting the proposal by the Portland Group.

Some years ago, I successfully introduced a ten-minute Bill on identity cards. I am still at a loss to understand how it is that we have to register our births and deaths, but the time between remains unregistered. I hope that the Government will produce plans to introduce identity cards.

I know that my hon. Friend is keen that there should be a wide range of facilities for young people, particularly those in Essex. We have both been privileged to have been associated with the "Bar'n'bus" project. This time last week the Under–Secretary of State for Health, my hon. Friend the Member for Chelmsford (Mr. Burns) joined us in Leigh-on-Sea. The bus was brought to the wharf at the end of old Leigh, and we saw at first hand the marvellous achievements of the project. The organisers recognised that meetings in halls are not always successful, so a roving bus visits various parts of Essex. There are facilities for coffee, tea and entertainment, and the project has proved most successful.

We had the opportunity to speak to a number of youngsters, many of whom were victims of drug and alcohol abuse. We also saw a video that had been made on Southend sea front. It contained some pretty appalling scenes. They did not involve residents of Southend, which is famous for attracting holidaymakers, but very young people, who were clearly under age and who were swigging from various bottles. The interviews they were prepared to give on video showed the scale of the problem.

I know that my hon. Friend is keen that we should provide as many local facilities as possible for young people in Essex. I am heartened by the fact that the scouts, the guides, various youth clubs, the cadets, the St. John's Ambulance and a whole range of activities seem to be increasing in popularity, but there is no substitute for parents taking the trouble to spend much more time with their children to set them on the right road in life. That is the key to success.

My right hon. and learned Friend the Chancellor of the Exchequer increased duty on alcopops by between 7p and 8p. The drinks are marketed to youngsters and are deceptively alcoholic. Many teenagers are well aware of the alcohol content of various drinks and go for the strongest available. I certainly support the points that my hon. Friends have made on the issue.

My hon. Friend the Member for Castle Point referred to the *Evening Echo*, which supports his campaign. According to a recent article, £20 million a year is spent on advertising alcohol. However, I am not sure whether it is fully understood that, every year, alcohol kills thousands more people than all the illegal drugs put together. Some 90 per cent. of the population drink alcohol as a normal activity, and I am among them. However, about 25 per cent. of 13 to 17-year-olds get into arguments and fights as a result of drinking alcohol. The heaviest drinkers in the United Kingdom are 18 to 24-year-olds, and nearly 90 per cent. of boys in England have tried alcohol by the age of 13. It must be a matter of national concern.

Mr. Chris Davies: Does the hon. Gentleman accept that, every day, some 75 people die prematurely as a result of alcohol consumption? Does he agree that there is a good case for making it illegal?

Mr. Amess: I do not underestimate the seriousness of the problem, but I do not share the intention of the hon. Gentleman or his party to introduce legislation to make alcohol illegal. That would certainly be a retrograde step, which would gain very little support in the country. We are discussing the abuse of alcohol by under-age drinkers.

Dr. Spink: As a parry to the lunatic argument that we have just heard from the hon. Member for Littleborough and Saddleworth (Mr. Davies), does my hon. Friend agree that alcohol can help to save lives? It is a healthy activity provided that it is undertaken sensibly and the correct number of units are not exceeded each day, particularly if it is taken by a gentleman of my age.

Mr. Amess: My hon. Friend is very young, so I do not know what he meant by that remark. However, he is right to say that there is considerable medical evidence that a glass of red wine or whisky does no harm whatsoever. However, alcohol reaches the brain within five minutes of being swallowed.

Sergeant Michael Grout, Southend's licensing officer has done a great deal of work with young people. He said:

"In the past, under-age drinkers were given a ticking-off and sent on their way.

Now we are trying to get the message over that these youngsters are committing an offence and will be cautioned.

Officers from the unit have given talks in schools about the dangers of drinking, but also told them that they are committing an offence that will be prosecuted . . .

A group of five youngsters were cautioned for drinking in a town centre pub recently, as were a group of five youths in another pub . . .

Then in 1994 a report by youth workers nationally highlighted the growing problem of under-age drinking, and the unit began to combat this.

Groups of youths were gathering on the seafront"—

as I have already described—

"and High Street and causing a nuisance and fights."

Sergeant Grout said that such groups have diminished since they embarked on the project,

"but a more worrying trend of 12 to 16-year-olds drinking the strongest alcohol available has emerged."

I very much hope that the Bill will address that problem.

I know that my hon. Friend the Member for Castle Point has received support for his Bill from all parts of the country. I was sent a copy of a letter he received, in which a gentleman wrote:

"Much loutish behaviour is caused or made worse by alcohol, and at the moment I understand that the Police have no powers to confiscate it from young persons in public places, thus denying them a substantial weapon in enforcing the peace."

The gentleman referred to an article in *The Daily Telegraph*, that reports, as we have heard, a superintendent in Northumbria attributing the success of his force in reducing crime to

"putting the fear back into the villains."

The gentleman's letter concludes that

"only by restoring in young people a proper fear and respect for authority and an understanding that authority has power to impose its will if they step out of line, will it be possible to prevent the loutishness of today becoming the villainy of tomorrow."

I wholeheartedly support this very serious and important Bill. All of us who have children know how vulnerable and easily led they can be. None of us knows

[Mr. Amess]

when tragedy can befall our family. Many hon. Members have done their best to bring up their children, but their children have been misled by others. I very much hope that the House will unite in supporting the Bill, and that it will quickly become law.

11.2 am

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I am grateful—all of us should be—to my hon. Friend the Member for Castle Point (Dr. Spink) for introducing the Bill. Like others, I congratulate him very much on an excellent Second Reading speech. Like him, I believe that the Bill can make a real difference to many people's quality of life.

The House is not known by the public for its aversion to alcoholic beverages. Although many hon. Members who are present—including, by his own admission, my hon. Friend the Member for Castle Point—may on occasion call into the Smoking Room for a small refreshment to help them unwind after a particularly stressful day, I think that the whole House shares my aversion to the spectacle of groups of teenagers involved in a heavy drinking session in a bus shelter or park or on a shopping parade.

Sadly, such drinking has become a problem in many of our towns and cities, including my city of Leeds and, indeed, my constituency of Leeds, North-East, where shopkeepers and members of the public have been irritated and caused deep concern by such activities on shopping parades. The problem certainly does not exist only in Essex; as my hon. Friend the Member for Hexham (Mr. Atkinson) has reminded us, it occurs throughout the country.

There is a loophole in the law. The Licensing Act 1964 prohibits young people under the age of 18 from purchasing alcohol on licensed premises and prohibits adults from buying alcohol to give to young people to drink on licensed premises, but it does not prohibit young people from consuming alcohol in any place other than licensed premises. Although the police take enforcement of the legislation very seriously, what they can do if they see young people knocking back lager, cider or even stronger drinks in a public place is none the less very restricted, because the young people and any adults with them are not committing an offence.

The Government take their responsibilities on alcohol very seriously. I remind the House that their health policy on drinking is clearly set out in the "Sensible Drinking Report", which was published in December 1995. That said that young people need to be aware of the specific risks of excessive drinking that relate to their life style and of the need to minimise such risks to prevent harm to themselves and others. The Department of Health has also produced health education materials.

Some local initiatives have already been introduced to combat under-age drinking. My hon. Friend the Member for Castle Point mentioned the one that was started by police in Weymouth, which was a response to the problem of under-age drinking in public areas. It involved videoing children drinking alcohol and taking them back to their parents, who were shown the video. The initiative has received considerable media coverage in local papers and on television, and encourages parents to take responsibility for their children. I echo the remarks of some of my hon. Friends in saying that parental responsibility is of course the key to anything concerning young people. It is sad that not enough parents are obliged to take responsibility for the actions of their children.

Mr. Ian Bruce: My hon. Friend has kindly referred to my constituency and the excellent work done by the police in the "Do you know where your children are?" campaign, which arose to a certain extent as a result of an earlier ground-breaking scheme in Weymouth. Everybody knows that the area leads the way in such crime control measures. A group of concerned Christian adults set up a night bus, where children could be sheltered, especially if they were feeling the worse for alcohol. Such concern about people drinking alcohol in public drew the matter to the attention of the police. The Bill will take the initiative we need to solve the problem.

Mr. Kirkhope: Indeed. My hon. Friend and I had a dialogue about the success of the schemes in Dorset. I very much commend them and agree that they are an example of how local initiatives can succeed in helping young people. The police believe that the initiative in Weymouth has been very beneficial to prevention of under-age drinking. Indeed, the campaign proved such a success that, as my hon. Friend will know, the police decided to tackle all the other problems relating to youths in the same way, and with the assistance of voluntary agencies.

The Confiscation of Alcohol (Young Persons) Bill provides a quick, on-the-spot solution. Once enacted, it will be available to an officer throughout England and Wales. Any officer who is concerned by a group of youngsters who are drinking will be able to act immediately to solve the problem. It is important to remember that, although the occasional glass of cider or wine may do youngsters no harm, if taken as part of a family celebration such as a wedding or birthday or at Christmas, regular drinking by young people poses a real threat to their health and could lead to dependence on alcohol in years to come.

Equally seriously, regular drinking can lead young people to become involved in crime. The police are able to point to the fact that many offences are committed when under the influence of alcohol. Young people when drunk can do things that they may deeply regret. They can be tempted to inflict criminal damage; many fights are alcohol-related; and if youngsters are tempted to take a car, they can be a grave danger to themselves and others.

Apart from the danger that young people might be drawn to crime, many members of the public find the sight of youngsters who are the worse for drink very disturbing. Such youngsters can be loud, loutish and offensive. They may be all those things without realising that they are causing offence. If nothing happens when youngsters behave in that way, it can add to the impression that the police are not in control, and that can increase the general fear of crime. The public may, not unreasonably, fear that, if the police are unable to control drunken youngsters, they may not be able to take action against real offenders.

Before the Bill was introduced, a consultation exercise was undertaken. As my hon. Friend the Member for Castle Point mentioned, we wrote to many members of

the licensed trade, many interest groups and the police associations. In case there is any doubt, I wish to make it plain that my hon. Friend has full support for his measure from representatives of all police interests, including the Association of Chief Police Officers, the Police Superintendents Association and the Police Federation. Some concerns were expressed, of course, by some respondents, but the results were overwhelmingly favourable.

For instance, the British Retail Consortium said that it supported the proposals and that

"This action in itself could help to dissuade some youngsters from breaking the law in attempting to buy alcoholic drinks."

Alcohol Concern supported the proposals and said:

"We share the Home Office's view that additional steps are needed to meet concerns about young people's drinking and that it is preferable for the police to be in a position to take action before any damage occurs rather than once the law has been broken . . . Alcohol Concern supports the proposals to give the police discretion to take alcohol away from under 18s drinking in public."

The British Medical Association also supported the measures and said:

"We would support confiscation of alcohol as a measure to prevent underage drinking. It seems sensible that this will be implemented as a discretionary power . . . to avoid an additional burden on the courts."

The consultation paper also asked whether there would be merit in clarifying the law on test purchases. Test purchases are not included in the Bill, but the consultation pointed out that test purchases by those under age had proved a valuable means of enforcing the prohibition of sale to children and young people of various items, including cigarettes, tobacco, fireworks and videos, in addition to alcohol. There have been recent suggestions that test purchases of alcohol involve the commission of an offence under the Licensing Act 1964.

The Government are not persuaded that that is necessarily correct, but we believe that it is unsatisfactory that the law is in doubt, and that the law should be clarified as soon as there is a suitable legislative opportunity. In discussions with my hon. Friend the Member for Castle Point, we came to the conclusion that his Bill was not the right legislative vehicle.

The Bill will give the police the power they need to deal with a particular problem. The provisions will give the police a power to confiscate alcoholic drinks or those that appear to be alcoholic from any person under the age of 18 in a public place or any other place to which such a person has unlawfully gained access. It will also give the power to confiscate alcohol from anybody who has reached the age of 18 or over if that person is in a public place or a place to which such a person has unlawfully gained access if the police have reasonable grounds to consider that that person will give alcohol to a young person in his or her company. That is an important part of the measure, and we believe that it will be effective.

The Bill will give the power of confiscation to any police officer. Before the Bill was drawn up, we consulted widely—as I have said—and the consultation paper originally suggested that the police officer should be in uniform. The Association of Chief Police Officers regarded that as a problem, because it considered that there might be times when a plain-clothes officer might wish to make use of the power. The Bill has been drawn up so that the power applies to any officer.

The police will also be given the power to confiscate anything that is, or that the constable reasonably believes to be, intoxicating liquor. That is so that there can be no argument about whether a drink is alcoholic. We do not need to have an over-active imagination to conjure up the sort of confrontations that might otherwise take place—"No, officer, you are mistaken, this is not alcohol. I always keep my lemonade in a lager can." We might think that that would not be a convincing argument, but it might be irrefutable without analysis.

Imagine what would happen if the youngster had actually put lemonade in the lager can and the officer had confiscated it. If the power of confiscation were limited to intoxicating liquor, the police officer could have been accused of acting unlawfully, but that will not be a problem, I am glad to say, because the Bill will give the police the power to confiscate any drink that appears to be alcoholic. Any officer will be in his rights to confiscate not only a can of lager from someone who appears to be under the age of 18, but to confiscate a bottle labelled "lemon squash" if he has reason to suppose that something stronger is contained in the bottle.

Mr. Stern: That point gives rise to an interesting speculation. If a bottle of lemon squash is confiscated by an officer because he believes it to contain alcohol, will he be obliged to submit it for analysis, or will he be able simply to pour it away? In the former case, if the bottle is subsequently found to contain lemon squash, the officer could be liable because he has confiscated property unnecessarily.

Mr. Kirkhope: I do not want to get into a long legal discussion about the issue, but the Bill makes it plain that officers will have to act reasonably. If they can show that they have done so, they will be protected. I thank my hon. Friend for raising an interesting point that may be gone into in further detail in Committee.

Alcopops have been mentioned in the debate. I have had some dealings with the Portman Group over some time and I am pleased that there is such a group. I am also pleased that it has set up a new independent panel under the chairmanship of Laurence Shurman, the former banking ombudsman, to take a close look at the marketing of such products. I welcome that and the present voluntary code, which seems to be working to some degree.

Having said that, I personally have deep concerns about alcopops. Whatever is said by the manufacturers, the mere wording of some of the titles of the products can appeal to young people. We should be careful about anything that, even covertly, encourages young people to drink alcohol. I know that I am a bit old-fashioned, but my connections with the brewing industry have taught me the care and professionalism that go into the production of beer. I find a fruit drink injected with chemical alcohol to be an aberration and I am not keen on those products or the way in which they are marketed.

However, we have a voluntary code, and the Government are undertaking careful monitoring of its success or otherwise. I hope that the monitoring will be active, and that, if we find that those products continue to blossom in number and in the luridness of their titles and appeal to young people, we will be prepared to take action against them. That is an important issue that concerns many people.

The Bill will also give the police power to confiscate alcohol in any public place. My hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) was right to

[Mr. Kirkhope]

refer to trains, because some people are concerned about drinking on public transport and in stations. I can assure the House that the provision is widely drawn and I am sure that my hon. Friend the Member for Castle Point wishes it to apply to such areas.

The police will have the powers available to them whether the youngsters are in a park, sitting on a bench in the street, congregating around a bus station, a fish and chip shop, a shopping mall or even a cinema, or if they are trespassing in someone's garden or on school grounds at times when they should not be there. The police, as my hon. Friend the Member for Castle Point has explained, will also have the power to confiscate alcohol from those who are over 18 if it is likely that the adult will give the alcohol to a young person in his or her company. That will prevent police powers from being frustrated. One can imagine that, without such a power, a mixed group of teenagers would quickly pass any alcohol that they were drinking to the oldest member of the group—who might be 18 or above—to keep until the police had gone away. The provision enabling the police to confiscate alcohol from those aged over 18 takes care of such mischief.

The power to demand the name and address of any person from whom the police confiscate alcohol is an important ingredient in a common-sense measure. We know from the initiatives in Weymouth—to which my hon. Friend the Member for South Dorset (Mr. Bruce) and I have referred—that many parents are appalled to learn that their children are experimenting with alcohol, and this provision will allow the police to draw the matter to their attention. It is an offence under the Bill to refuse either to hand over the alcohol or to give one's name and address when requested to do so. This offence is subject to a level 2 fine—currently £500. The Bill also gives the police a power of arrest. That should ensure that youngsters do not refuse to hand over the alcoholic drink. Without that power, the police could be placed in the difficult situation of trying to remove alcohol from youngsters, which could degenerate into an unseemly tussle.

Although the Bill rightly backs the provision with an offence so that the law can be enforced, the whole object of the Bill is to avoid making young people into criminals. Even the best of youngsters can act unwisely—perhaps many hon. Members occasionally acted unwisely in their younger days. I am sure that few of the hon. Members here today are at present acting unwisely—although perhaps the hon. Member for Littleborough and Saddleworth (Mr. Davies) was slightly unwise to suggest that the doom-and-gloom merchants would prevail.

The Liberal Democrats try to have things all ways. On the one hand, the hon. Member for Littleborough and Saddleworth says that he will support the measure, but on the other hand, he wrings his hands and says that it will not work because the police will not want to know about it. We want to take a more optimistic approach to the legislation. It may be refined further in Committee, but I believe that it will work and that my hon. Friend the Member for Castle Point has done the nation a great service by introducing the Bill.

Mr. Ian Bruce: I accept that the hon. Member for Littleborough and Saddleworth (Mr. Davies) has said that the motion to legalise drugs at the Liberal Democrat conference was aimed at setting up a commission, but the speeches made at that conference were wholly different. Indeed, a Liberal Democrat council leader and several of his colleagues went to the press to say that they thought legalising of drugs might well be the right way forward—at the same time as that council was attempting to persuade people not to go down that route by spending money on life education caravans and things of that nature. Frankly, the Liberal Democrats cannot have it both ways. They give mixed messages to teenagers.

Mr. Kirkhope: Perhaps those remarks were on a Monday; it is now Friday. I cannot explain it further than that.

I have mentioned that youngsters can act unwisely, but I should put that in context. The vast majority of our young people are law-abiding, conscientious and public and community-spirited, and we are lucky to have such young people. I do not want anybody to think that, in proposing the Bill, my hon. Friend the Member for Castle Point is in some way generalising about the behaviour of young people. We are talking about a small number who are disruptive and a nuisance, and they do nothing to give credit to their contemporaries. I hope that the Bill may lead to fewer young people coming before the courts, because youngsters will not go on to commit other offences when drunk. They should quickly learn that they are not going to be permitted to drink in public in future, and this tough line is a good thing in my view.

The Bill is drawn in general terms and, as has been pointed out, would in theory enable a police officer to confiscate a bottle of wine from a family who were picnicking if it appeared likely that one of the children was to have a sip. My hon. Friend the Member for Castle Point has said, and I reiterate, that that is not the intention. The purpose of the Bill is to prevent troublesome behaviour, and the police are expected to use their discretion when they use the measure. There is no duty on them to enforce the provisions, and there will be times when it will be sensible for the police to turn a blind eye to youngsters having the occasional drink—that could be for a number of reasons—but the power must be available when needed.

Of course, it is not only youngsters who have alcohol problems; many adults do as well, and it can lead them into trouble also. It might be thought that the police should have the power to confiscate alcohol from any person who is drinking in a public place. I can fully understand the reasons people have for that view, but the difference between adult drinking and juvenile drinking is that adult drinking normally takes place either in licensed premises or in one's own home. A licence holder may refuse to admit, or may expel from his or her premises, anyone who is drunk, violent, quarrelsome or disorderly.

Lady Olga Maitland: My hon. Friend is touching on an important point about adult drinking in a public place. He rightly says that most adult drinking is done in the privacy of one's own home, but the public are molested by drunkards who walk around carrying cans near Westminster and in Trafalgar square. I hope that he will review the situation and give the police the power to confiscate those drinks.

Mr. Kirkhope: I do not want to be tempted down the route that my right hon. Friend the Minister of State, Home Office, has attempted to tackle. It is important to

note that there are many provisions and byelaws available to deal with adults in these circumstances, and I want to contain my remarks to young people.

As well as the byelaws in relation to adults, there is also a model byelaw, designed by the Home Office, to assist local authorities to make it an offence to continue to drink alcohol in designated public places after being asked to stop by a police officer. We have agreed 42 applications for the model byelaw, and others are under consideration. The byelaw has been effective in preventing public drunkenness and misbehaviour in certain city centres. Byelaws must apply to those of all ages, and it would be difficult for them to apply only to those under 18.

I conclude by repeating my congratulations to my hon. Friend the Member for Castle Point on proposing an excellent piece of legislation. It is comparatively simple, and has only two clauses, but Bills of only two clauses often have an enormous impact on our society. The Bill will have an enormous impact—not only in its direct effect but in the clear message that it will send to young and old people alike that certain things are no longer tolerable. We must allow the police the necessary powers to prevent those things happening. I commend the Bill to the House.

11.27 am

Mr. George Howarth (Knowsley, North): I join in the congratulations to the hon. Member for Castle Point (Dr. Spink)—first, on his good luck in drawing a high enough ballot place to introduce the Bill, and secondly, on his choice of topic. However, he should have struck a slightly less aggressive tone in his speech, particularly as he is aware that the Opposition support the Bill. He might also have acknowledged that Labour-controlled authorities in Coventry and Glasgow forged new ground by introducing bans on drinking in public for all age groups—something that covers the earlier intervention by the hon. Member for Sutton and Cheam (Lady Olga Maitland). In local government and in the House, Labour has given support to the points that the hon. Gentleman has made.

I was going to make some observations on the speech by the hon. Member for Blackpool, South (Mr. Hawkins) but, unfortunately, he made his speech—in which he commented on the fact that there were not many Labour Members present—and has not been seen since. I thought it worth mentioning his speech only because he had little to say about the Bill, but a great deal to say about law and order issues and the Government's record. So confident is he of defending that record to the people of Blackpool, South that he has taken himself off and found another constituency, but he can defend his observations in due course, I am sure.

In congratulating the hon. Member for Castle Point and supporting the Bill, I must point out that considerable evidence is available on the subject—some over a long period—which supports the need for something to be done about young people and alcohol. In a report in 1994, the Government's chief medical officer observed:

"From a very early age, young people develop a sophisticated awareness of alcohol and drinking behaviour. It appears that regular drinking, that is at least once a week, often begins at an early age and that weekly consumption in 14-15-year-olds is increasing. Recent surveys show that 20 per cent. of 9-15-year-olds have had their first alcoholic drink by the age of 8 and 89 per cent. by 13 years. Twelve per cent. of 11-15-year-olds are regular drinkers, and young people are also at risk for drunkenness offences and related criminal behaviour."

Clearly, we have known for a few years of the scale of the problem across an alarming age group.

Similarly, a report from the Home Office working group on young people and alcohol as early as 1987 commented—this is particularly important, because it is a comment on urban areas:

"Studies in several city centres in England and Wales have shown that almost half of the incidents of disorderly behaviour dealt with by the police occur shortly after the end of permitted drinking hours, particularly on Friday and Saturday nights, and often involve young men."

Therefore, the Home Office acknowledged as early as 1987 that there was a problem in city centres.

Another Home Office research study in 1989, "Drinking and Disorder: A Study of Non-Metropolitan Violence", stated:

"Inevitably, some of the lads (many of whom are very young) are over-excited or have drunk too much. Then an incident happens. Drunks stumble against each other, or insults are passed. Perhaps the proprietor of the local take-away feels he has to call the police. Then siren-cars draw up screaming—or perhaps some foot-patrol officers appear quickly. Whatever it is, the appearance of the police becomes part of the entertainment. There is something to watch. The crowds get more excited, jeer and taunt the police. Perhaps the whole incident calms down and the lads disappear . . . Perhaps it escalates".

The problems are well documented and have been studied in great detail, so it is timely that we now try to deal with them.

One can draw a number of clear conclusions from the available information. First, there is a growing problem of under-age drinking. Worryingly, as the hon. Member for Castle Point described, ever younger children are drinking. Secondly, the mixture of young people and alcohol is often volatile. Disorderly behaviour, which even in its mildest forms can be intimidating for elderly people and women, is a case in point.

The hon. Member for Sutton and Cheam referred to her experiences on trains. Many women feel very intimidated, whether in the streets, on public transport or in other public places. Elderly people certainly find it frightening when large numbers of young people congregate, either drinking or under the influence of drink, and they have to confront them. It is unacceptable if all those public places are not free for everyone to use and to feel safe and free in.

Sadly, drink and incidents of violence in young people often go hand in hand. Indeed, the Royal College of Physicians has estimated that one quarter of 14-year-olds become violent after consuming alcohol. There are probably well-publicised incidents of a violent kind every week in every major town and city involving young people. If we can remove the source of the violence—that is, alcohol—by the measures contained in the Bill, all to the good.

The hon. Member for Castle Point and the Minister cited the Portman Group and some of the excellent work that it has done. I also want to place on record the Opposition's appreciation of the important work that the group carries out. The Minister also mentioned the problem of so-called alcopops. The most worrying feature is the cynical way in which some manufacturers market those products. They are not designed for the mass market

[Mr. George Howarth]

or for middle-aged people such as myself or other right hon. and hon. Members. They are tightly targeted to attract very young people into believing that they are taking something that is essentially a lemonade-style product, but which has some alcohol in it. The naming of the drinks and the way in which they are advertised are tightly targeted at young people.

I join the Minister in deploring those products and the way in which they are marketed. It is fair to give the industry warning that, if it does not clean up its act, legislation may soon become necessary to force it to do so. The jury is out, but the matter is in the industry's hands. If it does not act voluntarily, we shall need statutory control.

Dr. Spink: Will the hon. Gentleman join me in welcoming the adjudication of the Portman Group on the three cases this morning, which lays down a marker for the industry?

Mr. Howarth: I do indeed, and I have commented on the work of that group and the work that it plans for the future.

The hon. Member for Castle Point also called for increases in youth facilities and I agree, but we must give much more thought to what sort of facilities young people want in the world that we now live in. In my teenage years in the 1960s, our needs were far more simple. I was happy to attend the local church youth club once or twice a week, where a few records were played and there was a snooker table, of which I made full use. That was about the extent of our ambitions.

Although sporting activities rightly figure prominently among the needs of young people—my children are involved in a wide variety of sporting activities, including soccer—the style and presentation of youth facilities has changed since my day and it is a far more sophisticated area. I do not want to labour that point, but we must give it much more thought.

My borough of Knowsley has given a great deal of time and thought to how to package sporting facilities in a way that is more attractive to young people. For example, on a Saturday night, my daughter uses the leisure centre in Huyton, which offers the use of all the facilities in one evening for a limited entrance fee. Some young people find such an offer much more attractive than just paying for a swim, some weight training or whatever.

A lot of work is being done to make such activities more attractive, but the hon. Member for Castle Point is right to say that, in the absence of other things to do, young people are drawn to street corners. In that setting, they often learn the sort of behaviour that leads to excessive drinking, vandalism and other forms of minor street crime, which can turn into more serious crime in later years. It is right to acknowledge that problem, although it forms no part of the Bill.

The hon. Member for Castle Point mentioned the importance of the family in forming people's drinking habits, and referred to the more continental style of introduction to drink. As a parent, I agree. It is important for young people to be introduced to alcohol in a home setting and in a way that does not encourage binge drinking: perhaps a drink with a meal, or the occasional glass or bottle—or can, as that is what young people seem to prefer—of beer. An ethos of small-scale, enjoyable, controlled drinking in a family setting should be established. That is the approach that I take, and I am sure that the same goes for many other hon. Members.

The right hon. Member for Wirral, West (Mr. Hunt), who I gather was something of an inspiration for the Bill, spoke of his experience in his constituency, and expressed support for the Bill on behalf of the Conservative candidate in Wirral, South. He would not expect me to allow that to go without comment: as I have taken pains to find out, the excellent Labour candidate for that seat, Ben Chapman, also supports the legislation, and he has asked me to convey his welcome for it. However, he expressed some serious concerns and praised the intelligent way in which the Merseyside police deal with the problem.

Drinking out of doors, as I have seen in my constituency, happens more in the summer months. In the hot summer of 1995, there was an eruption of the problem in the parks in Kirkby. The police made the observation that people who were illegally importing drink—mostly lager—from the continent would pull up their transit vans at places where they knew that young people congregated, and target them specifically. That is a matter to which we must give some attention in the future, although the Bill will be a help.

The Bill is a good start, although it will not solve all the problems. The Home Office has model byelaws in place to deal with the wider problem, and I would encourage local authorities to take them up. The Bill is worth while, and we support it. I wish the hon. Member for Castle Point well as it proceeds through its later stages.

11.43 am

Mr. Michael Stern (Bristol, North–West): I congratulate my hon. Friend the Member for Castle Point (Dr. Spink) on introducing the Bill, which is thoroughly welcome, although I intend to comment on some of the details of its provisions. I am thoroughly envious of my hon. Friend's success in the ballot; after 14 years, I am still waiting to succeed, but I shall carry on trying.

The Bill is designed to fulfil a great need, which I can see in my constituency, especially around the small suburban shops, such as those in Station road, Henbury; Okebourne road, Brentry; Filton avenue; Gloucester road; and Conygre road. Groups of young people visit the shops, acquire alcohol by one means or another—no mention has yet been made of the phenomenon of young people outside supermarkets approaching strangers and providing them with money to go in and buy drinks for them—and congregate outside in a way that can be regarded only as intimidating by the elderly people who live nearby.

If the young people concerned are encouraged to move on, or decide for themselves to do so, too often it is to an adjoining piece of private land, which they use for an impromptu party. I am glad to see that that point is in part covered in the Bill, which refers not only to public places but to illegally occupied private places. I welcome that, and I believe that the Bill can go some way towards aiding the police, by giving them a power to deal in the most effective way with what is clearly a nuisance to the public.

As my hon. Friend will know, the devil is often in the detail, and I hope that he will take my various criticisms, comments and queries in the context of my welcoming the Bill and wanting to see it enacted in this Parliament. We shall need to examine various aspects in Committee.

The Bill refers to young people drinking in a private place to which they have unlawfully gained access. My constituency, along with many other urban, suburban or semi-urban constituencies, suffers regularly during the summer months from illegal occupations of pieces of ground—usually public ground—by groups of travellers who arrive, stay until they are moved on, and then depart for another similar piece of ground. There is a continual battle between the local authority and me about whether it is using adequately the powers that the Government have given it, to move on as quickly as possible what is undoubtedly a public nuisance.

I do not expect either my hon. Friend the Member for Castle Point or the Minister to answer this query today, but I hope that it will be considered in Committee: will the Bill give the police powers to follow young people on to those illegally occupied pieces of ground, in order to confiscate the alcohol that they have purchased from local shops? My local police would welcome such a power, as an effective way—in spite of the local authority—of putting further pressure on groups of travellers to end their illegal occupation.

I am a little concerned by the power in the Bill for the police to confiscate alcohol from a person aged 18 or over if that person is suspected of being likely to pass the alcohol to someone under the age of 16. I entirely understand the need for that power, but I am concerned that it could allow over-active policing: if an adult, of any age, is seen coming out of a shop with a couple of bottles of Hooch or Bacardi Breezer, the implication could be that the drink is for consumption by a young person, because all the marketing of such drinks is aimed at the young. I would not wish store detectives, especially in large supermarkets, to be forced to note the adults who regularly purchase such drinks, in case the police needed to investigate because of the clear implication of a potential offence.

I come now to an aspect of the Bill that I find rather worrying—the power of arrest given to the police when a young person found with alcohol refuses to give his or her name and address. My hon. Friend the Member for Castle Point and other colleagues have said that they would give general support to a future Government Bill to introduce identity cards. They will be aware that that support is not universally shared on the Conservative Benches. I am one of those who have expressed considerable doubt about compulsory identity cards.

It appears to me that the wording in the Bill is framed as if identity cards were already in existence. An officer on the streets in my constituency may see a young person apparently consuming alcohol under age and ask him for his name and address. I accept that in many cases that young person will already be known to the police. However, if the young lad concerned says, "My name is Michael Stern and I live at 131 Westbury road," I would hope that the local police would know that he was giving a false name and address, although I cannot be sure of that. If the young lad is careful and says, "My name is John Smith and I live in Station road," the police officer would be placed in an invidious position. The young lad would be given an obvious way out, simply by claiming a false identity and also claiming that he was unable to prove his identity. Without a compulsory identity card, I am not sure how we can get around a problem that is posed by the Bill because it gives that power of arrest.

A number of other provisions in the Bill concern me and I wonder whether adequate consideration has been given to the drafting of a measure which, after all, gives considerable additional powers to the police. For example, I wonder whether a level 2 fine is an appropriate penalty for an offence under the Bill. Clearly, the Bill is aimed at persuading young people not to drink in public places. It gives police the power to confiscate, using reasonable force, when the young person concerned will not stop drinking in a public place. I hope that it would be seen as a total failure of policing if such a case actually reached the juvenile courts and the youngster concerned was subject to a fine on the scale outlined in the Bill. Therefore, I wonder whether it is wise to include such a fine in the Bill, as it might tempt the police to use it.

I have another point, which I do not expect my hon. Friend the Member for Castle Point to deal with today, but which I hope can be dealt with in Committee. Why does not the Bill extend to Northern Ireland, in the way that so much of our legislation now rightly does?

I am concerned about the general power of disposal of seized alcohol that is given to the police in the Bill. My hon. Friends will know that on a number of occasions I have spoken in the House about the similar power available to Customs and Excise when it seizes bootlegged alcohol. It is a continuing problem for Customs and Excise. I hope that the Bill would encourage, if no more than that, the disposal of any alcohol seized down the nearest drain, rather than being carried back as an exhibit to the local police mess. As I said in an intervention earlier, the police would be well advised to dispose of seized alcohol down the nearest drain as quickly as possible, to avoid any challenges over whether it was indeed alcohol.

I am conscious that other hon. Members wish to speak and that we are short of time. It is a good, worthwhile and necessary Bill. The police undoubtedly need the sort of powers proposed in the Bill. However, I fear that there is still a great deal of work to be done in Committee.

11.54 am

Mr. Peter Atkinson (Hexham): My hon. Friend the Member for Castle Point (Dr. Spink) is to be congratulated on being lucky in the ballot. I was lucky a couple of years ago, so I know that from the moment a Member of Parliament scores a low number in the ballot, every pressure group in the United Kingdom is on his doorstep trying to persuade him to adopt its Bill. It is to the great credit of my hon. Friend that he chose this Bill, which I wholeheartedly support. It is a valuable Bill that will give the police an important new weapon in their armoury to deal with the problem of under-age drinking in public places.

It is important to recognise what the Bill is not—it is not an answer to the ills of alcohol and under-age drinking. In fact, the Bill is an assault on yobbery, which is why I support it. Although yobbery may not come high up the scale of criminal offences, its effects are widespread and distressing for many people. My hon. Friend the Member for Ribble Valley (Mr. Evans) told us how people are intimidated by gangs of under-age youths

[Mr. Peter Atkinson]

drinking in bus shelters and other such places. I know that in my constituency many people—not just elderly people—are frightened to go into the centre of the market town of Hexham at night because of gangs of youths with drink. It even affects villages in the Tyne valley. The village of Wylan—which my hon. Friend the Minister knows well—has recently suffered from visitations by youths from surrounding areas, causing problems for local people. These are quality-of-life crimes, which people are increasingly coming to understand are very important.

Fear of crime is often far worse than the crime itself—that is certainly the case for many elderly people. One of the causes of that fear is the yobbish behaviour of groups of irresponsible young men. Indeed, the vandalism and criminal damage that result from that bring down a neighbourhood. The pride of the neighbourhood goes when trees newly planted by the local authority are broken, litter is left lying around and graffiti are sprayed about. Therefore, I am especially grateful to my hon. Friend the Member for Castle Point for introducing the Bill.

What has surprised me—I think that it is a misunderstanding of what the Bill is about—is that interested groups, such as the Portman Group, oppose the Bill. In its submission, it said that the Bill

"strikes us as excessive and an undesirable precedent to create a blanket power of confiscation from people where there is no suspicion that disorder or nuisance might occur."

That group misunderstands the Bill. It is not a Bill designed to solve the problems of drunkenness—it is intended to stamp out a particular form of drunkenness.

My hon. Friend the Member for Bristol, North–West (Mr. Stern) may be too legalistic in his attitude. When I spoke to my local police about the Bill, they said that it was a great idea. They said, "We won't be using it to its limits. However, when we see young men in the streets with cans or bottles of drink in their hands, we can tell them to pour it down the drain or we shall nick them." The police want the Bill so that they can remove the problem before it arises. Currently, they can move young people on, but they cannot make them dispose of the alcohol. I understand my hon. Friend's concerns, but with some legislation we simply have to launch it and hope that the good sense of the police will make it work properly. I am confident that it will work properly.

At the risk of being out of order, may I say that the Northumbria police have had a successful five years in the fight against crime? A few days ago, they announced for last year a further 15 per cent. fall in crime. That is one of the biggest drops that the force has had in a year and it has resulted in a 30 per cent. drop in crime in Northumbria over the past five years. Northumbria started off badly, with many problems, one of which is that, compared with other parts of the country, there is a high conviction rate for drunkenness. Merseyside normally has the worst rate and Northumbria is usually second. It is a sad record that neither region appreciates. We have a higher rate of drunkenness per 100,000 people than that in even the Metropolitan police area.

The police in Northumbria have been tackling the issue in various ways. They were successful in reducing under-age drinking in Wallsend near Newcastle where, along with the local authority, they have clamped down especially on licensees who sell drink to those who are under age. Some licences have been withdrawn from off-licences, and that should set an example. In Gateshead, the police reduced street vandalism and youth disorder by 20 per cent. in a month through a drive to tackle those problems.

The national figures on drunkenness are encouraging, in that they have been falling for the past 10 years. An important aspect of the matter is the age of those who are convicted of drunkenness. Those convicted of that offence used to be aged 20 to 21, but the age has slowly been reducing and the average has recently moved from 19 to 18. There have also been convictions of people aged from 14 to 16, and with the average age down to 18, there will be many problems with people younger than that.

The 1994 figures show a sad number of convictions for drunkenness. I am talking not about bad behaviour, but of people being sufficiently drunk to be arrested. The figures show that people aged from 14 to 17 have been convicted. They also show a few under the age of 14 who are not usually included in the figures. There is a growing problem with young drinkers, and I am grateful for the opportunity to support a Bill that will address that.

I have a technical point for the Minister. Like me, my right hon. Friend the Member for Wirral, West (Mr. Hunt) was surprised to learn about the existing licensing and drink laws. Until I made some inquiries, I did not know that it is perfectly legal to give drink in a private or public place to anyone over the age of five. That is extraordinary. Anyone caught giving drink to a child under the age of five would be caught by the Children and Young Persons Act 1933.

Curiously, it is perfectly proper for me to take a child or my daughter or son—perhaps at the age of 14—to a public park on a Sunday and give them beer, for a picnic. Under clause 1 of the Bill, the police would have the power to arrest me for doing that. As I say, I was surprised to learn of those provisions. No doubt they will form a suitable subject for my hon. Friend the Member for Bristol, North–West to add to his list for debate in Committee, and I shall not have to add them to mine.

I congratulate my hon. Friend the Member for Castle Point on his Bill. I welcome it and hope that it will have support. I apologise to the House in advance if I am not here for the end of the debate, as I have to leave shortly to return to my constituency.

12.2 pm

Mr. Hartley Booth (Finchley): The Bill has been fulsomely praised and welcomed, but that need not stop because I shall add to it by congratulating my hon. Friend the Member for Castle Point (Dr. Spink) on his judicious choice of subject.

I should like to deal with juvenile crime and its link to alcohol. Juvenile crime is demonstrated by the criminal statistics. The peak age for a criminal offence is between 14 and 16. For females, the age is 14 to 15, while it is 15 to 16 for males. It is important to discover what is helping to cause crimes that are committed at those ages. Hon. Members have already mentioned the importance of looking at the causes of crime. At the heart of them is substance and alcohol abuse at an early age. At the heart of the mosaic that we are dealing with is this little piece—alcohol. It is perhaps important to deal not only with the detail, as my hon. Friend the Member for Bristol, North–West (Mr. Stern) did, but with the wider links with that piece of mosaic. For instance, the culture and peer pressure help to stimulate crime by young people.

Last week in this place, I talked to a great gentleman called Lei Lei, a famous artist from China, whose paintings have already sold for great pric. He explained how, as a young man in China—he described himself as a peasant—he was poverty-stricken. He said that young people in Britain were spoilt because they were given too much—perhaps not a thought that is often expressed by Labour Members in praise of our education system. He added that, when he was young during the cultural revolution in China, he had one pen a year. There was no paper; he could draw only on newspapers. My hon. Friend the Member for Castle Point was right to address what it is in the culture that leads to the problems and to say that alcohol is part of the culture of young people.

As some colleagues may know, I too have studied alcohol and drug abuse for many years. I did some research asking people what started them off on alcohol and drug abuse. I spoke to one individual who gave me seminal evidence on the subject. He explained that, when he was nine years old, at Sunday lunch, he was given a glass of alcohol—cider—and that that set him off. It gave him a buzz. He stole alcohol all through his childhood, and he soon got on to drugs.

In the process that follows the Bill, we need to consider whether five, 10, 15 or 20 per cent. of people are predisposed to addiction and are addictive personalties. It is perhaps partly a mental problem. I hope that we will consider that in future years, and that that piece of mosaic will be part of a serious analysis. We therefore need to do much more.

Mr. John Marshall (Hendon, South): My hon. Friend has talked about the need to look to the future. Does he agree that perhaps some local authorities could do what Glasgow has done and introduce byelaws that ban the drinking of alcohol by everyone in public places? Does he further agree that, in parts of the London borough of Barnet, for example, people drink alcohol in public places, take drugs and intimidate law-abiding citizens?

Mr. Booth: I take that point. During the debate, there has been reference to the importance of byelaws. To be fair, the Labour spokesman, the hon. Member for Knowsley, North (Mr. Howarth)—I see him nodding—referred to it.

Hon. Member after hon. Member has said that there is a vast amount of evidence on the link between alcohol and crime by young people. I should like to give my own. I was a barrister too, and saw the link many times. I found out about the tragic offence, not yet known to the criminal calendar, called "bottling". One does not need to explain exactly what it is—it explains itself.

Before I entered Parliament, I studied these matters and tried to help behind the scenes in the Home Office and the Cabinet Office. In the mid-1980s, we had appalling trouble with young people drinking alcohol on the terraces of football pitches. Hon. Members who were in the House at the time know that legislation was speedily introduced in three months to ban alcohol on the terraces. It is fair to say that, during our research leading to the legislation, I and others telephoned the Scottish Office because such legislation had been introduced in Scotland in 1981.

Mr. John Marshall: In Glasgow.

Mr. Booth: My hon. Friend refers to Glasgow. Scotland had introduced the legislation in 1981. The Scottish Office said that, once that legislation banning alcohol on the terraces was in place, families came back to football. Those responsible for the policy in Scotland also reported that, as a result of the ban on alcohol, attendances at football matches had risen greatly, and crime was down.

The Conservative Government brought in similar legislation for England and Wales in 1985, and a year later statistics revealed that the number of crimes committed at football matches had dropped by 36 per cent. In all fairness, the anti-alcohol legislation was not solely responsible for that change, because the introduction of closed circuit television also had an effect. Those two principal changes were equally important. The ban on alcohol, however, was the only material change made to the law. It demonstrably proved that alcohol had been a major factor influencing crime on the terraces, and it helped to alter behaviour at football matches. There is bags of evidence to prove a link between alcohol and crime in addition to that already cited.

Since Victorian times it has been possible for licensed premises to ban children from buying alcohol, but the Bill neatly fills in a gap identified by the police and Home Office research. I praise it for doing so.

I hope that the Bill will be part of wider work on the young, and, in particular, on the attention deficit disorder, which is another major factor in bad behaviour. I hope that those at the Home Office and perhaps in the Opposition home affairs team will consider conducting research on ADD. It is another piece of the mosaic which must studied as we attempt to deal with crime in the future.

I disagree with my hon. Friend the Member for Bristol, North-West because I believe that the level 2 fine is appropriate. We should not presume that the police will always impose it—in any event, the Crown Prosecution Service would suggest the appropriate fine to the court, not the police.

In Committee, I hope that we will be told that special constables and the transport police will also have recourse to the Bill.

Clause 1(1)(b) should be analysed in Committee because I believe that evidence showing that someone intended another person to drink alcohol would necessarily be tenuous. It would be extremely difficult to prove that in a court of law.

The Government have a fine record on dealing with the problem of alcohol misuse. In the 1980s, they established an interdepartmental committee under the chairmanship of John, now Lord, Wakeham to investigate each Department's approach to the problem. I gather from the gesture from my hon. Friend the Minister that that committee is still at work—I hope so.

My hon. Friend the Member for Castle Point and the Government hold the problem of alcohol misuse to their heart, and I praise them for what they have done. We have heard excellent references today to the work of the police, parents and those in the voluntary sector. I commend the Bill. I hope that it will foster other work in the everlasting research and effort to ensure that our young people grow up honestly and soberly.

12.13 pm

Lady Olga Maitland (Sutton and Cheam): I congratulate my hon. Friend the Member for Castle Point (Dr. Spink) on promoting the Bill. As he is not in the Chamber, however, I shall reserve my remarks on his speech until the end of mine.

What a relief it is for me—taking off my party political and parliamentarian hats and going out as an ordinary member of the public—to find that a major loophole in the law is being dealt with. It is deeply frustrating to walk in high streets and other public places, or to use public transportation, and to find oneself harassed, pushed around and feeling threatened—I may not have been in danger in the example I gave in my earlier intervention, but I thought I was—and to believe that nothing is being done about the problem. This Bill would give police real powers to take clear and positive action to change the landscape, particularly in town centres, by removing the item that makes a young person misbehave.

The problem is much wider, however, than young people drinking in public. We must ask why they are drinking so much, and, more importantly, why they are out so late at night. What are their parents doing, and why cannot parents control their children and keep them at home? I do not accept the argument that young people have nothing to do, because that is nonsense; there is plenty for young people to do.

Perhaps the problem is moral poverty, listlessness and no sense of direction. Perhaps society has a role to play in helping to build more cohesive families and in promoting the traditional family structure of two parents—a man and wife committed to each other and to rearing their children in harmony. Children are far less likely to be lounging on street corners causing problems if they live in a traditional family environment.

The problem affects not only deprived inner-city areas but the entire country, and all social groups. My constituency of Sutton is a very pleasant suburban area and has many trees. People there live well. They have jobs, and they are proud—

Mr. John Marshall: They also have excellent Members of Parliament.

Lady Olga Maitland: I thank my hon. Friend.

People in Sutton are proud, dignified and hard-working. Even in our own high street, however, we have the problem of under-age drinking. The problem has been exacerbated because, in their wisdom, Liberal Democrats in the town hall gave planning permission for the opening of new nightclubs and pubs. Sutton residents knew that such permission would bring only trouble to the high street, and that is what has happened.

We sent petitions and warned the council, and we demonstrated on the issue, but it would not listen. I have spoken to the local police, and they have shrugged their shoulders and admitted that their representations to the council were not properly heard. At long last, the police may be given those vital powers.

Sutton police have also told me of their intense frustration. Currently, all they can do when they find under-age young people helpless with drink in the high street is to bundle them into a car and return them to their parents. Often, parents are shocked and horrified to discover that their child has been out, and the child's bravado drops like a stone. There is good reason to believe that parental involvement will be a key factor in achieving the Bill's intentions.

We should deal with another aspect of the problem—the marketing of those somewhat off-beat drinks, the alcopops. I have long admired Dr. John Rae, the director of the Portman Group, and congratulate him on working with drinks manufacturers to create a voluntary code. Although the code is working, it has not solved the problem. There is no point in having a voluntary code to control the marketing of such drinks if it ultimately has no bite or sanctions to force changes in marketing practice.

I read in *The Daily Telegraph* today that there has been a degree of success in that the Portman Group upheld some complaints about particularly aggressive advertising of drinks with names such as Purple Passion, TNT Liquid Dynamite and a beer called—I do not think that I can mention its name publicly as it is just too awful. [HON. MEMBERS: "Go on."] No, I will not.

Such drinks are being marketed aggressively for a host of reasons. One is to make young people feel big and brave. Others are to imply that a youngster drinking these products will be more attractive to women or that drinking them is safe because they are really nothing but soft drinks with a little lift. Such insidious marketing is very dangerous. We should go beyond merely upholding complaints and consider how to impose sanctions on manufacturers who use unsuitable advertising which incites young people to drink and thus causes serious problems.

The number of young people taking to drink has rocketed. Some surveys have been carried out of the numbers involved. For example, Edinburgh university conducted a survey of 7,500 pupils in England, Wales, Scotland and Northern Ireland. It is worrying that it found that 94 per cent. of those pupils had consumed alcohol.

Young people drink alcohol because they believe it to be an easy option with no dangers. They want to be seen as grown up and want to show off to their friends, but they have no idea how to handle alcohol or of its effects, and their behaviour is causing them untold harm. One of the dangers is that alcohol makes them lose their sense of control and reason. Unfortunately, that leads to unprotected sex and we see teenage mothers coming on stream. This is the reality; what I am saying is not anecdotal.

A teenage mother came to see me, bouncing her baby on her knee. I asked her how she came to be pregnant—I was rather severe with her and imagined being her mother. She replied, "Oh, one too many drinks at Christmas." I said that I hoped the father was going to support the child but she said that he could not because he was still at school—she was, too. The problems caused by drinking are so serious that the Bill is more important than we perhaps realise.

We must also bear it in mind that some young people who drink alcohol because it gives them a buzz and a lift might, in their vulnerable state, try soft drugs and then hard drugs. That can lead to a life of crime to support the purchase of those drugs or more alcohol. The Bill will therefore be far more effective than we have perhaps given it credit for.

It is interesting to note what has happened when local authorities have tried to control drinking in public places by invoking byelaws, which have some merit.

Byelaws have been invoked in many towns in Scotland, and we have also heard about Coventry, Merseyside and Northumbria. However, the difficulty with byelaws is that they do not give the police the power to confiscate the drink—the police can say only that drinking in a public place is banned. That is fine but it does not go far enough or have enough "crunch" to it.

What the police can do, however, is get tough with off-licences. Indeed, in many cases, they monitored off-licences to see whether they were illegally selling drink to young people, or aiding and abetting people who could lawfully buy drink but who then handed it to their younger brothers and sisters.

Byelaws can be effective, as we have seen throughout the country. Indeed, I was talking to the local police for Whitby Bay about how effective byelaws have been in bringing under-age drinking under control. It is interesting that, in Northumbria, crime dropped by 50 per cent. when they were introduced, because, when people are not drunk, they are less likely to misbehave, and there is less likely to be vandalism, theft, burglary and other socially unacceptable behaviour.

My hon. Friend's Bill is enormously important—I am glad to see that he has returned. With this Bill, he is leading and the world is following. Many people will follow the Bill's progress with enormous interest. When it becomes an Act, it will undoubtedly change our social landscape, and will place greater emphasis on parental power and responsibility. Parents must be accountable not only to their children but to the law. Perhaps, at a later stage, we will hold parents accountable—even have them up in court and fine them—if their children are persistent drinkers.

The debate has been enormously successful. This is a very welcome Bill. I congratulate my hon. Friend on his choice.

12.26 pm

Dr. Spink: I am grateful to all hon. Members for supporting this important Bill. By their actions, everyone will see that we in the House intend to make the streets safer for young and old people alike. I particularly thank my hon. Friend the Minister and the Home Office for their kind help.

We have had a constructive debate, in the best traditions of the House. My right hon. Friend the Member for Wirral, West (Mr. Hunt) made a powerful speech, and brought to the debate the experience of his local police. He spoke most eloquently, and I am deeply indebted to him for his encouragement to me to take up the Bill in the first instance, and for his subsequent advice.

I thank my hon. Friend the Member for Worcester (Mr. Luff), who has given his full support to the Bill and does such excellent work in his constituency in fighting this problem.

My hon. Friend the Member for Blackpool, South (Mr. Hawkins) was right to focus on the support for the Bill from the police,, who, after all, have to deal with these problems on the streets at the sharp end.

My hon. Friend the Member for Basildon (Mr. Amess) made a most important point about the provision of youth facilities. The Bill in itself will not be a panacea. It will not solve all the problems. We need to provide alternative and challenging facilities for young people.

I am particularly grateful to the hon. Member for Knowsley, North (Mr. Howarth), the Opposition Front-Bench spokesman, for his positive approach to this measure. He rightly drew attention to the simple formula: drink plus youths equals trouble, and too often violence, so we must act now. He made an excellent speech. I am sorry if he thought me a little critical. It was not directed to him personally. I am very grateful for his support.

My hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) made her usual fearless injunctions on behalf of the family. She is unequalled in her support for the family, and we all enjoyed her speech.

The Portman Group believes in targeted rather than blanket solutions. It says:

> "Problems such as drink-driving, late-night disorder and excessive or 'binge' drinking are best solved by a combination of balanced legislation, high quality staff training for alcohol retailers and credible research-based education about what constitutes 'sensible' drinking."

My Bill will play an important legislative part. Although mention has been made of the Portman Group's opposition to the Bill, it has told me that, providing that it is just one measure in a whole series of measures, and that it takes into account the various practical difficulties that I addressed in my speech, it is happy to see the Bill go forward. I am grateful to the Portman Group for its support, even though it is a little lukewarm.

The Portman Group's code of practice on the naming, packaging and merchandising of alcoholic drinks has been supported by the vast majority of companies that manufacture and sell alcohol in the UK. The code represents agreement within the industry that no alcoholic drink should appeal overtly to under-18s. It is a voluntary code; I hope that it works, and I congratulate the Portman Group on its finding in the three cases this morning. The industry must, however, realise that, if the voluntary code does not work, the matter will be taken up by the House, and we shall enforce tighter restrictions.

A number of detailed questions on the guidelines and on unlawful access have been raised by my hon. Friends the Members for Hexham (Mr. Atkinson) and for Finchley (Mr. Booth), and especially by my hon. Friend the Member for Bristol, North–West (Mr. Stern). The latter is absolutely right to put the Bill under the most careful scrutiny, and I welcome that. Those questions will be dealt with in Committee; I shall not deal with them now, because I want to give as much time as possible to the hon. Member for Bath (Mr. Foster) to ensure that the Road Traffic Reduction Bill can get the same fair and full Second Reading that my Bill has been afforded by the House.

Question put and agreed to.

Bill accordingly read a Second Time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

Road Traffic Reduction Bill

Order for Second Reading read.

12.30 pm

Mr. Don Foster (Bath): I beg to move, That the Bill be now read a Second time.

I congratulate the hon. Member for Castle Point (Dr. Spink) on the success of the Confiscation of Alcohol (Young Persons) Bill. It is an important measure and it has my party's support.

I also thank the hon. Gentleman for his courtesy in ensuring that there is an opportunity today to have an important discussion on the Road Traffic Reduction Bill. Having thanked one hon. Member, I also thank the many hon. Members on both sides of the House who have announced their support for the Bill. I thank in particular the hon. Members who have agreed to act as sponsors of the Bill—again, they are from both sides of the House. They support the Bill because, like me, they are concerned about the significant problems created by the excessive amount of traffic on our roads. Like me, they believe that something needs to be done urgently; this is therefore a Bill whose time has come.

That view is widely shared outside the Chamber, and I pay tribute to the many organisations, especially Friends of the Earth, that have played such a key part in preparing the Bill. I also pay tribute to earlier attempts to deal with the problem, not least those led by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), which have helped in the preparation of the Bill. I pay tribute to many other organisations including, for example, the townswomen's guilds. Many councils, which will have additional duties placed on them if the Bill is enacted, have nevertheless recognised its importance and have shown their support for it.

Hundreds and thousands of individual members of the public have become involved. I have had more than 1,000 letters in support of the Bill and a petition in support of it now has more than 350,000 signatures from every part of the country. I thank all those people for their support and encouragement.

I single out one other person—the Minister. As soon as I had the opportunity to introduce a Bill and selected the Road Traffic Reduction Bill, the Minister was courteous enough to afford me the opportunity to meet him and then to have discussions with his officials. Those discussions have been extremely helpful and constructive, and I pay tribute to the Minister and his colleagues for their support and assistance. I shall refer to one or two of the Minister's further suggestions later in my speech.

Hundreds of thousands of people recognise that Britain is facing significant problems as a result of excessive traffic.

Mr. John Marshall (Hendon, South): It is a pleasure to be one of the sponsors of the Bill. Does the hon. Gentleman agree that the choice facing the British people is simple: increased gridlock or very much better public transport?

Mr. Foster: I entirely agree with the hon. Gentleman and I thank him for his support in sponsoring the Bill. It is critical that we find ways of improving public transport so that it is sufficiently attractive to convince people to leave their cars and use it. However, the Bill goes further and proposes important measures to tackle the problem.

We are all well aware of the problems, and I shall not read out a comprehensive list. However, it is worth reflecting that figures supported by the Confederation of British Industry show that road congestion costs British businesses a staggering £19 billion a year. In addition, the problems created by lost days at work because of traffic accidents cost industry another £6.5 billion a year.

Excess traffic also creates problems for the health of the nation. One in seven young people already suffer from asthma, which is exacerbated by air pollution caused by traffic fumes. A study by Lancaster university shows that some 15 million people—a staggering number—suffer ill health as a result of traffic fumes. Sadly, the research shows that there are some 10,000 premature deaths each year because of traffic pollution.

There are wider environmental problems. There is evidence that, each night, 63 per cent. of the British population live with noise levels above the upper limit set by the World Health Organisation. It is difficult to calculate the cost to the nation of health problems caused by road traffic, but independent estimates vary widely between £4.5 billion a year and £12.5 billion a year.

We are all aware of the other environmental problems. We are all concerned about global warming, and the Government have taken action to tackle the problem. The causes of global warming include carbon dioxide emissions; vehicles account for 22 per cent. of those emissions.

Traffic problems represent a major contribution to acid rain—a major environmental problem. It is estimated that some 700 sites of special scientific interest are likely to be seriously damaged by acid rain, to which air pollution from car fumes is a major contributory factor.

We should also be concerned about energy consumption. In Britain, transport accounts for 33 per cent. of energy consumption and 80 per cent. of that is used by road transport. If we could address those problems, we could save lives, improve the environment and save the nation billions of pounds.

The problems are already bad; the real concern for the House and the nation is that there are currently 25 million vehicles on our roads. All reasonable estimates suggest that the number will double in 25 to 30 years. Given that the problems are bad now, we should think how serious they will be in 25 years' time if we do not take action to tackle them.

The Bill's measures do not pretend to provide all the solutions to the problems. As the hon. Member for Castle Point pointed out in the previous debate, his Confiscation of Alcohol (Young Persons) Bill is part of the solution to a very serious problem. If it becomes law, my Bill will be part of the solution. It provides the mechanisms by which many of the sensible suggestions and solutions that have already been identified may more easily be put into practice. It also identifies how new solutions may undergo trials and, if successful, be put into practice.

Many councils have already worked hard to identify ways in which they can begin to tackle the excess traffic in their areas. I hope that the Bill will ensure that all councils have to consider such measures, share examples of good practice and develop new, imaginative solutions.

Dr. Norman A. Godman (Greenock and Port Glasgow): Am I right in assuming that clause 4 would allow the

Secretary of State for Scotland to draw up guidelines for councils in advance of the drawing up of local plans so that, among other things, any incompatibility between neighbouring councils may be avoided?

Mr. Foster: The hon. Gentleman raises a very important point. If appropriate measures were not included in the Bill, it would be possible for councils to develop plans that might cause problems for neighbouring councils. A good example of that concerns crime watch provisions. We are all in favour of crime watch schemes, but if all they do is divert criminal activity to a neighbouring area, problems arise. Provision for the Minister to ensure, for example, development at a regional level, the creation of opportunities to co-ordinate different proposals and the giving of guidance in advance to councils on the sort of action that he would like taken is a vital part of the Bill.

One statistic always worth reflection by those who say that nothing can be done—it is one of many that I could cite and a staggering thought—is that, in London, one in eight car journeys are under 1,000 m. If we cannot do something about such short car journeys, we shall have a real problem in future.

Clause 2 places a duty on councils to draw up local traffic reduction plans, set targets for reducing or curtailing the growth of different types of traffic in their area by 2005 and 2010 and set out measures that, in their opinion, are necessary to achieve those targets. The Bill would also expect them to provide an estimate of the cost of the measures, an assessment of the effect of each of them on the reduction in road traffic and an assessment of the likely reduction in carbon dioxide, nitrogen dioxide, volatile organic compounds and PM10 emissions—particles of less than 10 microns—in the atmosphere.

The Bill does not, of course, limit what might appear in such plans. It contains a number of measures that might be included in them. Examples are given that will, I hope, be the basis for the sharing of good practice. They could include encouragement of cycling or walking, alteration of planning policy to reduce the need for travel, provision of more and better public transport—as the hon. Member for Hendon, South (Mr. Marshall) said—reductions in the speed of road traffic by traffic-calming measures and the creation of pedestrian-only or restricted traffic zones, backed by effective park-and-ride schemes such as those in my constituency. They could also include provision of more information to people about the alternatives available and work with businesses in the locality to promote, for example, car-sharing schemes.

I pay tribute to BAA, which has organised a computerised system at Heathrow so that all its employees can have an access to an effective database to see if anybody is travelling to work from their area with whom they can link up. I also congratulate Nottingham council which has worked with local businesses, especially Boots the Chemist, to develop schemes that will reduce road traffic use by their employees.

I pay tribute also to the Confederation of British Industry. The Minister, I know, has some reservations about targets that might be set by the Government or anybody else. Interestingly, the CBI, which some might suggest is not the most radical of organisations on environmental issues, suggests in its latest publication "All Aboard" that individual companies should set targets for the reduction of mileage travelled by employees. The CBI's target is much tougher than any that have been suggested for the Bill. The CBI suggests a

> "10 per cent. reduction in mileage travelled by employees using a car in the course of work over the next twelve months."

I hope that local councils, when developing their plans, will consult businesses and many other organisations.

Mr. Nigel Evans (Ribble Valley): I support the Bill, but will the hon. Gentleman admit that increased car numbers and usage will cause tremendous pressure in the future, irrespective of what we do—although, of course, we must carry on with the battle? The duty on local authorities to consider ways to reduce car usage should not distract them from considering how useful bypasses can be in certain areas where traffic has already built up and is intolerable, such as in Read, Simonstone and Gisburn in my local area, where the local residents are in favour of a bypass. Yes, we need to reduce traffic, but we should not forget the usefulness of bypasses.

Mr. Foster: I am grateful for the hon. Gentleman's intervention, because some hon. Members and people outside the House have suggested that the Bill is in some way an anti-car Bill. It is not: it is an anti-excess-traffic Bill. The hon. Gentleman gave one example of the measures that need to be taken, but the Bill focuses on reducing the amount of traffic on the roads, because that is one of the best ways to reduce congestion and the need for additional roads.

The other clauses will give opportunities to the Secretary of State to give reasonable priority to the measures contained in the plans drawn up by local councils, including an opportunity for the allocation of central Government funds to local councils to give high priority to the traffic reduction measures proposed in their plans. Under the Bill, the Secretary of State will report to the House every two years on the success of such measures in the reduction of traffic.

As the hon. Member for Greenock and Port Glasgow (Dr. Godman) mentioned, clause 4 refers to an opportunity for the Secretary of State, should he so decide, to consider ways to composite some of the individual local plans into regional plans and also, if he so chooses, to develop regional targets. As I said earlier, I have had constructive discussions with the Minister and I thank him for those. Since those discussions, the Minister has rightly pointed to small technical amendments that would make the Bill even more effective. I am grateful that he has agreed to have discussions, if the Bill is given a Second Reading, and to make those changes before the Committee stage.

The broad principles of the Bill are designed to ensure that we get effective value for the money spent by Government on transport policies and, especially, that we increasingly direct valuable and scarce resources towards tackling the problems created by excess traffic rather than simply trying to accommodate them. This is a Bill whose time has come.

12.49 pm

Mr. Nigel Forman (Carshalton and Wallington): I congratulate the hon. Member for Bath (Mr. Foster) on his good fortune in winning such a high place in the ballot, which has given him the chance to introduce the

[Mr. Nigel Forman]

Bill. I can well understand—not only from his record, but from what I know of the beautiful city of Bath—why it makes good sense from his point of view to propose such a measure. I have known Bath well for many years and, in my humble opinion, the city is sometimes brought near to ruin by traffic congestion, which does considerable damage to the soft limestone of many of the buildings and creates other difficulties. Almost the worst problem of this nature in Bath is the surfeit of tourist coaches—a subject to which I wish to return.

I should like to place it on record that—unusually for my speeches in the House—I feel reasonably well qualified to speak on this matter, because I have not owned a motor car since 1976. That is not to say that I do not drive or that I am incapable of driving, but I make the minimum necessary use of the motor car. I am a fairly keen cyclist when I find the time and opportunity and when the weather is kind, and I make extensive use of public transport. My habitual mode of transport when going to and from my constituency is the train.

Two of my constituents took part in the lobby in support of the Bill on Wednesday. Alas, I was not able to meet them—although I would have liked to meet them—as I was busy with other parliamentary duties. However, I should place it on record that the Bill has the enthusiastic support of Edwin C. Carr of 6 Reynolds close, Carshalton, and of Robert Steel of 14 Palmerston road, Carshalton. That shows the good sense of my constituents on this matter.

Mr. Peter Luff (Worcester): And other matters.

Mr. Forman: I am grateful to my hon. Friend.

The Bill has various merits—one is that it is brief, and another is that it is couched in general terms. The hon. Member for Bath touched on the latter advantage, and said that one does not want to be too prescriptive when circumstances can change as a result of technological or scientific breakthroughs, changes in the planning laws and other factors.

The most important part of the Bill—although not its only important part—is clause 2(6), where the hon. Member for Bath sets out guidance for local authorities on how they might go about implementing the measure if the Bill becomes law. I commend him on that, and on the fact that he makes it a permissive, rather than mandatory, list.

I wish to divide my remaining remarks into two sections. The first will be a brief analysis from my point of view of some of the problems touched on by the hon. Member for Bath, and the second will be one or two suggestions of ways forward.

First, real problems are caused to many of our constituents by congestion, and there are also considerable economic costs. The hon. Member for Bath mentioned the best estimate from the CBI, and many other estimates have been made to support the argument. It is clearly a difficult calculation, as one never knows what might have happened in the absence of vehicles in certain circumstances. Nevertheless, the general drift of the argument is right. Congestion is costly and involves not only straight economic costs but opportunity costs—an important concept in these calculations.

It is also worth putting on record the lamentable fact that, although this country has fewer cars per head or per family than many countries of comparable wealth and income, we make greater use of the cars we have. There are more journeys per head or per family and many of those journeys are lamentably short, as the hon. Member for Bath said when he quoted figures for London. Clearly, we do not want to go further in that direction, because it is not good for human health or the environment and it contributes to congestion.

Secondly, the hon. Member for Bath was right to mention air pollution and to link with that both noise and vibration. Those are serious and linked problems, as I know from my constituency and elsewhere. Air pollution is obviously a contributory cause, although not the only cause, of asthma in children, bronchitis in elderly people, and so forth. Vibration is serious, particularly when lorries and buses go down streets—especially urban streets—that are not sufficiently reinforced or over bridges that are too weak, both of which are typical examples.

In my youth, I lived in Shrewsbury—a lovely old Roman and mediaeval town—which was at the time virtually ruined and shaken to pieces by the traffic going through the centre rather than around the outside. Things may well have changed since then, but that gives an example of what I am talking about.

The noise is a public nuisance. We are legislating against noise from stereos, videos, ghetto blasters and neighbours. Why should we not legislate more rigorously against traffic noise? Carshalton village is a lovely place, but if one stands on the pavement there one can scarcely have a conversation without shouting because of the traffic noise. It is not good news.

Thirdly—I might be slightly argumentative with this point—the media report extensively these days the increasing number of examples of aggression on the roads by drivers when they get behind the wheel, which sometimes lead to the ultimate expression of that weakness, the so-called road rage. Having observed these conditions for many years, I am convinced that, if people are deeply and increasingly frustrated in urban areas by intensive traffic congestion, the moment that they get even 250 yd of clear road, let alone a mile or so, they put their foot firmly down on the accelerator and go like a bat out of hell, venting their anger and frustration in that way. If they are blocked or something goes wrong with their ambition to get from this point to that point a quarter of a mile further on, on a nought to 60 in seven seconds basis, all their anger and frustration come out and there is a danger to pedestrians, cyclists and road safety in general. The Bill might contribute positively towards a solution to that problem, too.

Fourthly, the existence of all this traffic transforms our environment, often adversely. One of the most important issues in my constituency at the moment is the prospect of a huge Sainsbury megastore being built in the heart of Wallington on the corner of Stafford road and Woodcote road. My constituents who live in the nice, quiet, leafy streets around about do not want that store, for the simple reason that they feel that the planning process does not take sufficiently into account the development's traffic congestion implications. The roads are already in gridlock at certain times of the day—particularly when mothers are taking children to and from school by car, which is a new development compared with 20 or 30 years ago. Also, everyone makes greater use of the car, and there is no

doubt that, if traffic levels are already near saturation point, it will not contribute to the quality of life, to people's health, the good of the nation or anything else to precipitate further congestion by building a store that is too large for the location.

The store is intended to serve a regional catchment area and, on planning and other grounds, if one is wise one does not put that sort of store in a residential area where there is not the necessary capacity on the roads. That is another reason to support the Bill.

It would be a good thing if planning policy could be a central element in the legislation and could be focused on. For too long, planning policy has been driven, if I may use the pun, by the needs of the motor vehicle industry. One has to get the matter into perspective. I do not have time to go into all the issues, but we must, for example, return to encouraging the use of private rail sidings, which would make it feasible for more freight to be carried on the railways rather than in large lorries, which often have to travel on unsuitable roads.

The heart of the problem is not so much the lorry, bus, taxi, car or motor cycle, although those are all contributory factors; it is the internal—sometimes known as the infernal—combustion engine. Although it is not yet in the marketplace, technology is already available for dual-powered—part-electric and part-petrol or diesel—gas-powered or solely electric vehicles. The only thing holding back the motor manufacturers is their worry about the risks involved in being first into the market; they would much rather be second.

Such developments must come, however, and were the Bill to be introduced in five or 10 years' time, when there were many more electric vehicles, I would not support it so urgently, because the nub of the problem—the means of propulsion—would have been dealt with in a benign way. Even then, people would suffer the disadvantages, frustration and cost of being stuck in a traffic jam: imagine a traffic jam of milk floats, for example, which would not be much better, except at the margin, than a traffic jam of today's cars.

With the information technology revolution, more home working, remote working, or what might be called teleworking, will move from the pages of the *New Scientist* or *Nature* to become a reality for more and more people. That will be helpful, because it will reduce the need for many journeys.

What is definitely not part of the solution—I am glad that the hon. Member for Bath did not mention it—is the idea of red routes through suburban areas on circumferential routes. I have in mind in particular the ill-fated and unwanted red route from Bromley to Kingston which now threatens the heart of my constituency. If that goes ahead, it will produce nothing better than a poor man's south circular, somewhere between the real south circular and the M25.

The red route will have a magnetic effect on traffic, not necessarily creating more traffic in the aggregate but drawing more traffic on to that intended corridor and creating mayhem, to the considerable disadvantage of my constituents. I hope that my hon. Friend the Minister will note that we in Carshalton—especially the nice, traditional parts—are fiercely opposed to the extension of the red route along the A232. I hope that his Department will heed public opinion on this matter.

Most of the solutions that I have to offer are completely compatible with those in the wise speech of the hon. Member for Bath. Many of the main solutions are in clause 2(6), which I commend to the House. The Bill makes a useful contribution in highlighting for the Department of Transport and for local authorities the areas to which they should look for the best way forward.

There are roughly three approaches to the problem, and they have to be taken in combination. The first and mildest approach is that of exhortation, whereby people make speeches in debates such as this, saying, "Isn't it awful? Why don't people get out of their cars and use public transport, walk or cycle? Why don't they copy my virtuous example?" That is all very well, but it will not persuade many people, because they can legitimately argue that they genuinely need their cars, and that public transport does not meet all their requirements.

Many women, for example, are worried about the safety of their children on the school run and prefer to take them in the car, even though they know that they are contributing to the problem, rather than putting their children on public transport or telling them to walk to school. Equally, public transport late at night is not as good as it should be, and women habitually feel unsafe on it. For those reasons, exhortation is not enough.

The second approach is that of encouragement or inducement via the tax system, grants and the other levers available to Government. We all know of the success of the tax relief on lead-free petrol, which is a good precedent, showing how powerful the mechanism can be. We also know that it is the Government's policy to increase, on a sustained basis, the price of petrol by using the tax mechanism in an attempt to discourage, at the margin, the use of all sorts of petrol-engined vehicles. I know that this could have an impact on the cost of living, so it is a double-edged sword. Speaking as someone who represents a suburban constituency, I believe that it would be better to abolish the vehicle licence system and put the tax burden on petrol. That would give the right economic signals to motor manufacturers, as well as others, to develop the leanburn engine.

If we wanted to be really eccentric and brave in our encouragement and inducement, we would look seriously at road pricing. I will not develop the arguments about that today, as that would probably be out of order. However, the issue must be dealt with in some way. I am sure that hon. Members know that the difficulty is that all econometric evidence about transport economics suggests that the cost of petrol and diesel is, in economists' jargon, very price-inelastic. That means that we can go on jacking up the price for a long time, but people will not alter their behaviour very much, at least not in the short term. If the cost were more price-elastic, the economic signals would be more valuable and would play a larger part in the cluster of solutions.

The third approach—this is where it gets toughest of all—is that the House could consider imposing, through the law, explicit prohibitions and requirements on those connected with vehicles. That would move us forward in the right direction. I think, for example, of requiring people to display certain discs on their windscreens if they intend to go into a certain part of an urban area. That already happens in some places. I think also of the Californian example in the United States where, at certain times of the day—especially commuter periods—cars are not allowed to cross bridges on their way in or out of

[Mr. Forman]

San Francisco unless they contain at least two or three people. There is another example in Athens, which has some serious environmental problems. On the basis of registration numbers, the authorities try to limit the number of vehicles that can go in and out of Athens on any given day.

My conclusion—you will be delighted to hear those words, Mr. Deputy Speaker—is that all those factors can contribute positively to the solutions that are required. The list that I have just given—like the list given by the hon. Member for Bath in his excellent Bill—is incomplete without large additional investment in appropriate forms of public transport. We need sustained investment in pubic transport and I am glad that the Government have made that possible in recent times. However, it is a lamentable fact that, over the 10-year period from 1976 to 1986—which, as the House will note, straddled two Governments of different persuasions—there was no net new investment in public transport. During that time, both Governments made mistakes, and we are still suffering some of the consequences.

We must have better buses with priority lanes; we have to go for initiatives like the Croydon tram link; we must have better and more frequent trains which are more reliable, such as the south London metro service which is planned for my constituency; and we must have better planning policy, to encourage people to live and work in the same place. That is an important point. Those hon. Members who know anything about inner-London districts, such as Clerkenwell and Bermondsey, will know that, in recent times, there has developed a mixed activity of living and working, retail and commercial. That is very healthy. It means that people can walk to and from work.

I want to follow up something to which I referred earlier. For goodness' sake, let us remember our late colleague, Robert Adley, who used to sit in this very seat. He was always, rightly, banging on about wretched tourist coaches. They are a real pain. They clog up central London and our other great cities. They are not properly policed and they get away with murder. They double-park and pollute the atmosphere, and are full of tourists who get out on the wrong side. They are a safety hazard and bad news. If nothing else results from the debate, let us at least deal with the problem of tourist coaches.

1.9 pm

Mr. Keith Bradley (Manchester, Withington): I shall be brief, to allow as many Back Benchers as possible to speak. I congratulate the hon. Member for Bath (Mr. Foster) on his Bill and I am able to be brief because of his eloquent introduction in which he gave so much detail as to why the House should support the measure. It is clear from the names of the Bill's sponsors and of the hon. Members of all parties who supported early-day motions on the issue that there is cross-party support. The Bill is also supported by organisations such as Friends of the Earth and other environmental organisations, and by the many people who have written to hon. Members. I shall not list by name and address the constituents who have written to me, because it would take too long. They are a measure of the wide-ranging support for the Bill throughout the country.

Within its existing budget, Labour fully supports the Bill's principles and aims, which are consistent with Labour policy as set out in our policy document "Consensus for Change". We want an integrated, balanced transport strategy and are committed to working with local communities and business to find effective, equitable and environmentally sustainable solutions to congestion, pollution and traffic growth. Therefore, we welcome the Bill and its detailed provisions to ensure that effective legislation will result.

In introducing the Bill, the hon. Member for Bath gave clear details of the problem. He quoted statistics and it is worth repeating that congestion is currently costing business about £19 billion a year and that that figure could rise to more than £40 billion in 10 years. It is forecast that, by 2005, which is one of the key dates in the Bill, one third of the motorway network will suffer chronic congestion for most of every day, and all but one of London's major roads will become gridlocked. We cannot ignore those statistics.

The effect on health, and the cost to the health service of environmental damage and air pollution, is massive. The hon. Member for Bath gave the estimates and all hon. Members will agree that whether the direct health cost is £3 billion or £4 billion, we cannot ignore it: action must be taken. The Bill is a step in the right direction.

Local authorities have a crucial role in regenerating local transport and should be given increased power to set priorities and to produce and implement local plans in line with a national strategy. The Bill is a move towards that goal but, as the hon. Member for Bath said, it is not in itself the solution, but part of a range of measures, mentioned by the hon. Member for Carshalton and Wallington (Mr. Forman), which will form an overall strategy to address the problem.

The Bill will allow for decisions by those who have a detailed knowledge of local needs. At local level, the development of strategies should be based on clearly defined objectives that adopt the package approach. That takes into account all modes of transport, incorporating bus and rail services, roads, cycling and walking, and places a strong emphasis on better management of available facilities. Effective public transport has a crucial role in that package approach and at local level must provide a realistic alternative to the car. From a wider perspective, the effective use of road space is important for the success of local transport plans. We therefore require a coherent set of objectives for our future use of roads. That should focus primarily on the maintenance and better management of existing roads, both nationally and locally, rather than being a first step in the development of new roads.

In addition, it is important that we build on the many opportunities at local level to reduce the number of cars on roads. There are many good examples of good practice that can make a relatively rapid impact on reducing the number of cars. The hon. Member for Bath has already given examples. Throughout Britain, there are many good practices, such as in York, where a road user hierarchy has been successfully introduced, which prioritises pedestrians and cyclists by providing them with better space and conditions. There has been extensive pedestrianisation of roads and the creation of cycle route networks, together with bus priority and park-and-ride schemes.

Similar initiatives have been taken in cities such as Nottingham, Edinburgh, Manchester and many other parts of Britain, to try to find out what is appropriate to local

needs. The strength of the Bill is that it allows people with that local knowledge to build on good practice, to consider specifically what is in the interests of local transport needs and to bring forward measures to the Secretary of State for Transport on how those needs should be tackled.

As I said, I intend to be brief because I know that hon. Members on both sides of the House want to speak, but I want to ensure that the support from the Labour Front-Bench team is clear. We recognise good practice throughout Britain, and those good practices will be the backbone of the local plans that will be drawn up to meet the aims and aspirations of the Bill.

We support the Bill because, in the existing framework, it allows local targets for traffic reduction or for a restraint on traffic growth to be set. It allows for consultation with people, businesses and environmental and other organisations, to ensure that plans meet local needs. The proposals will allow for the encouragement of cycling and walking and better public transport provision, and they will speed up the reduction in the use of the car.

As the hon. Member for Bath said, this is not an anti-car Bill, but it considers alternative ways in which people can travel round their community, to limit the environmental damage of car use. It will take into account the way in which funding can be made available to local councils because of the strength of the local plans that they introduce. It allows the Secretary of State to monitor the plans and to co-ordinate good practice throughout Britain. It enables guidance to be forthcoming from the Department of Transport, to ensure that all parts of Britain recognise the opportunities and the way in which good practice is being developed in other parts of Britain, so that they can replicate it where it is appropriate to local needs.

Therefore, I am pleased that the Bill has been introduced. Again, I congratulate the hon. Member for Bath. I am sure that any technical problems can be solved with the Government. I assure him of the Labour Front-Bench team's support for a swift resolution of any outstanding difficulties, to ensure that the Bill, after its Second Reading, which I am sure that it will receive today, has a swift passage into legislation. In that way, we can tackle as quickly as possible the immense problems of congestion and environmental damage throughout Britain.

1.18 pm

Mr. Peter Luff (Worcester): I realise that to express reservations about the Bill is probably like expressing reservations about motherhood and apple pie, but I want to put some words of caution into the debate. I agree with much of what hon. Members on both sides of the House have said, but the Bill falls victim to the delusion that legislation can help to perfect the world. I accept all that has been said about congestion, pollution and the adverse consequences for my constituents and for Britain, and I bow to no one in my determination to drive people back on to the railways. I am a great enthusiast for boosting rail travel. However, I still sniff the smell of an anti-car Bill, despite the reassurances of the hon. Member for Bath (Mr. Foster), who introduced his Bill so effectively.

The car offers a degree of personal mobility that is almost comparable in its democratic importance with the freedom of speech, for which we fought in earlier generations. It has enabled a social revolution in terms of mobility of labour and consumer choice. It has also enabled families to take holidays and to maintain links, given the increasingly disparate nature of extended families. It has also provided safety for children on the school run, as mentioned by my hon. Friend the Member for Carshalton and Wallington (Mr. Forman).

I accept, of course, that those who have been left behind by those who own cars, especially those marooned in rural communities, need alternative forms of public transport. That is why I am an enthusiast for the privatisation of the railways—a process that is currently improving rail links in my constituency. That is why I am also an enthusiast for the Local Government and Rating Bill, which gives powers to parish councils to develop alternative means of transport in their area. To me, however, the personal mobility offered by the car is a good thing.

The car is also important to the economy. In my constituency of Worcester and throughout the county of Worcestershire, hundreds, if not thousands, of jobs have been generated by car manufacture at Rover and Land Rover, as well as by component suppliers. Only this week, Opposition Members have criticised Ford in the Chamber because of the jobs lost at Halesowen.

Mr. Forman: Halewood.

Dr. Godman: Poor geography.

Mr. Luff: I am sorry about that; I meant Halewood.

We have unanimously welcomed the inward investment made in this country by Honda, Nissan, Toyota and BMW. Car manufacture is an important part of our economy, with which we must not tamper.

Let us consider some of the issues facing my constituents in relation to the car and shopping, which are more relevant to the Bill. People go to shop by car not just because that is convenient or because the buses do not run at the right time, but because they want to make bulky purchases. It is difficult to cycle home with a heavy weight on the handlebars.

Worcester is in fierce competition with neighbouring towns such as Cheltenham and shopping centres such as Merry Hill, or merry hell as it is sometimes known by the locals. The Merry Hill out-of-town shopping centre depends on the car to get people to it. It is hugely popular. There are plans to expand it, and an inspector's report is now before my right hon. Friend the Secretary of State for the Environment. Worcester city council has written to me to ask me to oppose that expansion, because it recognises that it will damage the vitality of the city—it may or may not be right.

The problem is that the city council's Labour colleagues at the county council have been developing plans for the transport and traffic management of my city that will have exactly the same impact. That is why I am delighted, if I may say so in public, that my hon. Friend the Minister rejected the Worcester package bid for the coming financial year. He did so following representations from myself, Nicholas Bourne, the Conservative prospective parliamentary candidate for Worcester, and Derek Prodger, who is leader of the Conservative group on Worcester city council.

[Mr. Luff]

My hon. Friend the Minister was not convinced that that package would have done more good than harm. Clause 4 refers to regional consideration, and I accept that in relation to Merry Hill and Worcester, it might be possible, should the Bill become law, for my hon. Friend to do something to control the traffic to those two locations. As a result, perhaps there would be equality of treatment—one city doing the wrong thing by driving cars away might not damage it as much as it might at present.

I am concerned about how the plans were drawn up in my area, and that is what concerned my hon. Friend the Minister when he rejected the package bid. The best laid plans of mice, men and Hereford and Worcester county council can go wrong, even if they are well intentioned. The first phase of the Worcester package has been disastrous. It has failed largely because of the failure to consult. The Worcester Civic Society and local businesses were not effectively consulted. I am glad to see that today's Bill includes statutory provision for such consultation. Perhaps the hon. Member for Bath will consider including parish councils as a statutory consultee, when that is relevant. Their expertise would be useful when considering traffic reduction plans.

In Worcester, we have two bus priority schemes. I am all in favour of such schemes, but one of them has been introduced in a narrow part of the main access road from the north of the city, and there is just no room for it. I was involved in a near-accident two or three weeks ago, when a lorry swerved out to avoid a cyclist, which meant that I had to swerve into the bus lane to avoid the lorry—fortunately, there was no bus coming up on the inside.

The Worcester city package bid has had the effect of frustrating cycling from the north of the city into and out of the city centre. As a result of the package, there is now no good northern route in and out of the city. Therefore, although bus priority schemes are a good idea—there is nothing wrong with them—they must be well planned and well operated. The situation is equally bad in the Lowesmoor area of Worcester, where massive traffic chaos and congestion have been created—which I sometimes think may be a conspiracy to make my surgery inaccessible, as it has been very badly affected.

I can cite many examples of how good ideas have had the wrong effect in practice, and I fear that the Bill could pressurise local authorities to rush in hastily with ill-considered schemes that have similar detailed problems. My concerns are shared by national organisations, including the Confederation of British Industry—which the hon. Member for Bath (Mr. Foster) quoted in his speech. The CBI describes the Bill as focusing on the wrong goals, as inflexible and unrealistic, and as possibly damaging to the competitiveness of the UK economy.

Therefore, although the Bill contains good intentions, we must be absolutely sure that it provides the right answer to the problem. The Automobile Association shares that concern. It stated that the Bill

"completely ignores the complexities of people's lives and the transport system in the late 1990s."

The Road Haulage Association stated:

"capacity restraints on the movement of goods by road and on road transport based consumer services will only harm industrial efficiency and impair the quality of life of the vast majority of people in the UK."

The Bill is well meaning, but is it the right approach to the problem? My hon. Friend the Member for Carshalton and Wallington suggested some specific alternative mechanisms. There are many other options which, if I had the time, I should have liked to bring to the attention of the House. I shall not oppose the Bill, but I have severe reservations about it.

1.26 pm

Ms Joan Walley (Stoke–on–Trent, North): My speech will be brief because I know that many hon. Members wish to speak on the Bill, and I also do not wish to do anything to delay its passage. I am very proud to be a sponsor of the Bill, and I congratulate the hon. Member for Bath (Mr. Foster) on promoting it through the private Members' lottery.

The Bill is important, and I was amazed to discover so much cross-party support for it. When I was first elected a Member of Parliament 10 years ago, it was unthinkable that we would debate, in such a calm manner, a way in which to put road traffic reduction on the political map. I hope that today's debate will help the Bill to secure a speedy passage through the House.

Friends of the Earth must be congratulated on the work that it has done across the country in campaigning on the issue. I also pay tribute to all hon. Members who have already signed early-day motion 289, and I urge them to ensure that the Bill is passed rapidly.

It is incredible that the House is no longer discussing whether we should support such a Bill, but how we can support it. The time has come to deal with the issue of road traffic reduction. However, we must examine the issue not only from the top down, but from the bottom up. The Bill provides a real opportunity to do so—even with the concessions that will have to be made to speed its passage, which we hope will be completed before the general election.

Why should we support the Bill? The hon. Member for Worcester (Mr. Luff) has just expressed some reservations about the Bill, but I believe that we must support it. The air that we breathe has been polluted; the quiet of the countryside has been affected; and traffic congestion has caused business to lose money, as we have heard, to the tune of £19 billion annually. Excess traffic is also a social problem. Many people, particularly the elderly and those on low incomes, are becoming isolated because they no longer have proper access to public transport.

Road traffic reduction is not only an environmental issue but one of social equity. Figures show that 5 per cent. of people in the top 20 per cent. income bracket do not own cars, whereas 60 per cent. of those in the bottom 20 per cent. income bracket do not own cars. We must deal with social equity and ensure that we do not create even greater divisions in an already divided society.

I am delighted that the Minister is supporting the Bill. However, in the past 10 years, we have suffered from the tunnel vision of the Government's multi-billion pound roads programme. This morning, I was happy to hear him say on Radio 4 that, perhaps in three years' time, we shall not be so committed to the current programme and will move to a more balanced programme. We should have done that and turned the oil tanker around, as it were, long ago.

The proposals cannot be implemented soon enough. I note that the Government have finally recognised the need to act, and I believe that we are on course to discovering how an integrated transport policy, as set out in the Bill, can take account of what local communities want and reflect that in the national policy laid down by the Department of Transport.

Many organisations have contributed to the preparation of the Bill. I support all that the Royal Society for the Protection of Birds has done in identifying the sites of special scientific interest that are under threat from road building, and the species and their habitats that are under threat from acidification. Transport 2000 and SUSTRANS in particular have done a great deal of work to promote not only cycle networks but safer routes to schools across the country, including in my constituency. It gave me great heart to be campaigning alongside an organisation such as the Townswomen's Guilds, which recognises the legitimacy of the issue.

I believe that we face a real challenge, but the Bill is a milestone that will ensure that much can be achieved more quickly. It will enable us to bring local communities and businesses, parish councils and any other groups that have a stake in the community, together in a partnership to plan policy—it is no good having a national transport programme that has no regard for local needs.

Time is limited, but I shall end by reading a letter from a constituent, which has just arrived on my desk by chance. It is from Stacy Stonier, a pupil in class 6O'B at Holden Lane primary school in Sneyd Green, Stoke-on-Trent. She says:

"I am ten years old. I go to Holden Lane Primary School in Staffordshire. We are doing a topic about Environmental change. We are looking at the proposed matter of widening the M6 around Staffordshire.

I feel it will be a deplorable idea to widen parts of the M6 around Staffordshire, because if it is widened more people will go onto the M6 expecting it to be clear, but they will join more people thinking the same thing. Then it will be the same as it is now."

It is not easy to tackle traffic problems, but if the Bill is enacted and if we have a partnership of business, industry, local authorities and local people, we shall find a way to meet the challenges. That gives me great optimism for the future, and I am proud to have had the opportunity to speak, albeit briefly, in support of the Bill.

1.32 pm

Mr. David Chidgey (Eastleigh): I, too, congratulate my hon. Friend the Member for Bath (Mr. Foster) on being successful in securing the opportunity to introduce the Bill. Should it become law, it could become one of the most important pieces of traffic legislation for some time. I am pleased that the concepts of the Bill are very much in line with Liberal Democrat transport policy, as set out in our paper entitled "Transporting People, Tackling Pollution".

We all agree that traffic congestion, the pollution and the damage that it causes to our environment, and its effect on the quality of life and health of our citizens, is a serious problem. Much was made earlier of the incidence of respiratory illnesses aggravated by traffic pollution. It is important to note that work carried out at Birmingham university a couple of years ago showed a direct correlation between the closeness of major urban roads to centres of population, and the traffic levels on those roads, and the incidence of respiratory illness. It found conclusively that if traffic levels increased, hospital admissions for respiratory illness rose quite significantly a few days later. We have to face that major problem.

As the hon. Member for Carshalton and Wallington (Mr. Forman) said, electric cars might be a help, but the generation of electricity also releases pollutants into the atmosphere.

Traffic growth is not a new problem. It is fascinating to reflect that, back in the 1960s, an eminent professor, Mr. Buchanan, produced a famous report entitled "Traffic in Towns". He recognised the problems of traffic growth even then. I recall a study at about the same time, which showed that, if we were to attempt to meet the traffic demand in London—let us remember that this was in the 1960s—we would, in order to build the necessary roads, have ended up covering the whole of London with asphalt. It is not a new problem; we have known about it for many years but have done very little about it. The problem is that politicians—of all parties—like to build things. They like to leave their mark. How many city or town relief roads can hon. Members think of that are named after an eminent local politician? [AN HON. MEMBER: "The Rendel bypass."] Not quite.

Although one can name a relief road the Alderman Smith bypass, one cannot put a plaque on a traffic reduction scheme. That is the essence of the problem. We have to recognise that there is a far greater dependence on the car, particularly for short trips. The problem does not relate to car ownership levels, which will continue to increase. We have to govern how people use their cars. We have to recognise that there is a new approach now to managing traffic. It is not just about managing the growth in traffic but about managing to reduce that growth.

I welcome the Bill because it sets out the measures that local authorities can use. I particularly like the example given of introducing cycleways. My constituency of Eastleigh has worked hard to create a network of cycleways throughout the borough, to provide an alternative means of transport around the town.

We have to address the problem of planning guidelines. That is a major point. Too many planning authorities throughout the country are forced into allowing more and more developments on the borders of their area, thereby generating more dependency on the car. We must change planning guidelines so that we can reduce dependency on the car and make it much more viable to walk, cycle or use public transport.

I welcome the Bill. It is indeed a milestone in transport legislation. I welcome the all-party support that it has received, from the Opposition Front Bench and from the Minister, who has been particularly helpful. I can assure the House that the Liberal Democrats will do all we can to ease the Bill's passage through the House. I sincerely hope that it will become law before the end of this Parliament. I shall do all that I can to support it. I congratulate my hon. Friend the Member for Bath once again.

1.36 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I offer my compliments to the hon. Member for Bath (Mr. Foster) for his Bill.

The hon. Member for Worcester (Mr. Luff) and I travel different political roads, but if I thought for one moment that this was an anti-car Bill, I would not support it, because for many people living in Scotland—from many different classes—on our islands and those in our far-flung communities, the car is an essential mode of transport.

I agree with the hon. Member for Ribble Valley (Mr. Evans) who is sitting to the right—perhaps where he should be—of the hon. Gentleman. One of the finest examples of the utility of a bypass is at that tragic town of Dunblane, which experienced dreadful road conditions until that bypass was built. Anyone travelling through Perthshire up to the highlands had to wend their way through that small, lovely town, but with the bypass it is far easier to travel north and south in that part of Scotland.

I asked the hon. Member for Bath earlier about the role of the Secretary of State for Scotland in the implementation of the Bill. My concern centred on individual councils drawing up local plans. In the west of Scotland we have the Strathclyde passenger transport authority, which is made up of representatives from 12 councils. It is chaired by Councillor Charles Gordon, of Glasgow, the biggest council on the authority. One of the smallest is my authority, Inverclyde council. Strathclyde passenger transport authority used to be part of Strathclyde regional council, but it is now a body bringing together those 12 councils.

I hope that the Bill takes into account the fact that the 12 councils are together in one authority. Over the years, the authority has developed an integrated passenger transport system which embraces buses, trains and ferries. We must not forget how important passenger ferries are to the communities in my part of Scotland.

Similarly, superb cycleways and walkways have been developed under the aegis of Strathclyde passenger transport authority. I would not want its role to be diminished in any way. It is a trail blazer in Scotland; it is the only one of its kind. In other areas of Scotland, however, authorities are looking at the Strathclyde passenger transport authority as a model that they can introduce in their regions.

If we reduced road traffic as the hon. Member for Bath (Mr. Foster) proposes, a consequence, perhaps unintended, would be speedier response times for our emergency services. Not long ago, I was heading back towards my office in No. 1 Parliament street when I saw an ambulance.

Mr. Forman *indicated assent.*

Dr. Godman: The hon. Gentleman may have witnessed a similar scene.

The ambulance was attempting to navigate its way through the traffic in Parliament square. I timed the ambulance as the driver sought to escape along the Embankment, and it took him six minutes just to get through Parliament square. Some London Members may say that that is not surprising. However, a consequence of the plans proposed in the Bill might be that ambulances, the police and the fire services could respond much more quickly.

Even in my constituency, where the problems are far less serious than those of the big cities, we are concerned about the response times of the emergency services. Much more needs to be done to control traffic, so that our first-class fellow citizens who staff the emergency services can go about their work unimpeded by being snarled up in a traffic jam as that poor ambulance man was in London. For that reason alone, we should talk about the need to control road traffic.

I should have declared a personal interest, Mr. Deputy Speaker. My wife is a baillie on Glasgow council and she is a member of the passenger transport authority. I must say that before someone comes back to me on the point. I would like to see the developments in Strathclyde take place elsewhere in Scotland. As long as the Bill would enhance rather than impede such developments, I warmly welcome it.

1.42 pm

The Minister for Railways and Roads (Mr. John Watts): I am grateful to the hon. Member for Bath (Mr. Foster) for providing the opportunity for us to discuss these important issues today by introducing his Bill. We have seen the House at its best, looking at a serious problem in a serious way. The Bill is important and constructive. I thank him in passing for his warm tribute to my officials, and, indeed, to me. I think that I surprised some of my officials, who I am sure had me marked down as an unreconstructed J. Bonnington Jagsworth.

Mr. Ian Bruce (South Dorset): I hate to rain on the House's parade today; unfortunately I have not been able to be here for the whole debate, which I shall read with interest.

Does my hon. Friend agree that the Bill's title would not pass the Trade Descriptions Act 1968? Nothing in the Bill will reduce traffic. The Bill would take valuable resources, which should be used by councils to reduce traffic, to be spent on plans. Local authorities such as mine will probably spend more money—perhaps all the money they have available—doing that rather than taking the action that hon. Members are asking for.

Mr. Watts: I hope that it will be possible for us to agree on arrangements that do not impose enormous new burdens on local authorities, but enable them to implement measures that help relieve traffic problems and, where appropriate, reduce them.

As the hon. Member for Bath said, some elements of the Bill will require further consideration if we are able to offer Government support. However, I am sure that we have a basis for agreement.

In the transport debate which culminated in the publication of our Green Paper last spring, the issue of traffic growth took centre stage. The Green Paper stated:

> "The central issue arising from the debate is the level of concern about the impact of transport on the environment and about how far present levels of traffic growth are sustainable. The Government believes that a change of emphasis is needed, towards recognising the long term consequences of traffic growth. But other factors need to be taken into account, especially competitiveness and freedom of choice"—

themes raised by hon. Members during the debate.

Against that background, the Green Paper proposed a number of specific measures, including a better system for the planning of trunk roads as part of the regional planning guidance system. It may well be the way in which we bring together individual local plans for consideration on a regional basis. It proposed measures to make more efficient use of the existing transport infrastructure and to reduce car dependence—especially in towns—through giving more responsibility to local decision makers.

It was also against that background that the Green Paper considered traffic targets—whether national or local—which are at the crux of the Bill. A number of organisations, including the Royal Commission on environmental pollution, have proposed national targets. The targets fall into two categories: those for the absolute level of car or public transport use, with a decrease in one and an increase in the other, and those for the relative use of cars and public transport against total traffic movements.

The first and most obvious question is how, within any meaningful national target, we can allow for the wide variation between different parts of the country—or countries, as we are considering the four countries of the United Kingdom—in terms of the proportion of total transport represented by the use of cars, buses and trains. For example, public transport use represents nearly 90 per cent. of commuting journeys to central London but is typically only a few percentage points in rural areas. Those are the extremes; there is a wide range in between.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) mentioned the importance of cars for those who live in the island communities in Scotland. A single national target would bite on different parts of the country in different ways.

Secondly, targets are often proposed without those who propose them having a clear idea of the measures required to achieve them. At national level, very few measures could reduce traffic substantially and clearly relate to any change in traffic pattern. Generally, more measures are available at the local level, especially in towns and cities—for example, tougher parking restrictions.

Given some of the press stories about the Bill that appeared over the past few days, I should make it clear—as have the hon. Members for Bath and for Knowsley, North (Mr. Howarth)—that the Government have not suddenly become anti-car. Nor is the Bill anti-car. After all, if we fail the tackle the problems of congestion, that will not do much good for people who want to use their cars, or for the important industrial uses of road transport. Unless we can ensure that road capacity is available for essential road use by encouraging the switch of less essential journeys to other transport modes, we shall not meet the requirements of any part of the economy or society.

Accessibility is a key issue. In particular, urban local authorities will need to make it a priority to achieve good accessibility for all transport users as well as pedestrians, whether they are residents, commuters, shoppers or local businesses. Local authorities in particular will need to give serious consideration to the effect on the local economy and the vitality of our towns and cities of any transport measures that they introduce.

Thirdly, targets based simply on increasing public transport use will not necessarily have a corresponding effect in reducing road traffic, because a large part of the increase in the use of public transport might come from people who would have otherwise not made the journey, or have made it on cycle or on foot.

Fourthly, we already have a range of targets that bite directly on the environmental impact of transport, which is sometimes forgotten. Those include our targets for reducing carbon dioxide emissions from all sources to 1990 levels by 2000, and air quality targets that are proposed in the draft air quality management strategy. The hon. Member for Bath did not forget them. Indeed, he drew specific attention to them.

As we made clear in the Green Paper, the Government are keeping the case for national traffic targets under review. Indeed, we have already accepted the case for national cycling targets. They are to double cycling levels by 2002 and to double them again by 2012. As the House knows, my right hon. Friend the Secretary of State for Transport is a very enthusiastic cyclist.

Our view is that target setting is likely to make most sense in the local context, and in our Green Paper we said that we would be interested to discuss local authorities' experience of local target setting. The local dimension is crucial. The Green Paper makes clear the need to strike the right balance in local transport measures. That means that local authorities are generally best placed to take the lead for their areas within a broad framework, although it is of course vital that they consult widely locally with residents and business interests. Where they do not, the measures they devise are unlikely to be the best available.

There may be common policy elements between areas, and it is inevitable that local factors such as the degree of local public transport provision, development pressures and local economic growth will influence the strategy that needs to be adopted. Consequently, it must make more sense to pursue targets, whether they relate to the reduction of road traffic or encouraging alternative modes of transport, at a local level.

We are therefore looking with local authorities at potential measures that might be needed to manage traffic in their areas. Local authorities, of course, already have extensive powers to regulate traffic and restrain car use. Due to lack of time, I shall not recite them all. I suspect that they will be familiar to hon. Members who take a close interest in this topic.

I believe that local authorities will be broadly sympathetic to the idea of setting local targets as an integral part of their local transport strategy. Indeed, a number are already choosing to make use of such targets. It is, however, important that targets are useful tools to help local authorities achieve their goals and that they do not tie their hands unnecessarily. The Government would consequently want to see a number of clauses in the draft Bill changed before we felt able to offer our support right the way through to the statute book. Such changes would not, however, work against the spirit of what the Bill is trying to achieve.

I cannot accept that it would be sensible to compel all authorities to set targets for reductions in traffic whatever their local circumstances. An authority covering a largely urban area, for example, is likely to regard controlling traffic growth as a more pressing problem than one whose setting is predominantly rural.

There would also be little sense in obliging local authorities to set targets for reducing traffic levels in areas where traffic growth was expected to accompany new

[Mr. Watts]

development arising out of regeneration initiatives. All that that would achieve is the undermining of such initiatives. I have in mind the regeneration of the Dearne valley and the need for the remaining missing road link to be completed, about which three hon. Members came to see me earlier this week.

All such examples point towards giving local authorities the main voice in deciding whether targets to control traffic volume have a useful role to play in their areas. There is no reason, though, why such flexibility should cause them to treat the issue with any less seriousness. We therefore believe that the Bill should create a statutory obligation for local authorities to undertake a review to consider the need to set local targets for absolute volumes or for forecast traffic growth. It would then be open to them to decide, following their review, not to set targets, but, if they reached that conclusion, we would expect them to give clear reasons why they thought that the appropriate response in their circumstances.

Another point that I have raised with the hon. Member for Bath is that the Bill should focus more specifically on those local authorities with key transport responsibilities. At present, the Bill extends to county, district, unitary and London borough councils. However, in England at least, the local highways authorities, given their role in determining local transport strategies, are best placed to consider the need for targets, and no useful purpose would be served by extending that requirement to district councils.

I accept, however, that the whole range of local authorities should be involved in the consultation processes that the Bill suggests, including the parish councils mentioned by my hon. Friend the Member for Worcester (Mr. Luff). If local plans and targets are to be achievable, it is important that they have credibility for the whole community.

Ms Walley: The real point is how we can promote partnership at the local level in consultation with all the groups that should be involved. It would helpful if the Minister could clarify that point further before Committee stage.

Mr. Watts: The consultation phase is important, and when we consider whether to support transport packages, we will want to be convinced that there has been proper, widespread consultation and that there is a consensus of support for the measures proposed—if not, they are less likely to succeed. That is a point that we will discuss further.

I shall now explain how we envisage that the system of reviewing and setting targets will fit into the existing procedures for considering local transport strategies. Given the differing local government structures and financial mechanisms for providing support to local authorities in England, Wales Scotland and Northern Ireland, it will be necessary to give further thought to how to proceed in each country. Therefore, the Bill should not attempt to set hard and fast rules about the mechanisms to be used to undertake such reviews.

Those mechanisms can and should be agreed in due course outside the legislative terms of the Bill, not least because of the need for consultation with local authorities to ensure that we devise workable mechanisms. In Northern Ireland, the roads and transport functions that lie with local authorities in the remainder of the United Kingdom are the responsibilities of the Secretary of State, and therefore a legislative framework is not needed to implement those polices in Northern Ireland. The Bill should not perhaps be extended to include Northern Ireland.

I shall confine myself in my remaining remarks to discussing the situation in England, although I am not suggesting that the Bill is in any way less important in Scotland and Wales. There is no reason why a review of the need for targets should be a free-standing exercise in a vacuum. On the contrary, it would make sense to consider further how local authorities might choose to incorporate it into their existing transport planning systems. That brings me to the question of the package approach and the present arrangements in England for providing capital support to local authorities' transport programmes.

Given the nature of the transport policies and programme—TPP—system, we wish to consider whether it might offer a suitable mechanism for local authorities examining whether targets have a role to play and what those targets should be. I note that the latest edition of the Transport 2000 "Streets Ahead" bulletin accepts the TPP submission as an appropriate vehicle for setting targets to reduce the rate of traffic growth and to stabilise traffic volumes. I should add that my Department has already made it clear to local authorities that the use of targets has a helpful role to play in devising and monitoring transport strategies for their areas.

However, given what I have said about the differing needs of individual parts of the country and the circumstances of separate authorities, I do not believe that it would be right to lay down inflexible conditions in the Bill for the setting of targets, such as the measures to be adopted or the statistical bases against which changes in traffic volume should be measured. That is far better left to the guidance that is issued regularly.

I therefore believe that that part of the Bill needs to be simplified to concentrate on the principles and not the detail of the mechanisms. That detail will flow from our consultation with local authorities, with whom we will work in partnership. That said, the Government clearly have a role to play in assisting local authorities to undertake their reviews, and again our help could be given through guidance.

Clause 2(6) suggests that the measures that local authorities cite in their plans could include areas for which they do not currently have powers. That is flawed. As I have said, we are consulting local authorities on the further powers that they might like, but if the plans to achieve the targets are to be realistic, they must be based on powers that can be exercised and for which funding can be provided.

I wish to bring my remarks rapidly to a close, and I would like to suggest to the hon. Member for Bath what I believe to be a way forward. I have pointed out the key changes that I believe will be necessary to ensure continuing Government support, and I suggest to him that the way to achieve that is to resume the constructive dialogue between my officials and those who have assisted him in drawing up the Bill. I believe that we could then resolve the matter and produce the amendments that are required. I extend to him an offer of

help with the technical drafting, so that, if amendments are incorporated, the Bill will be able to go on the statute book.

We will initiate discussions with local authorities on the practical mechanisms for undertaking reviews and setting targets within the TPP process. Those can go in parallel so that, by the time we reach the later legislative stages, we have at least a broad idea of what is acceptable to the local authorities and what is workable. If I have the agreement of the hon. Member for Bath to that basis for proceeding—I believe that I have his agreement, from earlier discussions and from what he has said today—I am content to recommend to the House that the Bill be granted a second reading.

Mr. Don Foster: This has been a useful and constructive debate, and I thank all those who have taken part. Like the hon. Member for Castle Point (Dr. Spink) earlier, I do not want my winding-up speech to delay subsequent business. It was a shame that the only discordant voice we heard came from the hon. Member for South Dorset (Mr. Bruce), who breezed in and out. Perhaps, if he had stayed a little longer, he might not have made the remarks that he did.

Otherwise, there has been a great deal of support, and I am very pleased to accept publicly the Minister's offer—I have made it clear to him privately that I would do so—to work together constructively to get the Bill through as quickly as possible. This debate has done something that has never really happened before in this House—it has put traffic reduction firmly on the political map, and I am grateful to all hon. Members for enabling us to do so.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

Criminal Evidence (Amendment) Bill

Order for Second Reading read.

2.3 pm

Mr. Nigel Evans (Ribble Valley): I beg to move, That the Bill be now read a Second time.

I am grateful for the opportunity to propose the Bill, and I can only hope that I am as successful in the national lottery tomorrow as I was in the ballot for private Member's Bills. I am grateful for the words of support from the hon. Member for Knowsley, North (Mr. Howarth) on behalf of the Opposition home affairs team and his hon. Friend the hon. Member for Cardiff, South and Penarth (Mr. Michael), who wishes me well with the Bill today.

After looking at the Bills that I might have proposed, I decided to do something about law and order because of its importance to the vast majority of my constituents who, for the past five years, have spoken to me about many issues. But one overriding issue has been mentioned time and time again—law and order. I decided to introduce a Bill, therefore, that would be effective and simple, as I believe it is.

The sorts of crimes that the Bill will deal with happen far too often. Far too many of the criminals involved receive a lesser sentence even though they might face a life sentence. In 1994, of the 217 offenders convicted of a second or subsequent serious sexual or violent crime, only 10 received a life sentence. Other research has shown that men convicted of rape, when interviewed under confidential or anonymous conditions, have on average admitted to having carried out six or seven more rapes as well as other less serious offences. The median figure, however, is one or two rapes, which suggests that a small number of offenders may be responsible for a much larger proportion of sexual offences.

It is clear that deterrence fails only because the odds of being caught and imprisoned are not high enough or the sentences not harsh enough. The simple truth is that rapists who are locked up do not commit crimes, and that violent offenders cannot commit violence when they are behind bars. I hope that my Bill will put more of these criminals behind bars.

The development of DNA profiling techniques and the creation and use of a national DNA database—the first of its kind in the world—has gone some way to increasing the number of convictions for serious sexual crime. It can also tell us for sure whether a small number of criminals are responsible for the majority of sex crimes. The database, which is managed and operated by the Forensic Science Service in Birmingham, is an investigative tool used to link suspects with a stain found at the scene of a crime or to identify serial offences by linking two or more criminal scenes. It has been an enormous success.

To date, 26 mass screenings have been conducted, identifying 13 suspects. Only this week, the trial began of the alleged killer of 15-year-old schoolgirl Naomi Smith. She was sexually assaulted and murdered in September 1995. A 19-year-old man was betrayed in a mass screen by his DNA, which proved extremely rare.

The Association of Chief Police Officers has identified six benefits that the DNA database brings to society, including the early identification of linked cases, the early

[Mr. Nigel Evans]

arrest of offenders, valuable intelligence, early exoneration of innocent suspects, easier identification of bodies and, finally, deterrence, because the risk of being caught is so great. The database could also help to clear up hitherto unsolved crimes. A number of people who are serving prison sentences might well, if tested for inclusion on the DNA register, prove to have been involved in other as yet unsolved crimes.

The establishment of the register was a great leap forward in combating crime and DNA testing will soon be as routine as fingerprinting is today. One significant group of people, however, has eluded being tested even though they are guilty of sex crimes and crimes of violence. These are people who were convicted before the Criminal Justice and Public Order Act 1994 became law. The Bill aims to amend this serious anomaly.

As I said, there is evidence to suggest that the majority of offences are committed by a small number of people, some of whom may be included in that group. We should not waste the opportunity presented to us today to test them. We may be saving a life. We could be stopping more rapes. It is chilling to think that, every day that we delay passing this legislation, some people may be released from prison who were convicted before DNA testing came in and who might go on to reoffend. We should waste no time in adding those people to the DNA database.

The technique, which has been used to identify a suspect or exonerate an innocent man, arose from a fairly straightforward genetic concept. We inherit our DNA blueprint from our parents—half from our mother and half from our father. When the egg and sperm cells, with their half complements of DNA, are created in the parents, the genetic material is purposefully jumbled up or reshuffled. The unique make-up of a person is therefore generated by different sequences of DNA on the chromosomes.

Every cell in the human body carries a complete copy of the individual's genetic make-up inside a nucleus, except red blood cells, which have no nucleus. It follows that, as each person, except identical twins, has an individual make-up, one cell should provide a unique genetic profile sufficient to identify the individual.

DNA can be extracted from any sample containing cells with a nucleus, so hair roots, muscle, organs and bones can be used. A swab can be taken from inside the cheek, and saliva may or may not contain enough cells. The technique that the Forensic Science Service uses to get DNA profiles is called the short tandem repeats, and involves the amplification of areas of the DNA molecule that show length variation in short blocks. The test uses the technique known as polymerised chain reaction, although other techniques have been used elsewhere in the world.

PCR amplification is a procedure that is used to reproduce the desired sequence of DNA thousands of times extremely rapidly, rather like a molecular photocopier; it can copy millions of times over in a test tube the minute amounts of DNA found in one cell, until the sample is large enough to be seen in a test tube.

A Scotland Yard detective working on the database project before it became operational said:

"We are on the brink of something like police officers faced a hundred years ago with fingerprints."

A fingerprint could prove that someone had been at the scene of a crime even if it could not prove that he had committed it. The same is broadly true of DNA profiling, except that in some cases, especially sex cases, it can prove guilt or, conversely, innocence. Because there is such a high chance of being caught if one is on the database, it acts as a major incentive not to commit the crime.

In a recent edition of *The Sunday Times*, Charles Murray wrote:

"America's experience has been the same as Britain's: risk of imprisonment goes down, crime goes up."

For example, in 1954 the number of people sentenced to prison for rape was one in four. In 1994, the figure fell to one in 12—down 69 per cent. That is not because of worse policing, but simply because the number of rapes and serious offences has increased, not only here but throughout the industrialised western world.

I believe that, if the chances of being caught for a further offence increase, criminals will think twice before reoffending. For example, Denis Adams, a convicted rapist, was jailed on the evidence of his DNA sample. He was trapped when police used a computer to search through all unsolved sex attacks from which DNA samples had been collected. He thought that he had got away with the rape, but a blood sample was taken after he was arrested for a second sex attack. His DNA profile showed that the chances of its being anyone else were 200 million to one. He had already served five years for indecent assault, and if my Bill had been law while he was in prison, he would have been charged with the earlier attack much sooner and would not have been at liberty to threaten the public. I am sure that there have been similar cases.

The police know that the database has been a tremendous success, and I believe that they have come to rely on it more than a little. I have received letters of support from Pauline Clare, chief constable of Lancashire, and from Ray White, CBE, president of the Association of Chief Police Officers. Pauline Clare wrote:

"The National DNA database is already proving to be valuable in respect of providing information with regard to possible offenders. Currently, for Lancashire, the successes relate to burglary offences. 46 offenders have been linked to scenes via the database, 18 of these hits being across forces. Additionally series of undetected burglaries have been linked together providing extremely valuable intelligence for officers to investigate further."

That is support from someone who has to face criminals and crimes on a daily basis, and I am extremely grateful for it.

We must ensure that people who have escaped DNA testing to date are put on the record. The DNA database can deal with up to 5 million samples. It began operating in 1995, and it has grown to hold samples from more than 100,000 suspects, and about 8,500 crime scene stain profiles. By April this year, the capacity of the Forensic Science Service to carry out DNA testing will have risen from 8,000 to 300,000 tests per annum. The database has been a victim of its own success, in that there is a backlog; but the service is currently sorting that out.

The total cost when the Bill becomes law will be £326,000, and I believe that that is an extremely cost-effective way of deterring criminals from reoffending again and again. To those who would say that it is an infringement of civil liberties—we hear that from time to

time—let me say that the people targeted by the Bill are hardened criminals, guilty of crimes such as rape, violence or child molestation; they are not innocent parties. In some respects, they gave up their civil liberties when they infringed upon the civil liberties of their victims. People have a right to be protected from serial offenders.

The National Society for the Prevention of Cruelty to Children has written to me supporting my Bill. It said:

"There is no doubt that this process will offer additional protection to potential victims."

I could not agree more.

The only people who have something to fear from the passage of this Bill today are those who will be convicted of serious violent and sexual offences, and who were serving sentences prior to the introduction of DNA testing. They are the only people who have anything to fear from the Bill. Those people who will have something to fear if my Bill is not passed will be everybody else.

The Bill will give a push to the police to enhance their detection and improve their deterrence. That alone should help to speed the Bill on its way.

2.15 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I congratulate my hon. Friend the Member for Ribble Valley (Mr. Evans) on introducing the Bill. Although some of what he had to say, and some of what I shall say, may sound a little technical and complex, the actual issue is, as always, the need to help the police to catch criminals and deter crime.

There is no question that, since the national DNA database was introduced in April 1995, it has proved to be a very powerful investigative tool for the police. Indeed, it has been an outstanding success—a success that many other countries are anxious to learn about, because the United Kingdom is leading the world in that technology, which is a tool to help law enforcement.

The Bill will help to build on that success by adding to the database the DNA profiles of up to 7,750 sex, violent and burglary offenders convicted before April 1995, who are still in custody. There are now more than 103,000 profiles of individuals on the database and more than 8,400 crime scene stain profiles. In the 21 months of operation, there have been more than 3,000 matches. Some 1,900 of those have matched a convict to a crime scene and more than 1,100 have matched one crime scene to another. The number of matches is increasing at the rate of 100 per week. For anyone whose DNA profile is held on the database, the risks involved in further crime are very high.

Under the provisions of the Police and Criminal Evidence Act 1984, as amended by the Criminal Justice and Public Order Act 1994, the police have the power to take non-intimate samples from persons convicted of a recordable offence. However, the power applies only to people whose convictions were on or after 10 April 1995. As a result, the database does not contain the DNA profiles of people convicted before that date. It is precisely that anomaly that the Bill will address. Effectively, the Bill backdates the power in respect of those offenders—sex, violent and burglary—who are still in custody. It will also allow DNA samples to be taken from offenders who were not convicted but were either found not guilty by reason of insanity or found to be unfit to plead.

It would not be practicable or desirable to take a DNA sample from all offenders with a pre-April 1995 conviction for a recordable offence. Clause 1 is therefore targeted at the narrow group of past offenders whom I have just described. As a captive audience, so to speak, those offenders will be easy to identify and locate. Clause 2 allows non-intimate samples to be taken from certain detained mentally disordered offenders dealt with under the criminal insanity legislation.

I have explained that one of the circumstances in which the police may take a non-intimate sample is where a person has been convicted of a recordable offence. The criminally insane may not have been convicted of an offence but may have been found not guilty by reason of that insanity or found unfit to plead. For DNA sampling purposes, clause 2 will ensure that such offenders will be treated as if they had been convicted of an offence.

The power to take a non-intimate sample will apply only when an offender is detained under part III of the Mental Health Act 1983. In the case of mentally disordered offenders dealt with under the criminal insanity legislation on or after the passing of the legislation, the power to take a sample will apply to those who have been detained in respect of a recordable offence. In the case of offenders who have been acquitted on the ground of insanity or who have been found unfit to plead before the passing of the legislation, the power to take a sample will apply to those who have been detained for a sex, violent or burglary offence.

Clause 3 enables the power to take non-intimate body samples from detained mentally disordered or juvenile offenders to be exercised in the place of detention. Clause 4 is a tidying-up provision which corrects an omission in section 63A(5a) of the Police and Criminal Evidence Act. Under the provisions of section 63A, a constable may require a person who has been charged with a recordable offence or informed that he will be reported for such an offence to attend a police station so that a non-intimate sample may be taken. That power is intended to be subject to a time limit as set out in subsection (5a). While the limit of one month is specified in respect of a person who has been charged with a recordable offence, no time limit is imposed in respect of a person who has been informed that he will be reported for such an offence. The clause amends subsection (5a) so that a one-month time limit will apply in both circumstances.

We estimate that about 7,750 offenders who are detained in prison or subject to the Mental Health Act will be caught by the Bill's provisions. As those people will have been convicted before April 1995—some two years or more ago—by definition they will be some of the country's most serious offenders. The entry of their profiles on the DNA database may not deter them from reoffending on release. If they are not, they will lay themselves open to early arrest and conviction as a result of a match between a stain left at the scene of their crime and their DNA profile on the DNA database. Those offenders should beware. They commit further crimes at their peril, and that is the way it should be.

The amendments to PACE by the Criminal Justice and Public Order Act 1994 came into force on 10 April 1995 at the same time as the national DNA database came into

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being. The database is operated by the Forensic Science Service on behalf of the police, and contains the DNA profiles of persons suspected of, charged with, reported for or convicted of an offence. While the powers exist to take samples in connection with all recordable offences, the Association of Chief Police Officers has agreed that, initially, the police should concentrate on taking samples from sex, violent and burglary offenders. The database also contains the DNA profiles of stains left at scenes of crime.

Every new profile entered on the database is tried for a match against all others and the search throws up a number of possible outcomes. In the case of a profile derived from a person, the search could show that there were no matches or that there was a match with a profile that had been obtained from a person previously analysed. That would indicate either a duplicate record or the use of an alias, or it could show a match with an unsolved crime stain profile indicating a possible link between that individual and the crime.

Similarly, a search using a crime stain profile could produce one of three outcomes. First, no match would be found; secondly, a match would be found with a profile obtained from a person previously analysed, indicating a possible link between that person and the crime; and thirdly, a match would be found with another unsolved crime stain profile potentially linking the two unsolved crimes.

There are more than 103,000 profiles of individuals on the database and more than 8,400 crime scene stain profiles. There have been more than 3,000 matches: 1,900 of those have matched a suspect to a scene and 1,100 have matched one crime scene to another.

Those statistics represent all too real crimes. DNA has played a major part in solving an increasing number of serious crimes. In Northumbria, a triple murderer was caught following the recovery of DNA from his final victim. In the west midlands, the database helped to solve a rape. A DNA profile of the offender was taken from the victim. The search against the database resulted in a match against a profile taken from a person after a robbery offence in north London. In Devon and in Cornwall, DNA derived from the head hair pulled from the offender by the victim of a burglary and assault resulted in identification on the database.

I have mentioned the importance of the national DNA database. It is a vital aid in the fight against crime. The Association of Chief Police Officers has specifically identified six benefits: early identification of linked cases—serial crimes—the early arrest of offenders, valuable intelligence, early exoneration of innocent suspects, easier identification of bodies, and deterrence. The database is a vital tool to the police. There have been amendments to the definition of intimate and non-intimate samples, to which I have referred, in section 65 of PACE, but the basic approach has continued and has been useful for the police.

Questions regarding safeguards and the quality of the results obtained have been raised from time to time. Samples and the profiles derived from them, provided by volunteers as part of a mass screen, are not the subject of a speculative search on the database and are not retained unless they volunteer their use for the statistical database, or if another person involved in the mass screen is subsequently convicted, as the samples may be required for further analysis in any later miscarriage of justice proceedings. There is no difference in our approach in relation to prevention of terrorism samples. There is no statutory requirement to destroy samples taken in such cases.

On the safeguarding of the interests of innocent members of the public, frankly, DNA can eliminate the innocent as well as associate the guilty. A databasing unit is essentially secure. Samples submitted incorrectly or where continuity is in doubt will be rejected by the forensic science service before testing takes place. In the event of a match, each sample is tested twice and certain parts of the process are duplicated as a matter of course. In addition, the database is registered under the Data Protection Act 1984.

Of course there are concerns that things could go wrong. It would be wrong to say that mistakes can never happen, but the Forensic Science Service has taken all possible steps to minimise that possibility, including the double testing of samples when a match is reported, followed by a full case work testing of a further sample. On the question that samples might be contaminated during collection and analysis, extensive experimentation with samples of known origin has demonstrated that adequate safeguards and controls are in place to ensure that the sample is not contaminated by DNA from any other source. In the unlikely event of contamination before the sample reaches the laboratory, the results would clearly demonstrate a mixing of the samples, and the results would not be accepted.

I have given quite a number of examples, and, in introducing the Bill, my hon. Friend the Member for Ribble Valley also gave many examples of the proven value of DNA throughout Britain. One should also note its value internationally as well as the value of the technology that we are able to provide to other countries.

The Bill is excellent and will build on the proven success of DNA screening and the DNA database. I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills), That the Bill be committed to a Committee of the whole House.—*[Mr. Nigel Evans.]*

Question agreed to.

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed.

Remaining Private Members' Bills

GENERAL TEACHING COUNCIL (ENGLAND AND WALES) BILL

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Not moved.

POLICYHOLDERS PROTECTION BILL

Read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mr. French.]*

Question agreed to.

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed.

WAR WIDOWS AND PENSIONERS (EQUAL TREATMENT) BILL

Mr. Deputy Speaker: Not moved.

COMPANIES (MILLENNIUM COMPUTER COMPLIANCE) BILL

Read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

LAND REGISTRATION BILL [*LORDS*]

Mr. Deputy Speaker: Not moved.

KNIVES BILL

As amended (in the Standing Committee), considered.

Bill read the Third time, and passed.

POLICE (PROPERTY) BILL

Read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mr. Evennett.]*

Question agreed to.

Committee Friday 7 February.

Accessible Housing

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Brandreth.]*

2.36 pm

Mr. Andrew Rowe (Mid-Kent): The variety of the business of the House and the speed with which it has been dispatched have left me gasping slightly, but I shall do my best to address the issue of this Adjournment debate. I confess that I requested such a debate because I was leaned on by my friends at Age Concern—who are celebrating "Age Concern month"—and asked whether I would bring the matter to the attention of the House. I was delighted to do so, because I have long been interested in the concept of lifetime homes and in our building convenient and accessible houses that are fit to live in.

In 1986, I published the results of a seminar that I had conducted, and we also produced a report urging a variety of improvements in the design of modern houses. Although Age Concern has been my prompter in applying for this debate, I should say that the remarks I shall make are not confined to housing for disabled and elderly people. I passionately believe that current housing design is inappropriate for the vast majority of the population, and I hope to make one or two points later in my speech to support that belief.

It is worth reminding my hon. Friend the Minister—as if he needed reminding—that we have just passed the second anniversary of the start of consultation on regulations governing housing design. I have been told that, to celebrate the second birthday, he recently took possession of a cake shaped like a house—which, I am happy to say, was designed with level access to the front door. I hope that he enjoyed the cake very much.

As I said, the Department of the Environment has been consulting the building industry and all other interested parties on whether new regulations should require the industry to make some desirable changes. When we asked when the results of the inquiry would be available, those at the Department told us that they would love to do so but that they could not because they had been swamped by the responses, which numbered about 1,000.

We asked how many people in the Department were dealing with that flood of responses. We were told that one hapless official was trying to wade through it. It is laughable to suggest that having one official deal with such a massive response is a way of giving the issue priority. Even worse, the Department is now saying that it needs to examine the cost of the proposals, but why on earth could an analysis of the costs not have been carried out concurrently over the past two years?

Accessible housing matters, because too many people are prisoners in their own homes. It used to be said that an Englishman's home was his castle but, for far too many, it is a prison. It is extraordinarily difficult for the elderly or the injured to get in and out of their home. I stress that the problem is not confined to the elderly. I have a constituent whose 17-year-old son broke his leg in two places playing rugger and was in plaster from hip to ankle. She said that it nearly killed the family having to get him upstairs to the lavatory because there was none on the ground floor.

Accessibility also matters because the population mix is changing. In 25 years' time, there will be twice as many 75-year-olds as there are now, and the enormous advances

[Mr. Andrew Rowe]

in medical care will mean that many disabled people who would not previously have been able to live at home will be able to do so if their home is in any way suitable. In addition, the whole purpose of the Government's community care policy is to enable people to live at home, but frequently the kind of homes in which they are asked to live makes that extraordinarily difficult. For many people, getting in and out of and around their home is like negotiating an obstacle course.

Change is necessary, because this country's housing stock is expensively inflexible, and the problem is getting worse. In 1980, 800 wheelchair homes, as they were then called, and 5,200 mobility homes were built. By 1993, the numbers had fallen to 247 wheelchair homes and 1,150 mobility homes. That is movement in the wrong direction.

Inflexibility is enormously expensive in terms not only of cost but of time. For example, it can take a year to adapt a home to make it liveable. If new homes were made accessible for all generations, the Government's own figures suggest that it would cost between £100 and £300 to adapt a house, depending on the size. As about 140,000 homes are built each year, adaptation could cost £28 million per annum, but it currently costs £350 million each year to adapt houses.

It has been estimated that as many as one in three homes will need to be adapted in the next 30 years, but if every new home built during that time were built to lifetime standard—we can assume a life expectancy of 60 years, but a hell of a lot of houses in this country last much longer—about £2.337 billion would be saved in that period.

Where does the opposition lie? I think that the building industry is the source of it. Builders appear to want to build only the type of homes that their fathers built, except that they use modern materials to do so. There is huge resistance to building level-entry homes, even though it has been proved a thousand times that level entry is convenient for mothers with buggies, old people with shopping trolleys and young kids with bicycles, as well as for people who find going up and down steps almost impossible. It has also been proved time and again that water does not come under the door in a level-entry home, as has been suggested. In any event, if there is a risk of it doing so, something that costs £5.40 can exclude it.

The building industry's interest in this matter is well demonstrated. Age Concern sent to 200 builders a report on the difficulties of older people and a check list on how houses might be better adapted. Two replied—one favourable, the other hostile—whereas, of the architects to whom the report was sent, 95 per cent. replied, as did 85 per cent. of housing associations and 92 per cent. of local authorities. Why are builders so stubbornly hostile?

There are costs, and the biggest single cost in a whole lifetime home programme is the greater space required, for example, for a hallway in which a wheelchair can turn around, or a downstairs lavatory in which it is possible for a disabled person to have a shower as well as use the lavatory. It might mean that, in one hectare, one might lose one housing unit, and that is expensive; I accept that. We need to look at that cost against the cost of the inflexibility that we currently have.

What on earth is stopping the building industry designing into the houses that they build the things that do not cost anything? I have already mentioned level entry. It does not cost anything in most locations, but it costs a huge amount not to have it: older people fall and stumble, at great cost to themselves and to the national health service; young people frequently cannot have their elderly relatives to stay because of the difficulty of negotiating the steps; and going up and down steep steps is a nightmare for visiting people with wheelchairs.

There is absolutely no reason why electricity sockets should not be placed at a height that all of us can easily reach. In most houses, electricity sockets are accessible to only one member of the family—the infant who crawls on the floor. I understand that infants are discouraged, by the Royal Society for the Prevention of Accidents, and others, from putting their little fingers into sockets. Why on earth are sockets not placed at a level where they can be reached easily?

Why are windows not lowered slightly, so that, if somebody is confined to bed or is sitting in a chair, he or she can look out of the window? It would not cost any more. The window could be the same size. It would just be a foot or 18 in lower. Where that is done, the measure is extremely well received.

When these wonderful kitchen units are put in when kitchens are redesigned, it is possible to have adjustable surface heights, which would help people like my old aunt who recently died; because she was small, she used to stand on a rickety stool to preside over the pot on her cooker. By the time she was 95, she had shrunk to the point where she could not see what she was cooking.

To the building industry and to my hon. Friend on the Front Bench I stress that, where these modifications are introduced, nobody notices. That is the interesting bit. I have been to the Joseph Rowntree estate in York, where every house has level entry. If people who drove into that estate without knowing that fact were asked, when they got out of their car, "What is different about this estate?" they would say something like, "It is wonderfully clean," or, "It is very nice." They would not say, "Isn't it interesting that there's not a single step to be seen?"

These changes will not put off potential buyers brought up by the building industry to believe that they must have a house just like their grandfather. What is more—this is the crux of the debate—all my contacts in the building world are far more concerned about losing a competitive edge than they are about the minimal basic additional cost that such adaptations might incur.

If everybody was made to build houses for every generation and for convenience for us all, they would all do it. It is just because they are frightened of adding perhaps £150 to the cost of their house that they will not do it. That is part of the reason.

Not only Age Concern but every other group interested in the quality of life of our population wants the consultation to come to a conclusion. They want regulations to be introduced so that we start building houses that are adapted to the changing needs of the population, which will increase over the next century. I very much hope that my hon. Friend the Minister will give us some comfort today.

2.49 pm

Mr. Nick Raynsford (Greenwich): I am grateful to the hon. Member for Mid-Kent (Mr. Rowe) and the Minister for allowing me to make a short contribution. I pay tribute

to the hon. Member for raising this important subject and for explaining in a lucid and persuasive way why it is essential that we make progress with the concept of lifetime homes. We are talking about raising standards and reducing obstacles for people with reduced mobility, whether temporary or long-lasting, that prevent them from being able to use houses.

Although adaptations can be carried out in certain cases, they are often expensive and time-consuming, and they can only be carried out in the individual's home. That does not help a person who wants to be able to visit friends and who will have great difficulty in doing so if the entry makes it impossible for him to get easy access, or if there is no space for his wheelchair to turn around.

The concept of lifetime homes is creating a framework for the future which will remove obstacles for people with reduced mobility, in terms of accessing not only their home but other people's. It must be right; there is a case for action. Consultation has been going on for two years and there is no question in Labour Members' minds, as is also the case with the hon. Member for Mid–Kent, that the new part M regulations must be introduced without further delay. This subject should not have dragged on for so long, and I hope that the Minister can give us some reassurance that the Government, even though time is running out before the general election, will act quickly so that there is no need to wait until the election of a different Government for the introduction of the new regulations.

2.51 pm

The Parliamentary Under–Secretary of State for the Environment (Mr. James Clappison): I congratulate my hon. Friend the Member for Mid–Kent (Mr. Rowe) on having secured a debate on a subject in which he has long taken an interest. His speech exemplified that interest and his knowledge of the subject. I appreciate what he said about the Government's approach towards the extension of part M of the building regulations.

I am sure that my hon. Friend appreciates that we need to strike the right balance between costs and benefits to ensure that house buyers get worthwhile improvements for any additional costs they may be asked to pay. As my hon. Friend has said, the Government received more than 1,000 responses to the consultation, giving diverse opinions. Assessment of the responses has been a long and complex task, which is continuing. The comments we have received about the costs of the proposals require further work, because the Government have a duty to produce a compliance cost assessment for the extension of the regulations. Without such an assessment, the Government would face heavy criticism from the business sector.

My hon. Friend questions why we did not calculate costings at the time of issuing the consultation exercise—concurrently, as he put it. My answer to him is that we did. However, the responses from house builders consistently expressed concern that the Department's compliance cost assessment had underestimated the costs of the proposals, particularly for smaller, low-cost units and high-density schemes, typically on infill sites. My hon. Friend the Minister for Construction, Planning and Energy Efficiency met the House Builders Federation to discuss their concerns and agreed to a further, short independent study into the cost and design implications for those particular schemes. The study will be carried out jointly with the House Builders Federation.

To date, we have written to eight local authorities asking for their help in selecting suitable schemes for the study. Once that information has been received, we shall be able to let the contract. It is expected to run for some three months, but clearly we cannot give a completion date until we have let the work.

Of course we are sympathetic to the needs of disabled and elderly people with mobility problems, but the vast majority of them will not wish to move from their existing housing, so regulating to improve accessibility in new homes would have no impact on their lives. We believe that grants to allow the elderly and disabled to carry out essential modifications to their home are an effective way in which to help people with mobility problems. I am sure that my hon. Friend, with his knowledge of the subject, will be aware of disabled facilities grants, and the form in which they emerged from last year's legislation.

Disabled facilities grants payable by local housing authorities play an important role in providing help to elderly and disabled people who need essential adaptations such as modifications to their homes to provide better access into and around the home and to provide suitably adapted facilities for cooking and washing. They enable many people to remain in their homes and to manage as independently as possible. I am pleased to say that local authorities have approved more than 125,000 disabled facilities grants since they were introduced in 1990.

As a clear demonstration of our commitment to ensure that disabled and elderly people continue to receive the help that they need to enable them to live comfortably in their homes, we retained mandatory disabled facilities grant in an otherwise discretionary renovation grant system under part I of the Housing Grants, Construction and Regeneration Act 1996. The hon. Member for Greenwich (Mr. Raynsford), who is a veteran of the Act, will be aware of those provisions. We have also made a number of improvements designed to provide more help to those least able to afford costly adaptations.

Authorities now have discretion to pay grant above the £20,000 limit where costly adaptations are needed. Help is now available for works to make the home safe for a disabled occupant or other household members such as children. It will benefit households where a disabled person has behavioural problems and may be a danger to himself and others in the home. Furthermore, we have relaxed the means test to ensure that other household members are not penalised when the disabled occupant applies for grant. Disabled people are also eligible for home repair assistance, which provides speedy help with small works of repair, improvement or adaptation.

That is not the only way in which we are providing assistance to disabled people. We are also helping them through the work of the home improvement agencies, which have an important role in helping elderly and disabled people and those on low incomes to carry out improvement works to their property to enable them to stay in the comfort and security of their own homes.

The importance of the work of the agencies is reflected in the Government's decision to continue the grant programme for at least another five years from April 1995. Our commitment is further demonstrated by the fact

[Mr. James Clappison]

that £4.8 million has been provided in 1996–97 to fund the home improvement agency movement. That represents an increase of 13 per cent. compared with 1995–96. The number of home improvement agencies receiving grant from my Department has increased substantially since 1991.

I heard the comments that have been made about lifetime homes and we are aware of the arguments in support of the benefits of lifetime homes. Although we take a keen interest in new developments, we must be cautious, because lifetime homes tend to be more spacious than ordinary housing and the additional floor space required will add to costs, particularly where land prices are high. We do not consider it worth while to build all homes to the specification of lifetime homes, as only a small number of people are likely to need all the facilities lifetime homes can provide. Many will be older people who wish to move from family housing to smaller homes which are easier to manage.

With the projected increase of more than 4 million new households in England over the next 20 years, there is pressure on us to make the best available use of land for housing.

Mr. Rowe: I hope that my hon. Friend will address the fact that a substantial number of the features that I suggested not only cost less but take up no more land. Even if we cannot provide lifetime homes for everyone, why on earth can some of the more useful features not be incorporated in the regulations?

Mr. Clappison: My hon. Friend makes an important point. As I said, we are following developments keenly, but we have to consider the wider context and making the best use of the available land for housing given the projected increase in the number of households. Policies that may encourage some people to live in housing that is larger than required will not help us in that respect.

We have done a great deal to assist disabled people in the ways that I have outlined and through the high standards that we expect of social housing through the housing corporation scheme development standards and the work of local authorities in conjunction with registered social landlords. We take into account the needs of elderly and disabled people in all those areas and give them assistance through grants. This subject, especially the extension of part M of the building regulations, is important. I hope that I have explained to my hon. Friend's satisfaction that we are approaching the issue with a keen interest and some caution. We shall certainly reflect on the important points that he has made.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock.

Written Answers to Questions

Monday 13 January 1997

ATTORNEY-GENERAL

Ministerial Leave

Mr. Ian McCartney: To ask the Attorney-General (1) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year; [9802]

(2) how many days of leave he plans to take during the Christmas adjournment. [9803]

The Attorney-General: I refer to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Consultants

Mr. Milburn: To ask the Attorney-General what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10174]

The Attorney-General: I am not responsible for any such bodies.

Mr. Milburn: To ask the Attorney-General if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10175]

The Attorney-General: The departments and agencies for which I am responsible are not large users of external consultants. A number of recommendations in the report related to other named Departments. Of those of general application, some were already established working practices in my departments and agencies. Measures taken to implement the remaining recommendations include the introduction of a new internal guidance manual by the Crown Prosecution Service, and arrangements under which departments submit to me plans showing the expected use of external consultants and obtain my approval for proposals involving expenditure of more than £50,000.

NATIONAL HERITAGE

Public Appointments

Dr. John Cunningham: To ask the Secretary of State for National Heritage what changes have been made to the appointment procedures for non-departmental public bodies within her Department since July 1995; and if she will make a statement. [10152]

Mrs. Virginia Bottomley: New procedures have been implemented based on the "Guidance on Appointments to Executive Non-Departmental Public Bodies and NHS Bodies" issued by the Office of the Commissioner for Public Appointments in April 1996.

Dr. Cunningham: To ask the Secretary of State for National Heritage if the appointments of *(a)* the chairman of the Independent Television Commission, *(b)* the chairman and deputy chairman of the Broadcasting Standards Commission and *(c)* the chairman of the Broadcasting Complaints Commission were made on the advice of an independent appointment committee. [10276]

Mrs. Bottomley: The appointment of the chairman of the Independent Television Commission was made following an executive search exercise and consideration by an advisory panel with independent membership. The appointments of the chairman and deputy chairman of the Broadcasting Standards Commission pre-dated the introduction of the advisory panels that were set up as a result of Lord Nolan's report.

The Broadcasting Complaints Commission will cease to exist as a separate body on 31 March 1997. In order to ensure continuity, only candidates who were already members of the commission were considered for appointment as its chairman when the previous chairman resigned in September. The decision was made without recourse to an advisory panel.

Listed Buildings

Mr. Hendry: To ask the Secretary of State for National Heritage when she expects to announce the outcome of her Department's review of listed buildings in Buxton. [9843]

Mr. Sproat: The draft review for Buxton is currently being considered by my Department with the aim of issuing the revised list in early February.

Sir Irvine Patnick: To ask the Secretary of State for National Heritage how many buildings have been listed in each category in Sheffield for each of the last three years. [10329]

Mr. Sproat: The figures are as follows: in 1994, five buildings—all in grade II; in 1995, 376 buildings—all in grade II. In addition, three buildings were upgraded from grade II to II*. In 1996, three buildings—all grade II. Following a re-survey, a revised list for Sheffield was issued in December 1995; this accounts for the high number of new listings during that year.

Sir Irvine Patnick: To ask the Secretary of State for National Heritage what criteria are used by English Heritage to determine which buildings should be listed. [10328]

Mr. Sproat: Before recommending a building for listing to my right hon. Friend the Secretary of State, English Heritage must be satisfied that it is of special architectural or historic interest. The criteria against which buildings are assessed for listing are set out in paragraphs 6.10 to 6.16 of "planning policy guidance note 15: "Planning and the Historic Environment", published jointly by my right hon. Friends the Secretaries of State for the Environment and for National Heritage in September 1994.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for National Heritage (1) how many days of leave she plans to take during the Christmas adjournment; [9821]

(2) how many days leave she has taken in the Easter, Whitsun and summer adjournments; and how many days leave she took during the time in which Parliament was prorogued this year. [9820]

Mr. Sproat: I refer the hon. Member to the answer given toady by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Legislation

Mrs. Roche: To ask the Secretary of State for National Heritage how many items of legislation relating to her Department have been repealed since January 1994; how many statutory instruments were introduced during the same period; and how many of the latter were *(a)* deregulatory and *(b)* fee orders. [9365]

Mr. Sproat *[holding answer 17 December 1996]:* I refer the hon. Member to the answer given by my hon. Friend the Member for Langbaurgh (Mr. Bates) on 17 December 1996, *Official Report*, column *492*.

Museums and Galleries

Sir Timothy Sainsbury: To ask the Secretary of State for National Heritage what revenue has been raised from admission charges to museums and galleries sponsored by her Department for each institution, broken down to show *(a)* revenue from (i) general admission charges, (ii) charges for entry to temporary exhibitions and *(b)* the proportion of total museum revenue accruing from *(a)* in the last year for which figures are available. [8939]

Mr. Sproat: For 1995–96, the information is as follows:

	Revenue from general admission charges (£000)	*Revenue from temporary exhibition charges (£000)*	*Revenue generated from admissions charges as a percentage of total revenue*
British Museum	—	102	0
Imperial War Museum	3,049	243	15
National Gallery	—	398	1
National Maritime Museum	1,439	—	10
National Museum of Science and Industry	3,215	390	12
National Museums and Galleries on Merseyside	302	120	2
National Portrait Gallery	—	189	2
Natural History Museum	3,297	—	8
Royal Armouries	52	—	1
Tate Gallery	203	1,711	4
Victoria and Albert Museum	[1]259	364	2
Wallace Collection	—	—	—
Geffrye Museum	—	—	—
Horniman Museum	—	—	—
Museum of London	289	—	2
Museum of Science and Industry in Manchester	422	—	10
Sir John Soane's Museum	—	—	—

[1] In addition, voluntary entrance donations amounted to £996,000.

Television Licences

Mr. Rowlands: To ask the Secretary of State for National Heritage when she plans to introduce regulations amending the television licence concessionary scheme. [10644]

Mr. Davidson: To ask the Secretary of State for National Heritage when she plans to bring forward new consolidated television licensing regulations. [10664]

Mr. Sproat: As I indicated on 3 December 1996, in my reply to the hon. Member for Sunderland, South (Mr. Mullin), *Official Report*, column *588*, the Government intend that new, consolidated television licence fee regulations will come into force from 1 April 1997. In accordance with the Government's undertaking during the passage of the Broadcasting Act 1996, these regulations will include an amendment to address the anomalous situation where the residents of a sheltered housing scheme, which meets all the other qualifying criteria, fail to qualify for concessionary television licences because a small number of units within the scheme were purchased under the right-to-buy provisions before the accommodation was designated as sheltered housing. My right hon. Friend the Secretary of State will announce this month details of the changes to be effected in the regulations, which will also bring into force the new licence fees announced on 18 December last year. The regulations themselves will be laid before Parliament as soon as possible thereafter.

Sir Michael Marshall: To ask the Secretary of State for National Heritage when she expects the regulations to take account of the changes in the use of television in recent years, referred to in the answer to the hon. Member for Birmingham, Hall Green (Mr. Hargreaves) on 18 July, *Official Report*, column *601*, to be introduced. [9212]

Mr. Sproat *[holding answer 16 December 1996]:* As I indicated on 3 December in my reply to the hon. Member for Sunderland, South (Mr. Mullin) *Official Report*, column *588*, the Government intend that new, consolidated television licence fee regulations will come into force from 1 April 1997. My right hon. Friend the Secretary of State hopes to announce this month details of the changes to be effected in the regulations and the level of the licence fee also coming into force from 1 April. The regulations themselves will be laid before Parliament as soon as possible thereafter.

Consultants

Mr. Milburn: To ask the Secretary of State for National Heritage if she will list the actions her Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10159]

Mr. Sproat: The Cabinet Office report on the Government's use of external consultants had 34 recommendations. Six of these relate to other Government Departments—recommendations numbers 4, 5, 7, 10, 19 and 21.

In respect of the remaining 28, my Department has implemented four in full—recommendations numbers 3, 6, 9 and 20; the rest are to be implemented in the context of a new procurement strategy on which my Department is currently working.

Staff

Mr. Hain: To ask the Secretary of State for National Heritage how many (a) permanent and (b) non-permanent staff there have been in (i) her Department and (ii) executive agencies of her Department in each year since 1992. [9630]

Mr. Sproat *[holding answer 18 December 1996]:* The number of permanent and non-permanent staff within the Department of National Heritage and agencies since 1992 is shown in the table:

	Permanent	*Non-Permanent*
DNH		
1992–93	264	4
1993–94	317	18
1994–95	337	22
1995–96	355	15
1996–97	353	8
Historic Royal Palaces		
1992–93	322	109
1993–94	368	145
1994–95	423	129
1995–96	[1]312	159
1996–97	316	202
The Royal Parks		
1993–94	272	12
1994–95	266	19
1995–96	263	18
1996–97	242	15

[1] The Historic Royal Palaces figure decreased between 1994–95 and 1995–96 due to contracting out of 70 warding staff at Hampton Court.

The Royal Parks/Royal Parks Constabulary are unable to provide details of staff for 1992–93 because they did not become an agency until 1993.

Mr. Donohoe: To ask the Secretary of State for National Heritage if she will list for her Department *(a)* how many people in total are employed, *(b)* how many of the total number of staff are (i) male and (ii) female and *(c)* how many (I) men and (II) women are employed on a (1) full-time and (2) part-time basis. [9483]

Mr. Sproat: The current staff in post for the Department of National Heritage is:

	Full time	*Part time*	*Total staff*
Male	185	1	186
Female	169	6	175
Total	354	7	361

National Lottery

Sir Irvine Patnick: To ask the Secretary of State for National Heritage, pursuant to her answer of 6 November, *Official Report,* column *533,* what funds have been allocated to Sheffield-based charities by the National Lottery Charities Board since its inception; if she will identify the charities and voluntary organisations receiving each amount; and if she will make a statement. [10506]

Mr. Sproat: Since my hon. Friend's earlier question, the National Lottery Charities Board has awarded grants under its third grants round to almost 2,000 organisations across the United Kingdom. Of these, 30 are based in Sheffield. This means that a total of 88 grants, worth over £6.45 million, have been made by the National Lottery Charities Board since its inception to organisations based in Sheffield. The details of the awards concerned are as follows:

Grants made by the National Lottery Charities Board to charities and voluntary organisations based in Sheffield

	£
Abbeydale Youth Project	50,100
African Women's Health Group	64,025
Ashiana	9,868
Awaaz Asian Women's Training Project	28,000
Azaardgi—Asian Women's Training Project (Freedom)	3,276
Black Action Self-Help-Mentoring Project	92,812
Black Justice Project	78,000
Black Media Training Trust	137,299
Breaking Bounds	27,218
Brightside Community Project	22,760
Castle Advice Service	1,220
Castle Advice Service	70,184
Chapelgreen-one-parent-in-need-group (c.o.p.i.n.g)	1,380
Cot-Age-Child Safety and Nursery Equipment	30,757
Cruse Bereavement Care	23,459
DART—Homelink Project	300,000
Family Support Group	2,850
Firth Park Advice Centre	135,784
Firth Park Computer Club	7,420
Granville Road Housing Project	10,000
Green City Action	69,714
Handy Hands Group	2,500
Haven House Project	28,375
Heeley and District Community Transport Organisation	24,000
Heeley Health Project	103,199
Herdings Centre Association	20,000
Highfield Childrens Playbase	38,000
House of Help	1,860
Law Centres Federation	93,097
Manor Rights and Advice Service	42,642
Manor Training and Resource Centre Ltd.	121,000
Maypole	102,000
McMurphy's	135,742
Middlewood Citizens Advice Bureau	160,223
Mosborough Citizens Advice Bureau	85,262
Network Housing and Care Ltd.	71,570
Nomad Nomore Community Furniture Store	134,000
Norfolk Park Domestic Violence Project	57,879

Grants made by the National Lottery Charities Board to charities and voluntary organisations based in Sheffield

	£
Norfolk Park Women and Childrens Centre	10,150
North Sheffield Federation for the Disabled Self-Help Group	47,844
Northern Refugee Centre	123,129
Osteoporosis 2000	267,148
Pakistan Muslim Centre	121,427
Playschemes, Activities and Recreation for Kids	160,008
Remington Youth and Community Centre	100,371
Roshni-Asians Womens Resource Centre	75,000
Sadacca	150,000
Sharrow Citizens Advice Bureau	21,758
Sheffield African Caribbean Mental Health Association	25,000
Sheffield Association for People with Cerebral Palsy	76,475
Sheffield Association for People with Cerebral Palsy	24,636
Sheffield Association for the Voluntary Teaching of English	108,235
Sheffield Cathedral Breakfast/Archer Project	69,540
Sheffield Childrens Centre	35,000
Sheffield Chinese Community	143,586
Sheffield Citizen Advocacy	140,563
Sheffield Citizens Advice Bureaux Debt Support Unit	68,736
Sheffield Community Transport	190,000
Sheffield Deaf Childrens Society	53,804
Sheffield Dial-a-ride	67,960
Sheffield Gayphone	10,828
Sheffield Gingerbread	3,116
Sheffield Law Centre	7,000
Sheffield Mencap	100,246
Sheffield NASS	1,654
Sheffield Newpin	99,378
Sheffield Occupational Health Project	85,555
Sheffield Out of School Network	70,318
Sheffield Reclamation Limited	19,290
Sheffield Sickle Cell Anaemia and Thalassaemia Foundation	168,358
Sheffield Women's Aid	178,125
Sheffield Womens Cultural Club	121,288
Sheffield Young Carers Project	161,906
Shiregreen Tranx Self-Help Group	5,000
Somali Mental Health Project (SMHP)	183,207
Somali Special Needs Scheme	123,327
South West Area Sitting Service	25,250
Support Dogs	37,722
The Ethel Trust	122,741
The Flower Estate Dream Scheme	27,664
The Ruth Hayman Trust	11,250
The Sheffield Club for the Hard of Hearing	1,000
Trinity Day Care Trust	21,000
Woodcraft Folk—Venturer Camp Committee	7,007
Worthwhile Occupational and Recreational Krafts Ltd. (WORK)	75,000
Wybourn Youth Trust	247,833
Young Carers Support Group	3,000
Young Women's Housing Project	66,996

Millennium Projects, Wales

Mr. Ainger: To ask the Secretary of State for National Heritage how much Millennium Commission grant aid has been offered to projects in Wales to date; how many projects this figure covers; and what is grant aid per head of population in Wales. [7616]

Mrs. Virginia Bottomley *[holding answer 16 December 1996]:* The Millennium Commission has supported eight capital projects in Wales, two capital projects which cover England and Wales, and four projects which cover the whole of the UK. Of the eight capital projects supported specifically in Wales, the total grant aid to date is £92,824,028. Of the projects which cover more than one country, £11.2 million has been allocated to Wales, making a total capital projects allocation of £104,024,028. The commission has also offered grant to six millennium award schemes. These grants are allocated in response to applications. Four will cover the whole of the UK and one scheme for £365,134 is specifically targeted at Wales. Thus, the total grant allocation is £104,389,162. Working on the basis that the population of Wales is 2,906,500, grant aid per head is £35.92.

LORD CHANCELLOR'S DEPARTMENT

Statutory Instruments

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make statutory instruments available on the Internet. [10407]

Mr. Freeman: I have been asked to reply.

With effect from the first printed statutory instrument of 1997, all new statutory instruments will be placed on the Internet within 15 working days of publication in printed form, at the following address: http://www.hmso.gov.uk/stat.htm.

Lord Chief Justice of Northern Ireland

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if the new Lord Chief Justice of Northern Ireland has ever been a member of a political party. [10289]

Mr. Streeter: Judicial appointments are made on professional and personal merit. The Lord Chancellor does not require candidates for, or holders of, judicial office to declare their political affiliation.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department what procedures were followed in appointing the next Lord Chief Justice of Northern Ireland; in what ways the procedures differ from that for other United Kingdom jurisdictions; and when the appointment was announced. [10287]

Mr. Streeter: The Lord Chief Justice of Northern Ireland is appointed by the Queen on the advice of the Lord Chancellor. In England and Wales, the Lord Chief Justice is appointed by the Queen on the advice of the Prime Minister, as is the Lord President in Scotland. The appointment of the right hon. Sir Robert Carswell as Lord Chief Justice of Northern Ireland was announced on 29 November 1996, and took effect on 6 January 1997.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department which *(a)* bodies and *(b)* individuals were consulted about the appointment of the new Lord Chief Justice of Northern Ireland. [10288]

Mr. Streeter: In making recommendations to the Queen in respect of senior judicial appointments, the Lord Chancellor has discretion to consult as he thinks fit, and such consultations are confidential.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if the next Lord Chief Justice of Northern Ireland is or has been a member of *(a)* the Masonic Order, *(b)* the Orange Order and *(c)* other societies membership of which must be declared. [10545]

Mr. Streeter: Judicial appointments are made on professional and personal merit. The Lord Chancellor does not require candidates for, or holders of, judicial office to declare membership of any lawful organisation.

Consultants

Mr. Milburn: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10176]

Mr. Streeter: The amount spent by the Department's NDPBs during the relevant financial years was as follows:

1991–92: £128,843

1992–93: £209,794

1993–94: £155,947

1994–95: £110,650

1995–96: £96,659.

Mr. Milburn: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the actions his Department has taken on each of the recommendation contained in the Cabinet Office report on the Government's use of external consultants. [10177]

Mr. Streeter: In response to the Cabinet Office report on the use of external consultants, the Lord Chancellor's Department corporate board issued a policy statement in June 1995 designed to help ensure value for money in the employment of consultants. It set the criteria for their use, operating principles and monitoring arrangements and included a requirement for ministerial approval for contracts where the final cost could exceed £20,000 and for an annual report to the Department's corporate board on the use of consultants. It covered recommendations 1, 2 and 12 of the Cabinet Office report.

Other actions taken are as follows:

The implications of recommendations 8, 11 to 18, 22 to 25 and 26 to 31 are dealt with by way of central guidance. The Department's procurement manual will be amended to reflect these recommendations.

Arrangements are in place to review the central guidance periodically and the internal assurance division has included the use of external consultants in its audit programme (recommendation 33).

Expenditure on consultants is identified separately in the departmental accounts (recommendation 3).

Arrangements are in place which require a business case and senior management authority for consultancy projects costing more than £10,000 (recommendation 6).

There are centres of expertise in the purchasing of consultancy skills. Each centre keeps under review, in consultation with managers, the contracts typically used for the employment of consultants (recommendations 9 and 20 to 21).

Although the DTI database for the use of consultants is not available, the LCD is establishing its own (recommendation 10).

The LCD's procurement services division submitted its first annual report to the corporate board, which was approved on 3 October 1996 (recommendation 32).

Although recommendations, 5, 7, 10, 19 and 34 are supported, they are not for the LCD to implement.

Legal Services

Mr. Barnes: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the average length of time that cases were before the legal services ombudsman before an investigating officer was appointed in each of the last three years. [10445]

Mr. Streeter: The legal services ombudsman considers that cases are properly before him only when he is satisfied that the matter falls within his jurisdiction and he has obtained the case file from the relevant professional body. The average interval from receipt of the professional body file to allocation to an investigating officer is:

1994 four to five months

1995 five to six months

1996 six to seven months.

Green Form Scheme

Mr. Keith Hill: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of *(a)* the population of and *(b)* households in England and Wales were eligible for (i) civil legal aid and (ii) legal advice and assistance under the green form scheme, in each of the last five years for which figures are available. [10438]

Mr. Streeter: We have no reliable means of estimating the percentage of the population eligible for civil legal aid. The most recent estimates of the percentage of households eligible for civil legal aid in each of the five years up to 1996–97 are:

Financial year	*Percentage*
1992–93	53
1993–94	48
1994–95	50
1995–96	50
1996–97	48

We do not collect information on eligibility for legal advice and assistance under the green form scheme.

Ernest Saunders

Mr. John Marshall: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the amount of legal aid paid to Mr. Ernest Saunders in the cases resulting from the Guinness affair. [10485]

Mr. Streeter: The sum of £1,286,234 was paid to Mr. Saunders' legal representatives for work done in relation to the Crown court proceedings resulting from investigations into the takeover by Guinness of the Distillers Group. A further amount of £296,111 was paid in relation to proceedings in the Court of Appeal. Legal aid is not available for proceedings before the European Court of Human Rights.

The total amount paid in legal aid in relation to R *v.* Saunders is therefore £1,582,345.

Transaction Criteria

Mr. Keith Hill: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list *(a)* the areas in which transaction criteria have been published and the date of publication and *(b)* the areas in which transaction criteria are still being developed and the expected date of publication. [10436]

Mr. Streeter: Transaction criteria were published, ahead of the introduction of the Legal Aid Board's franchising scheme, in July 1994, in the nine franchised areas of work, as follows: family matrimonial, personal injury, employment, debt, contract, housing, immigration, welfare benefits, criminal litigation. I am informed by the chief executive that the Legal Aid Board is currently looking at areas where the scope of transaction criteria might be extended.

Transaction criteria have recently been drafted to extend the audit scope within the welfare benefits and housing categories. It is expected that these will be published in April 1997, ahead of implementation.

Franchising Advisory Committee

Mr. Keith Hill: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions the franchising advisory Committee has met; when it plans to meet next; and if he will make a statement. [10435]

Mr. Streeter: The franchising advisory committee—FAC—was established to facilitate communication and consultation with the legal profession and its representative bodies during the early development of the Legal Aid Board's franchising scheme following its introduction in August 1994. I am informed by the board's chief executive that the committee met on two occasions. In December 1996, the Legal Aid Board decided that the committee should be discontinued, as more effective mechanisms for communication and consultation had been developed. Members of the FAC have been informed of this decision.

Emergency Legal Aid

Mr. Keith Hill: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions the decision to grant an emergency legal aid certificate by a solicitor's practice with devolved powers under a legal aid franchise has subsequently been overruled by a legal aid area office in each of the last five years. [10437]

Mr. Streeter: The number of occasions on which a legal aid area office has overruled the decision of a franchised solicitor to use their desolved powers to grant emergency civil legal aid is given below. Also given is the number of occasions on which the terms of the grant decisions was amended by the area office.

Year	*Overruled decisions*	*Amended decisions*
August 1994 to March 1995	62	61
April 1995 to March 1996	197	185
April 1996 to December 1996	365	261

Franchising was introduced in August 1994.

Magistrates Courts Committees

Mr. Butcher: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received from Coventry and Solihull magistrates in respect of the proposed amalgamation of Birmingham, Solihull and Coventry magistrates courts committees; and if he will abandon the project. [10745]

Mr. Streeter: I have received 145 individual representations and a petition from Coventry magistrates and 36 individual representations from Solihull magistrates on this subject. A decision on the way forward will be made after consideration of all the representations received.

Probate Districts

Mr. Tipping: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the running costs of each probate district and the income generated for the latest year for which figures are available. [10798]

Mr. Streeter: The question concerns a matter which has been assigned to the Court Service under the terms of its framework document. I have therefore asked the chief executive to write to the hon. Member.

Letter from M. D. Huebner to Mr. Paddy Tipping, dated 13 January 1997:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about the running costs of and income generated by each Probate District.

The following table details the running costs of each district for the financial year 1995–1996 and the fees recovered for the calendar year 1995:

Probate district	*Fees recovered (calendar year 1995)*	*Running costs (financial year 1995–96)*
Birmingham	3,097,675	333,404
Brighton	4,091,954	356,055
Bristol	3,349,502	400,071
Ipswich	3,368,046	351,956
Leeds	2,739,697	369,301
Liverpool	2,454,852	332,946
Manchester	2,834,928	380,594
Newcastle	2,609,140	386,457
Oxford	3,613,422	331,746
Wales	1,611,637	394,952
Winchester	4,617,840	337,002
London (PRFD)	[1]5,417,488	[2]5,864,191

[1] This figure includes fees received from the Record Keeper's Department (which provides copies of wills and grants).

[2] This figure is the overall running cost of the Principal Registry of the Family Division in London which houses the Family Proceedings Department and the PRFD Secretariat as well as the Probate Department.

Additionally, £2,996,597 was paid for probate accommodation centrally during the financial year 1995–96.

DUCHY OF LANCASTER

Ministerial Leave

Mr. Ian McCartney: To ask the Chancellor of the Duchy of Lancaster (1) how many days of leave he plans to take during the Christmas adjournment; [9807]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9806]

Mr. Freeman: Ministers are required to be available for Government business at all times. Subject to this overall requirement they may take leave as and when Government business permits.

Mr. McCartney: To ask the Deputy Prime Minister (1) how many days of leave he plans to take during the Christmas adjournment; [9805]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9804]

The Deputy Prime Minister: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Mr. McCartney: To ask the Minister without Portfolio (1) how many days of leave he plans to take during the Christmas adjournment; [9809]

(2) how many days leave he has taken in the Easter, Whitsun and Summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9808]

Dr. Mawhinney: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Consultants

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster (1) when each Department produced its *(a)* initial report on progress and achievements and *(b)* final report on formulating an action plan in response to paragraph 31, page 9 of the efficiency unit's report. "The Government's Use of External Consultants", August 1994; [9993]

(2) what assessments have been made on the use of external consultants since the August 1994 efficiency unit report reviews. [9995]

Mr. Freeman: All Departments have taken action to implement the recommendations of the scrutiny. Action plans were received from all Departments shortly after publication of the scrutiny report and all Departments have carried out, or have programmes in place to carry out, implementation as described in those plans. As part of the continuing initiative to improve value derived from expenditure on consultancy, the Prime Minister's adviser on efficiency, at the end of 1995, conducted as assessment of the processes Departments use to subject related expenditure to ministerial approval. The efficiency unit continues to monitor Departments' expenditure on consultants.

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster in what form advice and guidance is issued to *(a)* individual Government Departments and *(b)* non-departmental public bodies on the use of external consultants. [9983]

Mr. Freeman: Comprehensive and relevant advice and guidance on good practice is contained in the efficiency unit's scrutiny, "The Government's Use of External Consultants" (HMSO: August 1994); this is available to all Departments and non-departmental public bodies. Many Departments have produced and issued their own guidance in light of the report.

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster if he will update his estimate of the 20 most used external consultant firms as contained in the efficiency unit's report "The Government's Use of External Consultants", August 1994. [9994]

Mr. Freeman: I have no plans to do so.

Mr. Milburn: To ask the Deputy Prime Minister what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10190]

Mr. Freeman: No money has been spent on external consultants by my Department's non-departmental public bodies in the last five years.

Mr. Milburn: To ask the Deputy Prime Minister if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report "The Government's Use of External Consultants". [10191]

Mr. Freeman: The Cabinet Office has acted on the 34 recommendations contained in the report. In implementing the recommendations it has improved its management and control of the use of consultants, including monitoring expenditure and value gained. Guidance on buying and using external consultancy has been circulated to staff.

Ministerial Resignations

Mr. Ian McCartney: To ask the Chancellor of the Duchy of Lancaster if he will list those Ministers who have resigned from Government office since the 1992 general election, indicating from which ministerial position they resigned, how much severance was paid following their resignation and the date in each case on which payment was made. [10277]

Mr. Freeman: Ministers and Government office holders who have resigned since the 1992 general election are as listed. Unless otherwise noted, each was paid a severance payment in accordance with the terms of the Ministerial and other Pensions and Salaries Act 1991.

Under the Act, payments are made no less than three weeks after the date of resignation. The actual dates on which payments were made by Departments were not held centrally before February 1994. However, the dates of payments made after February 1994 are as listed.

Name	*Position*	*Date of payment*
The right hon. Tom King MP	Secretary of State, Defence	[1]—
The right hon. Kenneth Baker MP	Secretary of State, Home Office	[1]—
The right hon. Peter Brooke MP	Secretary of State, Northern Ireland	[1]—

Name	Position	Date of payment
The right hon. the Lord Waddington QC	Lord Privy Seal and Leader of the House of Lords	'—
The right hon. Alan Clark MP	Minister of State, Defence	'—
Michael Fallon MP	Parliamentary Under Secretary of State, Education and Science	'—
Alan Howarth CBE MP	Parliamentary Under Secretary of State, Education and Science	'—
The hon. Colin Moynihan MP	Parliamentary Under Secretary of State, Energy	'—
David Trippier MP	Minister of State, Environment	'—
Baroness Hooper	Parliamentary Under Secretary of State, Health	'—
The right hon. Angela Rumbold CBE MP	Minister of State, Home Office	'—
The right hon. The Lord Belstead	Minister of State, Northern Ireland	'—
The right hon. Tim Renton MP	Minister for the Arts	'—
Lord Reay	Parliamentary Under Secretary of State, Trade and Industry	'—
Christopher Chope OBE MP	Parliamentary Under Secretary of State, Transport	'—
Lord Brabazon of Tara	Minister of State, Transport	'—
The hon. Francis Maude MP	Financial Secretary to the Treasury	'—
John Maples MP	Economic Secretary to the Treasury	'—
Nicholas Bennett MP	Parliamentary Under Secretary of State, Welsh Office	'—
Lord Cavendish	Lord in Waiting	'—
The right hon. David Mellor QC MP	Secretary of State, National Heritage	'—
Nigel Forman MP	Parliamentary Under Secretary of State, Education and Science	'—
The right hon. Norman Lamont MP	Chancellor of the Exchequer	'—
The right hon. Archibald Hamilton MP	Minister of State, Defence	'—
Edward Leigh MP	Parliamentary Under Secretary of State, Trade and Industry	'—
Robert Jackson MP	Parliamentary Under Secretary of State, Office of Public Service and Science	'—
Kenneth Carlisle MP	Parliamentary Under Secretary of State, Transport	'—
The right hon. Tristan Garel-Jones MP	Minister of State, Foreign Office	'—
Michael Mates MP	Minister of State, Northern Ireland	'—
The right hon. Lord Hesketh	Chief Whip, House of Lords	'—
Timothy Yeo MP	Minister of State, Environment	8 February 1994
The right hon. The Earl of Caithness	Minister of State, Transport	11 February 1994
Michael Brown MP	Assistant Government Whip	7 June 1994
The right hon. The Lord Wakeham	Lord Privy Seal	20 July 1994
The right hon. John MacGregor OBE MP	Secretary of State, Transport	14 July 1994
The right hon. Peter Brooke CH MP	Secretary of State, National Heritage	23 August 1994
The right hon. John Patten MP	Secretary of State, Education	10 August 1994
The right hon. Sir Wyn Roberts MP	Minister of State, Welsh Office	15 August 1994
The right hon. Peter Lloyd	Minister of State, Home Office	20 July 1994
The right hon. Nicholas Scott MBE MP	Minister of State, Social Security	20 July 1994
The right hon. Sir John Cope MP	Paymaster General	12 August 1994
The hon. Sir Mark Lennox-Boyd MP	Parliamentary Under Secretary of State, Foreign and Commonwealth Office	2 September 1994
Robert Key MP	Parliamentary Under Secretary of State, Transport	14 July 1994
Sir Irvine Patnick OBE MP	Lord Commissioner	12 August 1994
The Earl of Strathmore and Kinghorne	Deputy Chief Whip, House of Lords	12 August 1994
The Viscount St Davids	Lord in Waiting	12 August 1994
Lord Annaly	Lord in Waiting	12 August 1994
Patrick McLoughlin MP	Parliamentary Under Secretary of State, Trade and Industry	23 August 1994
The right hon. Timothy Sainsbury MP	Minister of State, Trade and Industry	31 August 1994
Timothy Smith MP	Parliamentary Under Secretary of State, Northern Ireland	29 November 1994
Neil Hamilton MP	Parliamentary Under Secretary of State, Trade and Industry	28 November 1994
The Earl of Arran	Captain of the Queen's Bodyguards of the Yeoman of the Guard	14 February 1995
Allan Stewart MP	Parliamentary Under Secretary of State, Scottish Office	28 February 1995
Charles Wardle MP	Parliamentary Under Secretary of State, Trade and Industry	7 March 1995
Robert Hughes MP	Parliamentary Under Secretary of State, Office of Public Service and Science	31 March 1995
Thomas Dawson QC	Solicitor General for Scotland	31 May 1995
The right hon. John Redwood MP	Secretary of State, Wales	18 July 1995
The right hon. Jonathan Aitken MP	Chief Secretary to the Treasury	28 July 1995
The right hon. David Hunt MBE MP	Chancellor of the Duchy of Lancaster	28 July 1995
The right hon. Douglas Hurd CBE MP	Secretary of State, Foreign and Commonwealth Office	Not eligible (over 65)
The right hon. Richard Ryder OBE MP	Parliamentary Secretary, HM Treasury (Chief Whip)	28 July 1995
The right hon. Richard Needham MP	Minister of State, Trade and Industry	31 July 1995
The right hon. Robert Atkins MP	Minister of State, Environment	28 July 1995
The right hon. The Viscount Ullswater	Minister of State, Environment	31 July 1995
Sir Hector Monro DL MP	Parliamentary Under Secretary of State, Scottish Office	Not eligible (over 65)
The Viscount Astor	Parliamentary Under Secretary of State, National Heritage	31 July 1995
David Lightbown MP	Comptroller of Her Majesty's Household	28 July 1995
Sydney Chapman MP	Vice-Chairman of Her Majesty's Household	28 July 1995
Nicholas Baker MP	Parliamentary Under Secretary of State, Home Office	11 November 1995
The right hon. The Lord Rodger of Earlsferry QC	Lord Advocate	30 November 1995
Roderick Richards MP	Parliamentary Under Secretary of State, Welsh Office	28 June 1996
David Heathcoat-Amory MP	Paymaster General	19 August 1996

Name	Position	Date of payment
Steven Norris MP	Parliamentary Under Secretary of State, Transport	25 September 1996
The right hon. Tim Eggar MP	Minister of State, Trade and Industry	25 September 1996
David Willetts MP	Paymaster General	7 January 1996

[1] Not available.

Business Appointment Rules

Mr. Derek Foster: To ask the Chancellor of the Duchy of Lancaster what steps he has taken to monitor the effectiveness of the business appointment rules and the way in which they are followed in individual Departments. [9780]

Mr. Freeman: The Cabinet Office—Office of Public Service—continually monitors the general effectiveness of the rules as part of its consideration of the cases which Departments and agencies are required to refer to it under the rules. The chairman and deputy chairman of the Advisory Committee on Business Appointments review a sample of these cases annually.

Mr. Foster: To ask the Chancellor of the Duchy of Lancaster if he will list the business appointment rules; and if he will make a statement. [9884]

Mr. Freeman: The business appointment rules for Crown servants are at chapter 4.3 annexes A and B of the "Civil Service Management Code", a copy of which is in the Library of the House.

Government Policy Reviews

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster which reviews of Government policies have been undertaken by the Cabinet Office in each of the last five years. [9996]

Mr. Freeman: The process of policy review is continuous and integral to much of the work of Cabinet Office. The Cabinet secretariat supports the work of the Cabinet and its Committees in all areas of Government policy. The Office of Public Service has policy responsibility for: the citizens charter programme; deregulation initiative; competitiveness agenda; efficiency scrutiny programme; co-ordination of the market testing programme and the next steps executive agencies programme; and development of an inter-departmental strategy for information technology. OPS also has responsibility for a number of civil service management, personnel and organisational issues.

Several Cabinet Office reviews of Government policies have culminated in the publication of a White Paper, including:

"Realizing our Potential; Strategy for Science, Technology and Engineering"—Cm. 2250

"The Citizen's Charter: 1st Report"—Cm. 2101

"The Citizen's Charter: 2nd Report"—Cm. 2540

"The Citizen's Charter: Facts and Figures"—Cm. 2970

"The Citizen's Charter: 5 years on"—Cm. 3370

"The Civil Service: Continuity and Change"—Cm. 2672

"The Civil Service: Taking forward Continuity and Change"—Cm. 2748

"Development and Training for Civil Servants"—Cm. 3321

"Open Government" White Paper—Cm. 2290

"Government Response: 1st Report to the Committee for Standards in Public Life"—Cm. 2931

"Competitiveness: Creating the enterprise centre of Europe"—Cm. 3300

"government.direct—A prospectus for the Electronic Delivery of Government Services"—Cm. 3438

The Government's "Guide to Market Testing"—ISBN 011430078 X.

PRIME MINISTER

Consultants

Mr. Milburn: To ask the Prime Minister (1) what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years; [10170]

(2) if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10171]

The Prime Minister: For these purposes my office is part of the Cabinet Office. I refer the hon. Member to the replies given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

TREASURY

Local Government Finance

Mr. Pawsey: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 November, *Official Report,* column *570,* about the total amount spent by local government, what was the total amount spent by local government in 1979 at current prices. [5902]

Mr. Waldegrave: In the financial year 1979–80 the total amount spent by local government, by national accounts definitions, and adjusted to 1996–97 prices was £68 billion.

Mr. Pawsey: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 November, *Official Report,* column *570,* about local government funding, what was the figure for 1995–96 at current prices. [5903]

Mr. Waldegrave: As set out in the "Financial Statement and Budget Report 1997–98" (HC 90), total central Government support to local authorities in the United Kingdom in 1995–96, including credit approvals, was £61,815 million; in 1996–97 prices this is equivalent to £63,360 million.

Computers

Mr. David Atkinson: To ask the Chancellor of the Exchequer what assessment he has made of the effect which the century date change for computer systems will have on the introduction of a single currency; what discussions he has had with his European Union colleagues on this matter; and if he will make a statement. [6664]

Mrs. Angela Knight: In assessing the implications of the century date change, the Treasury has made no assessment of the effect on the introduction of the single currency. My right hon. and learned Friend the Chancellor of the Exchequer, has not had any discussions with colleagues in the Council of Economic and Finance Ministers—ECOFIN—on this matter.

Economic and Monetary Union

Mr. Llew Smith: To ask the Chancellor of the Exchequer if he will investigate the reasons for the delay in the delivery of his letter dated 31 October concerning the European Monetary Institute report on economic and monetary union to the Select Committee on European Legislation; and if he will make a statement on his Department's liaison with the Committee. [6805]

Mr. Kenneth Clarke: The letter in question was misdirected as a result of an administrative error. I shall ensure that the correct procedures are followed in future.

The European Legislation Committee published a report on 9 December entitled "European Documents on Economic and Monetary Union: The Scrutiny Process". Paragraph 29 of its report said—

"we acknowledge the Chancellor's punctilious approach to the requirements of scrutiny in this case as in many others. Timely information, often exceeding the strict requirements of the scrutiny process, and good explanatory memoranda, have made our task easier."

Nuclear Power Stations (Decommissioning)

Mr. Battle: To ask the Chancellor of the Exchequer what estimate he has made of the cost savings to the Treasury from changing the time scale over which nuclear power stations are to be decommissioned. [8048]

Mr. Waldegrave: There are no plans to change the time scale over which nuclear power stations are decommissioned and therefore no estimates of cost savings have been produced.

Mr. Battle: To ask the Chancellor of the Exchequer what discussions (i), he, (ii) his Ministers and (iii) his officials have had regarding changing the time scale over which nuclear power stations are to be decommissioned. [8049]

Mr. Waldegrave: The time scale for decommissioning nuclear power stations was addressed in the White Paper, "The Prospects for Nuclear Power in the UK" (Cm 2860) published in May 1995. The financial effects of different decommissioning strategies were considered prior to the privatisation of British Energy. Since then this issue has not been the subject of discussions by me, by my ministerial colleagues or by my officials.

Taxation Statistics

Dr. Lynne Jones: To ask the Chancellor of the Exchequer what percentage of earnings of a married couple with two children and with one earner on average male earnings is estimated to have been paid *(a)* in income tax, *(b)* in income tax and national insurance and *(c)* in total direct and indirect tax in (i) 1978–79 and (ii) 1992–93; and what the corresponding figures are expected to be in 1997–98. [9499]

Mr. Jack: I refer to the answer I gave to the hon. Member for Edinburgh, Central (Mr, Darling), *Official Report,* 11 December 1996, column *190–202* and to the "Tax Benefit Reference Manual", a copy of which has been placed with the House of Commons Library.

Staff

Mr. Donohoe: To ask the Chancellor of the Exchequer if he will list for his Department *(a)* how many people in total are employed, *(b)* how many of the total number of staff are (i) male and (ii) female and *(c)* how many (I) men and (II) women are employed on a (1) full-time and (2) part-time basis. [9493]

Mrs. Angela Knight: To total number of current Treasury staff in post is as follows:

	Male	*Female*	*Total*
Full-time	524	353	877
Part-time	0	39	39
Total	524	392	916

Ministerial Leave

Mr. Ian McCartney: To ask the Chancellor of the Exchequer (1) how many days of leave he plans to take during the Christmas adjournment; [9817]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9816]

Mr. Kenneth Clarke: I refer the hon. Member to the reply which the Chancellor of the Duchy of Lancaster has given today.

Insurance Premium Tax

Mr. William O'Brien: To ask the Chancellor of the Exchequer if he will make a statement on his policy towards disparities in the insurance premium tax applying to *(a)* travel agents and *(b)* insurance dealers; and what representations he has received from (i) representatives of the travel industry and (ii) consumers on his Budget measures relating to insurance premium tax. [10147]

Mr. Oppenheim: Under Finance Bill proposals, with effect from 1 April 1997, all travel insurance sold through a travel agent, unless supplied free of charge, will be liable to insurance premium tax—IPT—at 17.5 per cent. As with the other insurances affected by this higher rate of IPT—primarily mechanical breakdown insurance on motor vehicles and domestic appliances and insurances sold with television and car hire—this tax measure addresses the VAT revenue currently lost through the disproportionately high margins often applied to ancillary sales of VAT exempt insurance by suppliers of taxable goods and services in these sectors. Those who practise such pricing policies, regardless of whether their prime motivation is commercial or fiscal, have a tax advantage and can distort the market. In the travel sector most travel insurance is sold by travel agents and tour operators despite their charging significantly higher prices than direct insurers. The current pricing and marketing arrangements indicate, therefore, that although insurance purchased direct from an insurer will be subject to IPT at 4 per cent., this tax differential is unlikely to have any significant effect.

Gross Domestic Product

Mr. Shore: To ask the Chancellor of the Exchequer what was the gross domestic product of the United Kingdom in 1995; and what percentage of European Community gross domestic product it comprised in that year. [9777]

Mrs. Angela Knight: The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Peter Shore, dated 13 January 1997.

The Chancellor of the Exchequer has asked me to reply as the Director of the Office for National Statistics to your recent question on what was the gross domestic product of the United Kingdom in 1995; and what percentage of the European Community Gross Domestic Product it comprised in that year.

The latest information for UK gross domestic product as published on 21 November in Table A2 of the ONS First Release *UK output income and expenditure* shows that gross domestic product at current market prices for 1995 was £700,575 million.

International comparisons of GDP for the UK and the European Community are shown in the OECD publication *Main Economic Indicators* which is available in the House of Commons Library. The latest available issue shows that at current prices and exchange rates expressed in billions of dollars, the UK accounted for 13.1 per cent. of the total gross domestic product of the European Community.

Taxation

Mr. Milburn: To ask the Chancellor of the Exchequer if he will update his answer to the hon. Member for Oxford, East (Mr. Smith) of 27 March 1995, *Official Report*, columns *427-30*, relating to taxation by giving figures for *(a)* 1996–97 and *(b)* 1997–98. [10225]

Mr. Jack: Provisional estimates are given in the table.

Shares of gross incomes before tax (per cent.)

Group of taxpayers

	Top 1 per cent.	*Top 5 per cent.*	*Top 10 per cent.*	*Bottom 70 per cent.*	*Bottom 10 per cent.*
1996–97	9	20	30	43	3
1997–98	9	20	30	43	3

Amount of gross incomes before tax (£ billion)

	Top 1 per cent.	*Top 5 per cent.*	*Top 10 per cent.*	*Bottom 70 per cent.*	*Bottom 10 per cent.*	*All taxpayers*
1996–97	37.1	87.0	127.7	183.9	12.4	425.6
1997–98	39.2	91.6	134.5	193.8	13.2	448.1

Average amount of gross income before tax (£ per year)

	Group of taxpayers					
	Top 1 Per cent.	*Top 5 Per cent.*	*Top 10 Per cent.*	*Bottom 70 Per cent.*	*Bottom 10 Per cent.*	*All taxpayers*
1996–97	144,900	68,000	49,900	10,300	4,800	16,600
1997–98	152,900	71,600	52,600	10,800	5,200	17,500

Shares of total income tax liability (per cent.)

	Group of taxpayers				
	Top 1 Per cent.	*Top 5 Per cent.*	*Top 10 Per cent.*	*Bottom 70 Per cent.*	*Bottom 10 Per cent.*
1996–97	17	35	45	28	[1]—
1997–98	18	35	46	28	[1]—

[1] Less than 0.5 per cent.

Amount of total income tax liability (£ billion)

	Group of taxpayers					
	Top 1 Per cent.	*Top 5 Per cent.*	*Top 10 Per cent.*	*Bottom 70 Per cent.*	*Bottom 10 Per cent.*	*All taxpayers*
1996–97	12.6	25.2	33.0	20.6	0.2	72.7
1997–98	13.3	26.4	34.5	21.0	0.3	74.7

Public Bodies (Christmas Cards)

Mr. Thurnham: To ask the Chancellor of the Exchequer what estimate he has made of the amount of public money spent by public bodies on sending unsigned Christmas cards in 1996; what assessment he has made of the benefits of sending such cards; and if he will make a statement. [10515]

Mrs. Angela Knight: None; none; and no.

Oil and Gas Revenues

Mr. Milburn: To ask the Chancellor of the Exchequer what estimate he has made of the cumulative total for Government revenues from oil and gas production from 1979–80 to 1996–97 expressed in 1996–97 prices. [7821]

Mr. Waldegrave *[holding answer 6 December 1996]:* Using the Budget forecasts of North sea tax revenues and the GDP deflator in 1996–97, the cumulative total for Government revenues from oil and gas production from 1979–80 to 1996–97 expressed in 1996–97 prices is £125 billion. This represents about 1.75 per cent. of general Government receipts over the period.

Monetary Union

Mr. Marlow: To ask the Chancellor of the Exchequer, pursuant to his oral statement of 3 December, *Official Report*, column 797, if article 3 of the convergence criteria of the treaty of European union is operating. [8119]

Mr. Kenneth Clarke *[holding answer 9 December 1996]:* Article 3 of protocol No. 6 on the convergence criteria still forms part of the EC treaty, although its interpretation is uncertain because the operation of the exchange rate mechanism has changed considerably since Maastricht. The interpretation of the criterion will be considered by Heads of Government when they meet to decide which member states satisfy the necessary conditions for the adoption of a single currency. These decisions will be taken in early 1998 at the earliest.

Abortion

Mr. Alton: To ask the Chancellor of the Exchequer what methods of abortion are included in the term "other surgical method" used in the abortion statistics published by his Department. [7925]

Mrs. Angela Knight *[holding answer 9 December 1996]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Alton, dated 13 January 1997:

The Chancellor of the Exchequer has asked me to reply to your recent question on what methods of abortion are included in the term other surgical method used within the abortion statistics published by his Department.

An examination of the forms of notification of termination of pregnancy in the most recent two years for which forms are available showed that the *Other surgical method* was in each case used by clinicians to provide specific information about a procedure which could otherwise have been indicated in another category. The information given fell into three groups:

(a) the induction of labour by means of a *surgical procedure*, for example intra or extra amniotic prostaglandins administration. (Some practitioners record this procedure under the category *Medical termination*.);

(b) where the initial procedure preceding the abortion involved procedures to stop the fetal heart, such as injection of intra-cardiac potassium chloride. (Some practitioners record this information under *Other medical agents*.);

(c) where it was necessary to carry out surgical procedures post-termination, for example removal of the placenta, insertion of an intrauterine contraceptive device or other gynecological procedures.

Mr. Alton: To ask the Chancellor of the Exchequer if he will list the number of abortions performed from 21 weeks' gestation by "other surgical methods" in the last year for which figures are available. [7926]

Mrs. Knight *[holding answer 9 December 1996]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Alton, dated 13 January 1997:

The Chancellor of the Exchequer has asked me to reply as the Director of the the Office for National Statistics to your recent question on the number of abortions performed from 21 weeks gestation by other surgical methods in the last year for which figures are available.

There are four cases at 21 weeks and over in 1995, the most recent year for which information is available.

Revenue and Expenditure Balance (Scotland)

Mr. Salmond: To ask the Chancellor of the Exchequer (1) pursuant to his answer of 25 November, *Official Report*, column *68*, if he will estimate the total relative surplus or deficit of Government expenditure and revenue in Scotland for each year from 1978–79, assuming a constant relationship between the Scottish deficit, as published in the "Government Expenditure and Revenue in Scotland 1994–95", and the United Kingdom general Government borrowing requirement, excluding privatisation proceeds and North sea revenues and included in Scotland's revenue total a 90 per cent. share of North sea revenue and a gross domestic product share of privatisation proceeds; [8877]

(2) pursuant to his answer of 25 November *Official Report*, column *68*, if he will estimate the total relative surplus or deficit of Government expenditure and revenue in Scotland, excluding the gross domestic product share of the United Kingdom surplus or deficit of the general Government borrowing requirement, for each year from 1978–79, assuming a constant relationship between the Scottish deficit, as published in the "Government Expenditure and Revenue in Scotland 1994–95", and the United Kingdom general Government borrowing requirement, excluding privatisation proceeds and North sea revenues and including in Scotland's revenue total a 90 per cent. share of North sea revenue and a gross domestic product share of privatisation proceeds. [8876]

Mr. Waldegrave *[holding answer 12 December 1996]:* The table shows the calculations requested. The assumptions made to produce these figures—particularly for the allocation of North Sea oil revenues to Scotland—are inevitably imprecise.

Estimates of Scotland's share of the UK General Government Borrowing Requirement (GGBR), assuming a GDP share of privatisation proceeds and 90 per cent. of North Sea oil revenues

£ billion

	UK GGBR excluding privatisation proceeds (pps) and North Sea oil revenues	*Scotland's share of column 1 for 1994–95[1] (per cent.)*	*Scotland's implied share of UK GGBR excluding North Sea oil revenues and pps*	*90 per cent. of oil revenues, and GDP share of UK pps[2]*	*Implied estimates of Scotland's GGBR*	*Implied estimates of Scotland's GGBR, 1996–97 prices[3]*
1978–79	9.4	17.9	1.7	0.5	1.2	3.6
1979–80	13.2	17.9	2.4	2.2	0.2	0.4
1980–81	17.5	17.9	3.1	3.4	–0.3	–0.6
1981–82	13.5	17.9	2.4	4.1	–1.6	–3.3
1982–83	15.9	17.9	2.8	4.9	–2.1	–3.9
1983–84	19.8	17.9	3.6	8.0	–4.5	–7.9
1984–85	23.3	17.9	4.2	11.0	–6.8	–11.5
1985–86	20.9	17.9	3.7	10.4	–6.7	–10.7
1986–87	14.1	17.9	2.5	4.7	–2.2	–3.4
1987–88	7.8	17.9	1.4	4.6	–3.2	–4.7
1988–89	–1.5	17.9	–0.3	3.4	–3.7	–5.1
1989–90	–0.0	17.9	–0.0	2.5	–2.5	–3.2
1990–91	7.1	17.9	1.3	2.5	–1.3	–1.6
1991–92	22.8	17.9	4.1	1.6	2.5	2.9
1992–93	47.3	17.9	8.5	1.9	6.6	7.2
1993–94	53.5	17.9	9.6	1.6	8.0	8.5
1994–95	45.8	17.9	8.2	2.0	6.2	6.5
Total						–26.7

UK GGBR. *Source:*
Public Finance Trends, 1996. A negative figure indicates a budget surplus.
[1] Source: Government Expenditure and Revenue in Scotland 1994–95, and Public Finance Trends 1996.
[2] Scotland's GDP at factor cost (current prices) as a percentage of GDP in the UK less Continental Shelf, calendar years. Source: Regional Trends, 1996.
[3] Based on the Budget forecast of the GDP deflator in 1996–97.

Prednisolone

Mr. Flynn: To ask the Chancellor of the Exchequer how many people have *(a)* become crippled and *(b)* died from taking the steroid Prednisolone in each of the last five years; and if he will make a statement. [9645]

Mrs. Angela Knight *[holding answer 17 December 1996]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Paul Flynn, dated 13 January 1997:

The Chancellor of the Exchequer has asked me to reply as the Director of the Office for National Statistics to your recent question on how many people have (a) become crippled and (b) died from taking the steroid Prednisolone in England in each of the last five years.

Data are not held centrally by ONS or the Department of Health on the number of people crippled as a result of taking Prednisolone. Death records with the relevant ICD9* codes for 1993 to 1995 were searched for a mention of Prednisolone. One death in 1993 and one death in 1994 was recorded as having a mention of Prednisolone on the death certificate. To search the data for deaths occurring before 1993 would have incurred disproportionate cost.

*International Classification of Diseases, 9th revision, underlying cause codes E932.0 and 305.9 and secondary cause code 962.0.

Information Technology (Euro)

Mrs. Anne Campbell: To ask the Chancellor of the Exchequer what tenders his Department has put out to convert its information technology systems to be euro compliant; what is the cost and person hours required to convert the systems to handle the euro; and when he expects his Department's systems to be fully economic and monetary union compliant. [9453]

Mr. Kenneth Clarke *[holding answer 18 December 1996]:* My Department and agencies will need to assess the impact which a single currency, at present assumed to be starting on 1 January 1999, would have on their information systems whether or not the United Kingdom decides to participate in the third stage of economic and monetary union.

HOUSE OF COMMONS

"Tackling Drugs Together"

35. **Mr. Flynn:** To ask the Lord President of the Council what new proposals he has in respect of the initiatives in "Tackling Drugs Together". [8750]

Mr. Newton: "Tackling Drugs Together", contains 19 new specific tasks for the current year, and 20 such tasks for the year 1997–98. I am also announcing today the second drugs challenge fund which provides £2 million additional Government money to be bid for by local drug action teams, in partnership with private business and voluntary groups, for innovative and effective projects.

Sitting Hours

36. **Mr. Spearing:** To ask the Lord President of the Council on how many occasions the House rose before 10.30 pm on Thursdays *(a)* in the last Session and *(b)* since the beginning of the present Session. [8749]

Mr. Newton: The House has risen at or before 10.30 every Thursday last session and so far this Session, apart from once, on 18 April 1996.

Parliamentary Reforms

37. **Mr. Steen:** To ask the Lord President of the Council what assessment he has made of the operation of the reforms implemented following the Jopling report. [8748]

Mr. Newton: I believe the reforms have been a great success.

Recesses

38. **Mr. Mackinlay:** To ask the Lord President of the Council if he will review the distribution over the year of parliamentary *(a)* Sessions and *(b)* recesses. [8747]

Mr. Newton: This matter was reviewed in 1992 by the Select Committee on Sittings of the House—the Jopling Committee—whose principal recommendation was that the House should rise for the summer recess by mid-July.

Parliamentary Business

39. **Mr. MacShane:** To ask the Lord President of the Council if he will increase the amount of parliamentary business taken in the morning. [8746]

Mr. Newton: I have no plans to do so.

40. **Mr. Winnick:** To ask the Lord President of the Council what plans he has to extend the period for which he routinely announces the future business of the House. [8745]

Mr. Newton: In addition to announcing the business of the House for the following week, I try to give as much information as I can, on a provisional basis, about the likely business for the following week. I also use my best endeavours to give early notification of some major debates. I see no reasonable prospect of being able to go beyond this.

Defamation Act 1996

41. **Mr. Cohen:** To ask the Lord President of the Council what assessment he has made of the impact of the Defamation Act 1996 on the proceedings of the House. [8744]

Mr. Newton: I have not made any such assessment.

Points of Order

42. **Mr. Harry Greenway:** To ask the Lord President of the Council if he will make a statement on the procedure for raising points of order during a Division. [8743]

Mr. Newton: I refer my hon. Friend to page 366 of the 21st edition of *Erskine May* and to the Second Report from the Sessional Committee on Procedure (HC 152 (1976–77)).

FOREIGN AND COMMONWEALTH AFFAIRS

Royal Family (Overseas Visits)

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 November, *Official Report*, column *555*, how much of the sums paid for clothing to members of the royal family and those accompanying them went to *(a)* the Duke and Duchess of Kent and *(b)* the Duke and Duchess of Gloucester; and what sum was devoted to hiring charges. [9950]

Mr. Rifkind: In 1995–96, the cost to my Department for clothing for official overseas visits by the Duke and Duchess of Kent and those accompanying them was £5,300; for the Duke and Duchess of Gloucester and those accompanying them, it was £3,000.

None of these sums was devoted to hiring charges.

North Korea

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed the situation in North Korea with the United States Government; and if he will make a statement. [9830]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary discussed North Korea with the US Secretary of State on 10 December when he raised our concern over the increased tension on the Korean peninsula since the submarine incident in September. Since then, the North Korean Government have issued a statement of apology on 29 December.

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed the situation in North Korea with the Government of the Republic of South Korea; and if he will make a statement. [9831]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary had a meeting with the Foreign Minister of the Republic of Korea on 3 December, and I held talks with the Vice-Minister on 17 December. At both we discussed the situation on the Korean peninsula in the aftermath of the submarine incident. The statement of apology issued by North Korea on 29 December undertaking to ensure no recurrence of such incidents has led to a welcome easing of tension on the peninsula.

Ministerial Visits (Accommodation)

Mr. Hall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions when Cabinet Ministers on official visits to *(a)* Singapore, *(b)* Thailand, *(c)* Malaysia, *(d)* Japan and *(e)* South Korea have used (i) the official residence and (ii) a residence other than the official residence since 1994, indicating the cost involved. [9960]

Mr. Hanley: The official visits made by Cabinet Ministers to Singapore, Thailand, Malaysia, Japan and South Korea since 1994 are shown in the table.

We are still awaiting information from other Departments which may add to this list. I shall write when it has been received.

Official visits by Cabinet Ministers to Singapore, Thailand, Malaysia, Japan and South Korea 1994 to 1996

Date	*Minister*	*Destination*	*Accommodation*	*Cost £*
Foreign and Commonwealth Office				
1994				
11 to 20 September	Secretary of State	Thailand and Japan	Residence, Bangkok x two nights; residence, Tokyo x two nights	
1996				
26 August to 4 September	Secretary of State	Japan	Residence, Tokyo x one night	
27 October to 2 November	Secretary of State	Thailand	Residence, Bangkok x three nights	
There were no visits made by the Secretary of State in this period to Singapore, Malaysia or South Korea				

Official visits by Cabinet Ministers to Singapore, Thailand, Malaysia, Japan and South Korea 1994 to 1996

Date	*Minister*	*Destination*	*Accommodation*	*Cost £*
Ministry of Defence				
1996				
January	Secretary of State	Singapore and Malaysia	Residence, Singapore; residence, Kuala Lumpur	
January	Secretary of State	South Korea	Hotel	Guest of Government
September	Secretary of State	Japan	Residence, Tokyo	
Department of Health				
1995				
13 to 17 March	Secretary of State	Japan and South Korea	Residence, Tokyo; Hotel, Seoul	
11 to 14 September	Minister of Health	Singapore, Thailand and Malaysia	Hotel, Singapore; residence, Bangkok; residence, Kuala Lumpur	859.93
1996				
14 to 20 September	Minister of Health	Singapore, Thailand, Japan and South Korea	Hotel, Singapore; Residence, Singapore; Hotel, Kuala Lumpur; Hotel, Tokyo; Residence, Tokyo; Residence, Seoul	424.34 385.42 601.91
Lord Chancellor's Office				
1994				
8 January 1994	Lord Chancellor	Singapore	Residence, Singapore	
Department of National Heritage				
1996				
27 to 30 May	Secretary of State	Japan	Residence, Tokyo	
Department of Transport				
1995				
18 to 24 April	Secretary of State	Japan and South Korea	Residence, Tokyo x two nights	
			Hotel, Nagoya x one night (20)	£425.22
			Hotel, Kyoto x one night	£232.91
			Hotel, Seoul x three nights	£252.00
1996				
10 to 11 April	Secretary of State	Singapore	Residence, Singapore	
29 to 30 July	Secretary of State	Malaysia	Hotel, Langkawi x one night	£155.00
			Residence, Kuala Lumpur x one night	
Welsh Office				
1994				
6 to 9 September	Secretary of State	Japan	Hotel, Osaka x one night	no cost available
			Residence, Tokyo x three nights	
1995				
10 to 15 September	Secretary of State	Japan and South Korea	Residence, Tokyo x two nights	
			Hotel, Osaka x two nights	no cost available
			Residence, Seoul x two nights	

Official visits by Cabinet Ministers to Singapore, Thailand, Malaysia, Japan and South Korea 1994 to 1996

Date	*Minister*	*Destination*	*Accommodation*	*Cost £*
1996				
9 to 14 September	Secretary of State	South Korea and Japan	Residence, Seoul x one night	
			Residence, Tokyo x two nights	
			Hotel, Osaka, x one night	no cost available
			Hotel, Heppu, x one night	no cost available
			Hotel, Osaka x one night	no cost available
Scottish Office				
1996				
May	Secretary of State	Japan and South Korea	Residence, Tokyo	
			Hotel, Osaka	£893.00
			Residence, Seoul	

Mr. Hall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the official residences owned by his Department in south America; and if he will indicate the occasions when Cabinet Ministers on official visits to each country have used *(a)* the official residence and *(b)* a residence other than the official residence since 1994, indicating the cost involved. [9955]

Mr. Hanley: Official residences are owned in the following cities: Asuncion, Belmopan, Bogota, Brasilia, Buenos Aires, Caracas, Guatemala City, La Paz, Lima, Montevideo, Panama City, Quito, Rio de Janiero, San Jose, San Salvador, Santiago, Sao Paulo.

Information currently at hand indicates the following visits by Cabinet Ministers to the area since 1994:

Lord Chancellor

Chile 25 to 28 May 1996 (accommodation at Santiago residence);

Peru 29 to 31 May 1996 (Lima residence);

Secretary of State for the Home Department

Argentina 22 to 24 August (Buenos Aires residence);

Bolivia 25 to 28 August 1994 (La Paz residence);

Colombia 29 August to 2 September 1994 (Bogota residence);

Secretary of State for Foreign and Commonwealth Affairs

Brazil 4 to 11 April 1994 (Maksoud Plaza hotel);

Sao Paulo Copacabana Palace hotel, Rio de Janiero, Brasilia residence) — No cost—guest of Government

Brazil and Bolivia 8 to 17 April 1996 (Brasilia residence);

Copacabana Palace hotel, Rio de Janiero; Hotel Moferraj Sheraton, Sao Paulo — No cost—guest of Government

Lord Presidence of the Council and Leader of the House of Commons:

Ecuador, Paraguay, Uraquay and Brazil, 7 to 22 August 1996 (Quito residence, Asuncion residence, Montevideo residence, hotel International Brasilia (Cost not available));

Secretary of State for Education and Employment:

Chile and Colombia, 28 May to 4 June 1996 (Residences at Santiago and Bogota but for one night in hotel—cost £362);

Secretary of State for Defence:

Chile December 1996 to January 1997 (Santiago residence).

We are still awaiting information from other Departments which may add to this list. I shall write separately when it has been received.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs how many days of leave he plans to take during the Christmas adjournment. [9799]

Mr. Rifkind: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Mr. McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9798]

Mr. Rifkind: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Former Prisoners of War

Mr. Alfred Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the response to date from Japanese business men to the Minister of State's invitation to them to extend help to British prisoners of war held in Japan during the second world war; and if he will make a statement. [9882]

Mr. Hanley: As I made clear in the debate on 4 December, *Official Report*, columns 969–73 our policy is to encourage all initiatives which promote reconciliation and recognise the sacrifices made by former prisoners of war. The British Government have made extensive efforts to develop non-governmental approaches and some activities such as exchange visits are going ahead.

Consultants

Mr. Milburn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10163]

Mr. Hanley: Following the efficiency scrutiny on the Government's use of external consultants, the Foreign and Commonwealth Office and the Overseas Development Administration produced action plans which were agreed with Ministers and submitted to the efficiency unit. Both Departments produced guidelines to cover all the points made in the report. The revised guidelines, in the form of office instructions, were brought to the attention of all staff to whom they were relevant.

In addition to revising their guidelines, the FCO and ODA have also tightened up their procedures on the use of consultants. Last year, it was agreed that consultancies for internal purposes costing more than £50,000 should be authorised by Ministers.

The great majority of ODA expenditure on consultants is undertaken at the request of, and for the benefit of, overseas Governments and institutions; where relevant to this type of activity, the scrutiny recommendations have been implemented in full.

International Agreements

Mr. Robert McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy with respect to the nomenclature for the United Kingdom and the country to the south and west, utilised on both copies of agreements that he signs with that country; and if he will make a statement. [10481]

Mr. Rifkind: The UK original of treaties and agreements between the United Kingdom and the Republic of Ireland uses the nomenclature appropriate under UK law which is "the Government of the United Kingdom of Great Britain and Northern Ireland" and "the Government of the Republic of Ireland". The Irish original of such treaties and agreements uses the nomenclature for the two countries which the Irish Government consider appropriate.

Intergovernmental Conference

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the article of *(a)* the treaty on European Union, and *(b)* its associated treaties, under which the Commission of the European Committees has a locus in respect of the June intergovernmental conference concerning amendments to the treaty; and what communications he has received from the Commission of the Community relating to this matter. [10874]

Mr. David Davis: The Commission of the European Community has a locus in respect of the intergovernmental conference—IGC—under article N of the treaty of European union. The Commission submitted its opinion on convening the IGC on 28 February 1996. This was submitted to Parliament for scrutiny. The Commission has submitted a number of other proposals to the IGC, which have been placed in the Library of the House. The outcome of the IGC will be decided by member states, by unanimity.

Indonesia

Mrs Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the frequencies and the locations of the transmitters supplied under the contracts which followed on from the shortwave radio transmitters project in Indonesia; and who were the contracting parties. [10715]

Mr. Nelson: I have been asked to reply.

I understand from GEC Marconi Communications Ltd. that the shortwave radio transmitters project in Indonesia has helped in securing three follow-on items of business on commercial terms. The details are:

(i) a turnkey project near Jakarta, including the provision of three 250kW high frequency transmitters and antennae system. The contracting parties were Marconi Communications International Ltd. and the directorate of radio television and film of the Department of Information of the Government of Indonesia. The transmitters are to provide an external overseas broadcasting service and operate on frequencies in the internationally recognised broadcasting bands in the 4-26 MHz range.

(ii) the supply and installation of transmitting equipment for 19 sites in Malaysia. The contracting parties were Eddystone Radio Ltd., GEC Malaysia and the Malaysian Ministry of Information. The transmitters operate in the 88-108MHz broadcasting band.

(iii) the supply of medium frequency transmitters and a directional antennae system in Vietnam. The contacting parties were Marconi Communications International Ltd. and Radio Voice of Vietnam. The equipment operates on the fixed frequencies of 549kHz and 675kHz.

HOME DEPARTMENT

Police Cells

Mr. George Howarth: To ask the Secretary of State for the Home Department if he will list the number of nights spent by prisoners in police cell accommodation in each month this year. [9105]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. George Howarth, dated 13 January 1997:

The Home Secretary has asked me to reply to your recent Question about the number of nights spent by prisoners in police accommodation this year.

No nights have been spent by prisoners in police accommodation this year as a result of overcrowding at establishments. This key objective has applied since June 1995 and continues to be achieved in spite of extreme population pressures.

Under completely separate arrangements, prisoners have, from time to time, to be accommodated overnight in police accommodation following court appearances. This is usually because a late court sitting or the distance involved make it impossible for an escort contractor to get the prisoner back before reception at the establishment closes for the evening.

This continues a practice developed when all prisoner escorts to and from court were undertaken by the Police or Prison Service and is of many years standing. Prison reception times were developed to meet local circumstances. If prisoners could not be delivered before the prison closed for the night the police held them overnight and delivered them the next morning. The number of prisoners lodged overnight by the police in these circumstances prior to contracting out is not available centrally.

The general service to courts, prisons and police forces has improved significantly since the contracting out of escort services. Court contractors are required to get prisoners back to prison by a certain time. This is not always possible for reasons which may be outside their control. However, if they fail to meet this commitment as a result of an error or omission on their part they have to meet any subsequent costs that may arise as a result of the use of police cell accommodation. Well over 99 per cent. of prisoners are admitted to establishments each evening.

The table below gives the number of nights in which prisoners have been accommodated in police cells in these circumstances between January and October this year. Information for November is not yet available. The figures are affected by the fact that during the period in question more escort contracts have started. As a result, better management information on these cases within the contract areas is now available.

Month	*Number*
January	124
February	171
March	177
April	160
May	129
June	181
July	142
August	185
September	176
October	250

As you will see this amounts to an average of about five prisoners per night.

Prison Accommodation

Mr. George Howarth: To ask the Secretary of State for the Home Department if he will list the number of prisoners sharing two to a cell designed for one by prison type in each month this year. [9103]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. George Howarth, dated 13 January 1996.

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of prisoners sharing two to a cell designed for one by prison type in each month this year.

Data concerning prisoners sharing cells designed for one is only collected for the prison as a whole. It is therefore not possible to provide information by prison type because many prisons have multiple roles. A list of all prisons which have two prisoners sharing cells designed for one and the various roles they undertake, is provided in the attached table.

The number of prisoners held two in a cell designed for one by Prison

1996

	Prison type code	*January*	*February*	*March*	*April*	*May*	*June*
Aylesbury	IM	0	0	0	0	0	2
Bedford	BM	154	134	134	134	134	134
Birmingham	CM, BM, EM	630	616	630	630	618	632
Blakenhurst	BM, VM	0	0	0	0	0	66
Blundeston	CM	0	0	0	0	0	0
Bristol	BM, CM, EM	152	162	162	68	68	68
Brixton	BM	328	328	328	328	328	398
Buckley Hall	CM	0	0	20	20	16	16
Canterbury	BM	210	166	154	154	204	204
Cardiff	AM, BM, VM	368	286	366	376	386	332
Channings Wood	CM, VM	200	192	186	186	182	186
Chelmsford	BM	332	332	324	296	296	296
Cookhamwood	CF	12	12	12	12	26	26
Doncaster	BM, VM	194	194	376	376	376	376
Dorchester	AM, BM, VM	144	160	122	164	164	188
Down View	CM	0	0	0	0	0	0
Durham	BM, CF, VM, CM	428	474	476	472	532	704
Everthorpe	CM	0	0	0	0	0	0
Exeter	AM, BM	302	352	352	322	384	384
Feltham	AM, IM, LM, SM	0	0	0	0	0	0
Glen Parva	AM, HM, IM, SM, VM	138	378	204	236	212	254
Gloucester	BM, AM	91	102	118	118	122	134
Guys Marsh	CM, IM, JM	0	0	6	0	4	8
Highpoint	CM, CF	0	0	0	0	0	0
Hindley	AM, IM	0	0	140	0	0	0
Hull	BM, SM	140	236	204	178	160	156
Lancaster Farms	AM, IM	0	0	0	0	0	0
Leeds	BM	548	584	754	0	0	98
Leicester	BM, VM	238	244	244	268	250	250
Lewes	BM, VM	22	22	22	30	24	24
Lincoln	BM, VM	418	538	490	514	514	536
Littlehey	CM, HM, VM	0	0	0	0	0	0
Liverpool	BM, VM	188	208	66	230	230	260
Low Newton	AM, BF, VM	180	224	224	234	236	204
Manchester	BM, VM	446	456	444	444	448	446
Moorland	AM, CM, IM	0	0	0	0	0	0
Mount	CM	0	0	0	0	0	0
Northallerton	AM	114	168	170	164	162	168
Norwich	AM, BM, VM	0	0	0	0	0	0
Nottingham	CM, EM	0	4	4	4	6	8
P'klechurch	AF (SHUT)	28	0	0	0	0	0
Pentonville	BM	599	610	176	596	616	604

The number of prisoners held two in a cell designed for one by Prison

1996

	Prison type code	*January*	*February*	*March*	*April*	*May*	*June*
Portland Yoi	AM, IM, LM	16	16	16	16	0	0
Preston	BM	258	258	258	258	258	394
Reading	AM, IM	38	60	52	82	44	44
Risley	BF, CM, SM, VM	0	0	0	0	0	0
Rochester	AM, BM, CM, VM, IM	4	6	6	6	6	6
Shepton Mallet	CM, VM	0	0	0	0	0	76
Shrewsbury	BM	272	260	268	270	254	262
Stafford[1]	CM, VM	396	400	374	368	394	378
Stocken	CM	0	0	0	0	0	0
Swaleside	CM	0	0	0	0	0	0
Swansea	AM, BM	144	144	132	148	164	166
Usk	CM, DM, JM, VM	74	66	88	86	80	80
Verne	CM	0	0	0	0	0	0
Wakefield	CM, EM	0	0	0	0	0	0
Wandsworth	BM, VM	148	148	80	80	80	96
Wayland	CM, VM	0	0	0	0	0	0
Wealstun	CM, DM	0	0	0	0	0	0
Winchester	BM, CM, CF	194	186	194	218	208	234
Wolds	BM, VM	0	0	0	0	0	0
Woodhill	AM, BM, SM, VM	0	0	0	0	0	0
Wormwood Scrubs	BM, CM, EM, SM	300	530	250	238	244	304
Total		8,448	9,256	8,626	8,324	8,430	9,202

1996

	Prison type code	*July*	*August*	*September*	*October*	*November*
Aylesbury	IM	2	2	0	0	0
Bedford	BM	142	132	142	166	168
Birmingham	CM, BM, EM	616	622	622	632	626
Blakenhurst	BM, VM	66	122	130	138	140
Blundeston	CM	0	0	0	18	0
Bristol	BM, CM, EM	68	70	80	98	92
Brixton	BM	358	358	302	354	362
Buckley Hall	CM	18	18	12	22	20
Canterbury	BM	210	210	218	248	234
Cardiff	AM, BM, VM	332	256	388	458	458
Channings Wood	CM, VM	196	194	206	224	244
Chelmsford	BM	322	14	0	108	72
Cookhamwood	CF	48	50	72	48	46
Doncaster	BM, VM	420	414	352	389	416
Dorchester	AM, BM, VM	178	172	182	180	164
Down View	CM	0	0	0	0	12
Durham	BM, CF, VM, CM	676	678	700	712	742
Everthorpe	CM	0	0	0	64	32
Exeter	AM, BM	356	324	358	404	408
Feltham	AM, IM, LM, SM	0	0	0	10	12
Glen Parva	AM, HM, IM, SM, VM	358	222	154	236	222
Gloucester	BM, AM	128	80	116	108	142
Guys Marsh	CM, IM, JM	8	8	6	6	26
Highpoint	CM, CF	0	0	0	22	22
Hindley	AM, IM	0	0	0	32	0
Hull	BM, SM	188	194	202	206	194
Lancaster Farms	AM, IM	0	0	0	0	34
Leeds	BM	0	0	0	0	0
Leicester	BM, VM	304	266	280	298	268
Lewes	BM, VM	30	30	54	26	24
Lincoln	BM, VM	532	500	496	486	482
Littlehey	CM, HM, VM	0	0	0	16	32
Liverpool	BM, VM	260	260	264	264	264
Low Newton	AM, BF, VM	226	198	218	236	266
Manchester	BM, VM	444	480	482	480	484
Moorland	AM, CM, IM	60	60	60	60	60
Mount	CM	0	0	0	76	76
Northallerton	AM	156	150	158	292	286
Norwich	AM, BM, VM	0	0	0	0	0
Nottingham	CM, EM	8	8	8	18	4
P'klechurch	AF (SHUT)	0	0	0	0	0

1996

	Prison type code	July	August	September	October	November
Pentonville	BM	654	658	706	696	688
Portland Yoi	AM, IM, LM	0	0	0	0	114
Preston	BM	404	404	370	358	362
Reading	AM, IM	78	110	110	144	122
Risley	BF, CM, SM, VM	0	0	0	0	18
Rochester	AM, BM, CM, VM, IM	4	6	6	6	12
Shepton Mallet	CM, VM	98	100	120	104	112
Shrewsbury	BM	278	268	282	294	290
Stafford[1]	CM, VM	390	390	386	404	0
Stocken	CM	48	14	42	52	52
Swaleside	CM	0	0	0	0	30
Swansea	AM, BM	132	138	146	161	244
Usk	CM, DM, JM, VM	88	88	84	108	96
Verne	CM	0	0	0	0	16
Wakefield	CM, EM	56	94	86	82	96
Wandsforth	BM, VM	162	166	230	134	138
Wayland	CM, VM	0	0	0	56	50
Wealstun	CM, DM	0	0	0	6	6
Winchester	BM, CM, CF	230	208	230	230	244
Wolds	BM, VM	0	0	0	60	0
Woodhill	AM, BM, SM, VM	0	0	0	54	94
Wormwood Scrubs	BM, CM, EM, SM	320	260	300	300	292
Total	—	9,652	8,996	9,360	10,384	10,210

[1] A new cell certificate issued in November has re-certified single cells as double cells.

Description of codes
M—Male
F—Female
A—Remand Centre
B—Local prison
C—Closed training prison
D—Open training prison
E—Hostel
H—National resource hospital
I—Closed young offender institution
J—Open young offender institution
K—Short sentencer institution
L—Juvenile institution
S—Special unit
T—Additional special unit
V—Vulnerable prisoner unit

Adjustments to figures returned from Liverpool and Northallerton means that the total number of prisoners held two to a cell designed for one has been revised for the months between July and November.

Adjustment table: Total number of prisoners held two to a cell designed for one

1996

	July	August	September	October	November
Previous total	9,236	8,726	8,938	10,120	9,946
Adjusted new total	9,652	8,996	9,360	10,384	10,210

Europol

Mr. David Hunt: To ask the Secretary of State for the Home Department what international obligations or guidelines apply in the United Kingdom in respect of harmonising practices regarding the interception of communications, with particular reference to the work of Europol. [10217]

Mr. Howard: None. Such practices are a matter for national law.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for the Home Department (1) how many days of leave he plans to take during the Christmas adjournment; [9793]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9792]

Mr. Howard: I refer the hon. Member to the answer given to him by the Chancellor of the Duchy of Lancaster today.

Interception of Communications

Mr. David Hunt: To ask the Secretary of State for the Home Department what research his Department has evaluated into recent developments in the interception of communications; and what proposals he has to introduce legislation in this area. [10218]

Mr. Howard: The adequacy of legislation is kept under review in the light of developments in the interception field.

Mr. Hunt: To ask the Secretary of State for the Home Department how many staff, and at what grades, are

deployed in undertaking the work required under the Interception of Communications Act 1985, separately identifying the work of *(a)* the commissioner and *(b)* the relevant division of his Department; and what other costs are involved in this work. [10216]

Mr. Howard: The commissioner appointed under the Interception of Communications Act 1985 is assisted by a secretary (higher executive officer grade). Within the intelligence and security liaison unit of the Home Office, one grade 7, one higher executive officer, two executive officers, one administrative officer and one typist are engaged on casework under the 1985 Act. Members of the senior civil service are also involved in the consideration of applications. Other costs fall to the agencies requesting interception; it is not the Government's practice to give details of such costs.

Mr. Hunt: To ask the Secretary of State for the Home Department what assessment he has made of the safeguards adopted to deal with interception of communications procedures, including the clandestine listening to telephone calls, in the Commonwealth, the Council of Europe countries and the United States of America; and if he will place such assessment in the Library together with a listing of the principal procedures in each country and the source of that information. [10432]

Mr. Howard: I have made no such assessment. Procedures concerning interception in other countries are a matter for the Governments concerned.

Mr. Hunt: To ask the Secretary of State for the Home Department what methods exist for establishing whether the police have been responsible for an unlawful interception of communications procedure. [10429]

Mr. Howard: A person who believes that his or her communications have been intercepted in the course of transmission by post or by means of a public telecommunications system may apply to the tribunal established under section 7 of the Interception of Communications Act 1985 for an investigation of whether a relevant warrant has been issued and, if so, whether there has been any contravention of the Act. The investigation of an allegation that interception has taken place without the authority of a warrant is, like the investigation of other allegations of criminal offences, a matter for the police.

Illegal Immigrants

Mr. Kirkwood: To ask the Secretary of State for the Home Department how many employers have been prosecuted for employing illegal immigrants in each of the last three years; and if he will make a statement. [9788]

Mr. Kirkhope: Prior to the introduction of section 8 of the Asylum and Immigration Act 1996, which comes into force on 27 January 1997, it has not been an offence for an employer to employ an illegal entrant.

Prisons (Sanitation)

Mr. Kirkwood: To ask the Secretary of State for the Home Department in how many prisons in England and Wales inmates do not currently have access to sanitation at all times; and if he will make a statement. [9770]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Archy Kirkwood, dated 13 January 1997:

The Home Secretary has asked me to reply to your recent Question about prisons where inmates do not have access to sanitation at all times.

An extensive programme of work in recent years resulted in the ending of the practice of slopping out in April 1996. There are now no prisons in England and Wales where prisoners housed in normal accommodation do not have access to sanitation at all times.

Most of our establishments have retained a small amount of accommodation where integral sanitation would not be appropriate for example special cells or dirty protest cells. These do not form part of the certified normal accommodation of the establishment.

There are also exceptional occasions when essential maintenance work requires the temporary suspension of access to sanitation.

Hand Grenades and Balaclavas

Mr. Hendry: To ask the Secretary of State for the Home Department what steps his Department is taking to control the sale of imitation hand grenades and SAS-style balaclavas. [9844]

Mr. Maclean: None.

Police Scientific Development Branch

Mr. Ingram: To ask the Secretary of State for the Home Department (1) how much has been spent to date on the prior options review of the police scientific development branch; and from which budget these sums were paid; [10058]

(2) what estimate he has made of the future costs of the prior options review of the police scientific development branch; and from which budget these sums will be paid. [10059]

Mr. Maclean: The costs of the prior options review of the police scientific development branch are estimated to be £64,000. This figure represents the costs of the review team and of consultancy advice obtained by PSDB. The sums were paid from the budget of the police policy directorate.

The review was completed in March 1996 and, as such, no future costs are anticipated. The findings of the review remain under consideration.

Mr. Ingram: To ask the Secretary of State for the Home Department (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the police scientific development branch as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10060]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the police scientific development branch. [10061]

Mr. Maclean: Employees of the police scientific development branch sit on 84 United Kingdom committees, five European committees and eight committees with a wider international membership. PSDB

staff take the lead for the United Kingdom on three of these European committees and six of the wider international committees.

Nine United Kingdom committees and one European committee are chaired by employees of PSDB.

Intoxicating Substances

Mr. Milburn: To ask the Secretary of State for the Home Department, pursuant to his answer of 10 December, *Official Report*, column *148*, if he will identify the substances covered by the Intoxicating Substances (Supply) Act 1985 and the number of prosecutions that have taken place in each of the last five years providing a regional breakdown where available. [10224]

Mr. Sackville: The Act covers the supply of any substance which is likely to be inhaled for the purpose of causing intoxication; no particular substances are specified. But the compounds and products commonly associated with volatile substance abuse are listed in annexes D and E of the 1995 report of the Advisory Council on the Misuse of Drugs on volatile substance abuse, a copy of which is in the Library.

The number of prosecutions for offences under the Act by region, in the last five years for which figures are available, were as follows:

Region	*1995*	*1994*	*1993*	*1992*	*1991*	*Totals*
North	—	1	—	1	2	4
Yorkshire and Humberside	—	—	—	—	1	1
East Midlands	—	—	—	—	—	—
North West	—	1	2	1	1	5
West Midlands	—	4	—	2	1	7
East Anglia	1	—	—	—	—	1
South West	1	—	1	—	—	2
South East	—	1	—	1	—	2
Wales	1	—	2	—	3	6
England and Wales	3	7	5	5	8	28

Consultants

Mr. Milburn: To ask the Secretary of State for the Home Department is he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report "The Government's Use of External Consultants". [10195]

Mr. Howard: The Home office is either acting on or has already complied with each of the relevant recommendations of the scrutiny report. In particular, a policy statement has been issued, new arrangements for ministerial approval of external consultancies are being followed and reporting arrangements are in place. A new guidance manual, covering these areas and consolidating existing guidance, is about to issue.

Pepper Sprays

Mr. Livingstone: To ask the Secretary of State for the Home Department how many reviews his Department has carried out into the health effects of pepper sprays, oleoresin capsicum, since 1990; who carried out each of the reviews; what were the conclusions of each of the reviews; when each review *(a)* started and *(b)* ended; and what is the current security classification of the report arising out of each review. [10251]

Mr. Maclean: The Home Office police scientific development branch started reviewing all available data relating to the health effects of oleoresin capsicum in early 1991, and continues to do so. The data have also been reviewed by the Department of Health and the Ministry of Defence. This has not resulted in any published report, although a summary of the police scientific development branch's findings were included in an article in "Police Science and Technology Review" last June. In addition, my right hon. and learned Friend commissioned research into the possible carcinogenic effects of oleoresin capsicum's main incapacitating ingredient, capsaicin. This was undertaken by Hazleton Europe between 14 July 1994 and 22 August 1994. This resulted in two reports, entitled "Capsaicin: Measurement of Unscheduled DNA Synthesis in Rat Liver Using an In Vivo/In Vitro Procedure" and "Capsaicin: Induction of Micronuclei in the Bone Marrow of Treated Mice", which are unclassified and available in the Library.

Speaker's Conferences

Mr. Charles Kennedy: To ask the Secretary of State for the Home Department if he will place in the Library a copy of *(a)* the typescript minutes of evidence of the Speakers' conferences on electoral law 1965 to 1968 and *(b)* the minutes of evidence he retains in respect of earlier Speakers' conferences. [10444]

Mr. Sackville: Successive Speakers have directed that the unpublished papers of Speakers' conferences should be publicly available only on the expiry of 50 years and the subject to the consent of the Speaker in office in respect of each application for access to them.

Refugees

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will list the number of refugee applications in each of the past five years. [10491]

Mr. Kirkhope: The information requested is given in the table.

Applications[1] for asylum received in the United Kingdom, excluding dependants, 1992–96 (January to November)

Year	*Number of principal applications*
1992	24,605
1993	22,370
1994	32,830
1995	43,965
1996 (January to November	25,590

[1] Figures rounded to the nearest five.

Mr. Bottomley: To ask the Secretary of State for the Home Department for what reasons he funds *(a)* the Refugee Council and *(b)* the refugees arrival project. [10489]

Mr. Kirkhope: We provide a core grant to the Refugee Council which contributes to a range of the council's activities as an umbrella organisation supporting the interests of refugees and refugee organisations.

The grant from the Home Office contributes about 80 per cent. of the total funding available to the refugee arrivals project to enable it to provide advice and support to asylum seekers arriving at airports in Greater London.

Mr. Bottomley: To ask the Secretary of State for the Home Department who advises him on the monitoring of the refugee situation and on the appropriate levels of financial support to those voluntary organisations who are providing services to refugees. [10493]

Mr. Kirkhope: Statistics are maintained on the number of people seeking asylum each year and those given permission to remain either as refugees or exceptionally outside the immigration rules. The voluntary agencies funded by the Home Office are alive to the changing refugee situation which influences the aims and objectives which underlie the grant we pay.

Mr. Bottomley: To ask the Secretary of State for the Home Department how much public money has been made available to refugee agencies in each of the past five years. [10490]

Mr. Kirkhope: The total amount of grants given to refugee voluntary agencies in each of the past five financial years is set out in the table. The amounts vary from year to year due to the fluctuating level of funding needed to support the programme offering temporary protection to refugees from the former Yugoslavia.

Year	*Total grant £million*
1996–97	5.2
1995–96	6.1
1994–95	9.4
1993–94	7.4
1992–93	4.2

Mr. Bottomley: To ask the Secretary of State for the Home Department if he will consult the *(a)* Cardinal Archbishop of Westminster and *(b)* other Church and faith leaders about services to refugees. [10494]

Mr. Kirkhope: The provision of services to refugees is a matter for local authorities and those central Government Departments with policy responsibility in the relevant areas. We are always ready to listen to the views of Church and other faith leaders about issues affecting refugees.

Mr. Bottomley: To ask the Secretary of State for the Home Department what specific advice has been given by his Department to refugee aid and advice agencies about changes in the levels of funding in recent years. [10492]

Mr. Kirkhope: Home Office officials have regular discussions with the refugee organisations to which we make grants. We have made it clear during these meetings that, due to the need to control public expenditure, no guarantees could be given that the level of grants would necessarily be maintained.

Metropolitan Police (Accommodation) Clearance Costs

Miss Hoey: To ask the Secretary of State for the Home Department what was the acquisition and clearance cost of the sites at *(a)* Grafton square and *(b)* Old Town SW4. [10487]

Mr. Maclean: I understand from the Commissioner of Police of the Metropolis that the acquisition and clearance costs of both sites are as follows:

Item	*Cost £*
Purchase of Grafton Square	912,500
Purchase of 63 Old Town	1,260,000
Legal fees, stamp duty and agents fees	70,000
Demolition costs	126,000
Total	2,368,500

Part of the land was surplus to the scheme and was subsequently sold for £50,000

Miss Hoey: To ask the Secretary of State for the Home Department when the strategic review of the provision of police accommodation in Lambeth started and finished; what external views were sought on this strategic review; and if the views of the Lambeth divisional commander were sought. [10486]

Mr. Maclean: I understand from the Commissioner of Police of the Metropolis that a review of the long-term police accommodation needs in Lambeth is ongoing as part of the process to update the Metropolitan police's operational building strategy by September 1997. The review will take a number of months to complete, during which time the Metropolitan police intend to seek the views of interested parties, both internally and externally.

Miss Hoey: To ask the Secretary of State for the Home Department what were the architects' and surveyors' costs to 31 March 1996, in the preparation of the divisional police headquarters at Grafton square. [10488]

Mr. Maclean: The commissioner tells me that the proposals were developed mainly by architectural staff in the Metropolitan police property services department. All costs, up to March 1996, totalled the equivalent of £857,000, inclusive of external consultants' fees.

Game Licences

Dr. Goodson-Wickes: To ask the Secretary of State for the Home Department what plans he has for the future of game licences. [10404]

Mr. Sackville: My right hon. and learned Friend has announced the Government's intention to abolish the licence to kill game. Consultation on the proposal to abolish the licence, and to abolish and/or simplify other aspects of the game licensing system, will take place as soon as possible.

Metropolitan Police

Mr. Spearing: To ask the Secretary of State for the Home Department what request he has made, and what reports he has received, to or from the advisory committee for the Metropolitan police concerning the recent review of its support services. [10499]

Mr. Maclean: My right hon. and learned Friend has received regular reports from the Metropolitan police committee on the recent review of support services. He received a copy of the final report published on 4 November 1996, and has asked to be kept informed of progress on the implementation of the recommendations.

Airports (Passenger Handling)

Sir Irvine Patnick: To ask the Secretary of State for the Home Department if he will make a statement on passenger handling arrangements at *(a)* Heathrow and *(b)* other United Kingdom airports. [10323]

Mr. Kirkhope: Paragraph 27(1)(a) of schedule 2 to the Immigration Act 1971 requires that carriers disembark passengers from ships and aircraft in accordance with arrangements approved by the immigration service. These arrangements invariably include a requirement that passengers who are not European Union—European Economic Area nationals be presented in an orderly manner to the immigration officer for interview. This requirement is met in a variety of ways at different locations, reflecting the different traffic patterns and accommodation configurations which exist. At Heathrow airport, carriers have engaged a private security firm to carry out this function on their behalf.

Licensing (Special Hours Certificates)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what representation he has received on problems arising from the granting of special hours certificates under section 77 of the Licensing Act 1964 as extensions to standard licences; what plans he has to alter the licensing arrangements; and if he will make a statement. [10517]

Mr. Kirkhope: We have received a number of representations from the licensed trade about a 1995 Crown court judgment, whose effect appears to be to restrict premises which hold a special hours certificate from operating as public houses during the day and as discotheques at night. I understand that a test case, sponsored by the trade, received judgment in the High Court on 16 December, and that the plaintiffs have been given leave to take the matter to the Court of Appeal. We shall continue to monitor developments closely, and will consider whether action is needed in the light of the decision of the courts.

Remand Prisoners (Newspapers)

Mr. McNamara: To ask the Secretary of State for the Home Department for what reasons remand prisoners are not entitled to receive *(a)* the *Irish Times*, *(b)* the *Irish News*, *(c)* the *Irish Press* and *(d)* the *Belfast Newsletter*. [10637]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Hugh Taylor to Mr. Kevin McNamara, dated 13 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the supply of Irish papers to prisoners.

Prisons provide, at public expense, one newspaper for every ten prisoners, taking into account the preference of prisoners and the need to provide as full a range of newspapers as possible. Additionally, prisoners can receive newspapers directly from publishers, newsagents or booksellers, either at the order of relatives or friends or by payment from prisoners' private cash or prison pay. For unconvicted prisoners the supply of newspapers at their own expense is specifically provided for in the Prison Rules and there are no particular restrictions on the four titles you mention.

Police Expenditure

Mr. Michael: To ask the Secretary of State for the Home Department if he will list the aggregate of (i) each police authority's capped expenditure limit or in the case of the Metropolitan police the estimated budget requirement, (ii) police rule 2 grant for additional police officers and (iii) police rule 3 grant for *(a)* each individual police authority, *(b)* each class of police authority and *(c)* all police authorities in 1996–97 and 1997–98 and the change in each in pounds and as a percentage. [10306]

Mr. Maclean: The information requested is set out in the table.

£ million (unless otherwise stated)

	Capped expenditure limit		*Police rule 2 grant*		*Police rule 3 grant*	*Aggregate for*	*Aggregate for*	*Increase over*	*Increase over Per cent.*
	1996–97	*1997–98*	*1996–97*	*1997–98*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1996–97*
Police Authorities									
Avon and Somerset	154.1	159.0	0.5	1.6	0.0	154.6	160.6	6.0	3.9
Bedfordshire	57.3	59.2	0.2	0.6	0.0	57.5	59.8	2.2	3.9
Cambridgeshire	66.2	68.3	0.3	0.8	0.0	66.5	69.1	2.6	4.0
Cheshire	98.2	101.3	0.4	1.1	0.0	98.6	102.4	3.9	3.9
Cleveland	73.2	75.6	0.2	0.6	0.0	73.4	76.2	2.8	3.8
Cumbria	57.9	59.7	0.2	0.6	0.0	58.1	60.3	2.2	3.8
Derbyshire	92.1	95.3	0.3	1.0	0.0	92.4	96.3	3.9	4.2
Devon and Cornwall	152.9	157.8	0.6	1.8	0.0	153.5	159.6	6.1	4.0
Dorset	67.8	70.0	0.3	0.8	0.0	68.1	70.8	2.7	3.9
Durham	71.3	73.6	0.2	0.7	0.0	71.5	74.3	2.7	3.8
Essex	152.9	157.8	0.6	1.7	0.0	153.5	159.5	6.0	3.9
Gloucestershire	58.3	60.2	0.2	0.6	0.0	58.5	60.8	2.3	3.9
Hampshire	174.9	180.5	0.7	2.0	0.0	175.6	182.5	6.9	3.9
Hertfordshire	90.1	93.0	0.3	1.0	0.0	90.4	94.0	3.6	3.9
Humberside	102.8	106.1	0.3	1.0	0.0	103.1	107.1	3.9	3.8
Kent	163.6	168.9	0.6	1.8	0.0	164.2	170.7	6.4	3.9
Lancashire	163.0	168.3	0.5	1.6	0.0	163.5	169.9	6.3	3.8
Leicestershire	94.5	97.5	0.3	1.0	0.0	94.8	98.5	3.7	3.9
Lincolnshire	63.1	64.2	0.2	0.7	0.9	63.3	65.8	2.5	3.9
Norfolk	75.7	78.2	0.3	0.9	0.0	76.0	79.1	3.0	3.9
Northamptonshire	61.8	63.8	0.2	0.7	0.0	62.0	64.5	2.4	3.9

£ million (unless otherwise stated)

	Capped expenditure limit		*Police rule 2 grant*		*Police rule 3 grant*	*Aggregate for*	*Aggregate for*	*Increase over*	*Increase over Per cent.*
	1996–97	*1997–98*	*1996–97*	*1997–98*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1996–97*
North Yorkshire	69.4	71.6	0.3	0.8	0.0	69.7	72.4	2.8	4.0
Nottinghamshire	114.9	118.5	0.4	1.1	0.0	115.3	119.6	4.4	3.9
Staffordshire	109.5	113.0	0.4	1.1	0.0	109.9	114.1	4.3	3.9
Suffolk	61.5	63.5	0.2	0.7	0.0	61.7	64.2	2.5	4.0
Surrey	87.0	88.5	0.3	0.9	1.3	87.3	90.7	3.4	3.9
Sussex	150.9	155.7	0.6	1.7	0.0	151.5	157.4	5.9	3.9
Thames Valley	203.3	209.8	0.8	2.4	0.0	204.1	212.2	8.1	4.0
Warwickshire	49.3	50.9	0.1	0.5	0.0	49.4	51.4	1.9	3.9
West Mercia	103.21	106.5	0.4	1.2	0.0	103.6	107.7	4.1	4.0
Wiltshire	61.4	63.3	0.2	0.6	0.0	61.6	63.9	2.4	3.9
Total English shire authorities	3,102	3,200	11	34	0.0	3,113	3,233	120	3.9
Greater Manchester	341.8	352.8	1.0	2.9	0.0	342.8	355.7	12.8	3.7
Merseyside	226.2	233.5	0.5	1.6	0.0	226.7	235.1	8.3	3.7
Northumbria	187.7	193.7	0.5	1.6	0.0	188.2	195.3	7.1	3.8
South Yorkshire	154.3	159.2	0.5	1.4	0.0	154.8	160.6	5.9	3.8
West Midlands	343.2	354.2	1.0	3.0	0.0	344.2	357.2	13.0	3.8
West Yorkshire	260.0	268.3	0.8	2.3	0.0	260.8	270.6	9.9	3.8
Total metropolitan authorities	1,513	1,562	4	13	0.0	1,518	1,575	57	3.8
Metropolitan Police[1]	1,646.2	1,694.9	3.4	10.1	0.0	1,649.6	1,705.0	55.4	3.4
City of London Police[2]			0.1	0.3	0.0				
Dyfed Powys	48.4	50.0	0.2	0.5	0.0	48.6	50.5	1.9	3.9
Gwent	62.6	64.6	0.2	0.6	0.0	62.8	65.2	2.4	3.8
North Wales	69.1	71.3	0.2	0.7	0.0	69.3	72.0	2.7	3.9
South Wales	150.6	155.4	0.5	1.4	0.0	151.1	156.8	5.7	3.8
Total	331	341	1	3	0.0	332	345	13	3.8
Total (All authorities)	6,592	6,798	20.0	60.0	2.2	6,612	6,860	247	3.7

[1] Estimated budget requirement.
[2] No separately identifiable figures exist for the City of London Police
All figures have been rounded from the original calculations.

Mr. Michael: To ask the Secretary of State for the Home Department if he will list the aggregate of (i) each police authority's capped expenditure limit or in the case of the Metropolitan police the estimated budget requirement and (ii) police rule 3 grant for *(a)* each individual police authority, *(b)* each class of police authority and *(c)* all police authorities in 1996–97 and 1997–98 and the change in each in pounds and as a percentage. [10307]

Mr. Maclean: The information requested is set out in the table.

£ million (unless otherwise stated)

	Capped expenditure limit		*Police rule 3 grant*	*Aggregate for*	*Aggregate for*	*Increase over*	*Increase over*
	1996–97	*1997–98*	*1997–98*	*1996–97*	*1997–98*	*1996–97*	*1996–97 (per cent.)*
Police Authorities:							
Avon and Somerset	154.1	159.0	0.0	154.1	159.0	4.9	3.2
Bedfordshire	57.3	59.2	0.0	57.3	59.2	1.9	3.3
Cambridgeshire	66.2	68.3	0.0	66.2	68.3	2.1	3.2
Cheshire	98.2	101.3	0.0	98.2	101.3	3.1	3.2
Cleveland	73.2	75.6	0.0	73.2	75.6	2.4	3.3
Cumbria	57.9	59.7	0.0	57.9	59.7	1.8	3.1
Derbyshire	92.1	95.3	0.0	92.1	95.3	3.2	3.5
Devon and Cornwall	152.9	157.8	0.0	152.9	157.8	4.9	3.2
Dorset	67.8	70.0	0.0	67.8	70.0	2.2	3.2
Durham	71.3	73.6	0.0	71.3	73.6	2.3	3.2
Essex	152.9	157.8	0.0	152.9	157.8	4.9	3.2
Gloucestershire	58.3	60.2	0.0	58.3	60.2	1.9	3.3
Hampshire	174.9	180.5	0.0	174.9	180.5	5.6	3.2
Hertfordshire	90.1	93.0	0.0	90.1	93.0	2.9	3.2
Humberside	102.8	106.1	0.0	102.8	106.1	3.3	3.2
Kent	163.6	168.9	0.0	163.6	168.9	5.3	3.2
Lancashire	163.0	168.3	0.0	163.0	168.3	5.3	3.3
Leicestershire	94.5	97.5	0.0	94.5	97.5	3.0	3.2
Lincolnshire	63.1	64.2	0.9	63.1	65.1	2.0	3.2
Norfolk	75.7	78.2	0.0	75.7	78.2	2.5	3.3
Northamptonshire	61.8	63.8	0.0	61.8	63.8	2.0	3.2

£ million (unless otherwise stated)

	Capped expenditure limit 1996–97	1997–98	Police rule 3 grant 1997–98	Aggregate for 1996–97	Aggregate for 1997–98	Increase over 1996–97	Increase over 1996–97 (per cent.)
North Yorkshire	69.4	71.6	0.0	69.4	71.6	2.2	3.2
Nottinghamshire	114.9	118.5	0.0	114.9	118.5	3.6	3.1
Staffordshire	109.5	113.0	0.0	109.5	113.0	3.5	3.2
Suffolk	61.5	63.5	0.0	61.5	63.5	2.0	3.3
Surrey	87.0	88.5	1.3	87.0	89.8	2.8	3.2
Sussex	150.9	155.7	0.0	150.9	155.7	4.8	3.2
Thames Valley	203.3	209.8	0.0	203.3	209.8	6.5	3.2
Warwickshire	49.3	50.9	0.0	49.3	50.9	1.6	3.2
West Mercia	103.2	106.5	0.0	103.2	106.5	3.3	3.2
Wiltshire	61.4	63.3	0.0	61.4	63.3	1.9	3.1
Total English shire authorities	3,102	3,200	0.0	3,102	3,200	98	3.1
Greater Manchester	341.8	352.8	0.0	341.8	352.8	11.0	3.2
Merseyside	226.2	233.5	0.0	226.2	233.5	7.3	3.2
Northumbria	187.7	193.7	0.0	187.7	193.7	6.0	3.2
South Yorkshire	154.3	159.2	0.0	154.3	159.2	4.9	3.2
West Midlands	343.2	354.2	0.0	343.2	354.2	11.0	3.2
West Yorkshire	260.0	268.3	0.0	260.0	268.3	8.3	3.2
Total Metropolitan authorities	1,513	1,562	0.0	1,513	1,562	49	3.2
Metropolitan Police[1]	1,646.2	1,694.9	0.0	1,646.2	1,694.9	48.7	3.0
City of London Police[2]	—	—	0.0	—	—	—	—
Dyfed Powys	48.4	50.0	0.0	48.4	50.0	1.6	3.3
Gwent	62.6	64.6	0.0	62.6	64.6	2.0	3.2
North Wales	69.1	71.3	0.0	69.1	71.3	2.2	3.2
South Wales	150.6	155.4	0.0	150.6	155.4	4.8	3.2
Total Welsh authorities	331	341	0.0	331	341	11	3.2
Total (All authorities)	6,592	6,798	2.2	6,592	6,800	208	3.1

[1] Estimated budget requirement.
[2] No separately identifiable figures exist for the City of London Police.
All figures have been rounded from the original calculations.

Representation of the People Acts

Mr. Rooker: To ask the Secretary of State for the Home Department if he will list the occasions on which the operation of the Representation of the People Acts has been found to be in breach of the European convention on human rights. [10768]

Mr. Sackville: The United Kingdom is currently challenging in the European Court of Human Rights a decision of the European Commission of Human Rights last year on an application brought by Mrs. Phyllis Bowman, executive director of the Society for the Protection of the Unborn Child, on the operation of section 75 of the Representation of the People Act 1983.

There are no other instances.

Mr. Rooker: To ask the Secretary of State for the Home Department what plans he has to bring forward amendments to the Representation of the People Acts in respect of material issued about a candidate without his or her permission following the recent ruling of the European Commission of human rights. [10769]

Mr. Sackville: There are no plans to do so at this time.

Firearms

Mr. Connarty: To ask the Secretary of State for the Home Office what plans he has to offer compensation to owners of handguns or other weapons who wish to surrender them to the authorities although not compelled by law to do so. [8159]

Miss Widdecombe *[holding answer 18 December 1996]:* We accept that the provisions in the Firearms (Amendment) Bill relating to gun clubs will make it difficult for some owners of .22 pistols to continue to shoot. We have therefore decided to make payments, on an *ex gratia* basis, to firearm certificate holders who choose to surrender such guns to the police. There are no such plans in relation to other weapons whose surrender will not be required.

NORTHERN IRELAND

Public Appointments

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland in respect of how many and which public appointments a nominee has been specifically and separately sought from the Government of the Irish Republic at Maryfield since 1 January 1990; and if he will make a statement. [5115]

Sir John Wheeler: The following list sets out the vacancies which were notified to the Irish Government separately from those notified in the six-monthly lists. The bodies covered by the six-monthly lists were set out in my reply to the hon. Gentleman of 6 November 1996, *Official Report*, columns *556–59*. The following list represents the vacancies not foreseen when the six-monthly lists were drawn up, for example arising from the creation of new bodies and from resignations.

VACANCIES NOTIFIED TO THE IRISH GOVERNMENT SEPARATELY FROM THOSE CONTAINED IN THE SIX-MONTHLY LISTS (FROM 1 JANUARY 1990)

1990

NI Railways—1 vacancy

Independent Commission for Police Complaints—2 vacancies

Police Authority for NI—2 vacancies

Local Government Boundaries Commission—1 vacancy

Probation Board for NI—1 vacancy

NI Electricity—1 vacancy

1991

Equal Opportunities Commission—1 vacancy

Fair Employment Commission—1 vacancy

NI Electricity—4 vacancies

1992

Local Enterprise Development Unit—9 vacancies

Equal Opportunities Commission—1 vacancy

NI Tourist Board—1 vacancy

Industrial Research Technology Board—number of vacancies not stated

Council for Nature Conservation and the Countryside—6 vacancies

Warrenpoint Harbour Authority—1 vacancy

Certification Officer for NI—1 vacancy

Planning Appeals Commission—1 vacancy

Health and Social Services Trusts—50 vacancies

Council for Catholic Maintained Schools—Education Committees—16 vacancies

Community Relations Council—3 vacancies

Local Government Staff Commission—2 vacancies

New Sports Council for NI—1 vacancy

NI Higher Education Council—8 vacancies

Planning Appeals Commission—1 vacancy

1993

Arts Council—2 vacancies

Fire Authority—3 vacancies

NI Economic Council—2 vacancies

Enterprise Ulster—1 vacancy

Driver and Vehicle Licensing NI—2 vacancies

Mental Health Commission—2 vacancies

NI Council for the Curriculum Examination and Assessment—1 vacancy

General Consumer Council for NI—14 vacancies

NI Regional Medical Physics—1 vacancy

Industrial Development Board—1 vacancy

Law Reform Advisory Committee—1 vacancy

Local Enterprise Development Unit—1 vacancy

Eastern Health and Social Services Board—1 vacancy

Sports Council for NI—1 vacancy

Warrenpoint Harbour Authority—1 vacancy

NI Citizens' Charter Advisory Panel—1 vacancy

Northern Health and Social Services Council—1 vacancy

Fair Employment Commission—1 vacancy

Board of Visitors: HM Prison Maghaberry—2 vacancies

1994

Southern Health and Social Services Council—2 vacancies

Health and Social Services Trusts—24 vacancies

Lay Observer—1 vacancy

Western Health and Social Services Council—3 vacancies

Laganside Corporation—1 vacancy

NI Economic Council—1 vacancy

Eastern Health and Social Services Board—3 vacancies

Eastern Health and Social Services Council—2 vacancies

The Senate of Queen's University, Belfast—1 vacancy

NI Blood Transfusion Services Agency—1 vacancy

Western Health and Social Services Board—1 vacancy

NI Higher Education Council—2 vacancies

Southern Health and Social Services Board—1 vacancy

Southern Eastern Education and Library Board—1 vacancy

Southern Education and Library Board—2 vacancies

Planning Appeals Commission—2 vacancies

1995

Health and Social Services Trusts—39 vacancies

Western Health and Social Services Board—1 vacancy

Northern Health and Social Services Council—1 vacancy

NI Housing Executive—3 vacancies

Down and Connor Diocesan Education Committee—1 vacancy

Southern Health and Social Services Board—1 vacancy

Belfast Education and Library Board—1 vacancy

Western Health and Social Services Council—3 vacancies

Southern Health and Social Services Council—2 vacancies

Northern Health and Social Services Council—2 vacancies

Eastern Health and Social Services Council—5 vacancies

South Eastern Education and Library Board—1 vacancy

Arts Council of NI—1 vacancy

Ulster Museum—1 vacancy

NI Guardian Ad Litem Agency—3 vacancies

NI Commission for Protection against Unlawful Industrial Action—1 vacancy

Standing Advisory Commission on Human Rights—5 vacancies

Council for Catholic Maintained Schools—Armagh Diocesan Education Committee—2 vacancies

Agricultural Wages Board—1 vacancy

Lay Observer—1 vacancy

NI Transport Holding Company—4 vacancies

General Consumer Council for NI—1 vacancy

Law Reform Advisory Committee—1 vacancy

The Senate of Queens University, Belfast—5 vacancies

NI Sports Council—15 vacancies

1996

Health and Social Services Trusts—4 vacancies

Southern Health and Social Services Council—1 vacancy

Western Health and Social Services Board—5 vacancies

NI Disability Council—11-20 vacancies

Local Government Staff Commission—1 vacancy

Labour Relations Agency—1 vacancy

Local Enterprise Development Unit—2 vacancies

Eastern Health and Social Services Council—2 vacancies

Eastern Health and Social Services Board—1 vacancy

Police Authority for NI—2 vacancies

Equal Opportunities Commission—1 vacancy

Southern Health and Social Services Council—2 vacancies

Central Services Agency—3 vacancies

Arts Council for NI—13 vacancies

Fair Employment Commission—2 vacancies

Northern Health and Social Services Council—1 vacancy

Planning Appeals Commission—2 vacancies

Industrial Development Board—1 vacancy

Punishment Shootings

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many so-called punishment shootings have taken place in Northern Ireland in each of the last five years and the current year to date; and how many were believed in each year to have been carried out by (1) the Provisional IRA,

(2) other Republican terrorists,

(3) the Ulster Defence Association,

(4) the Ulster Volunteer Force and

(5) other Loyalist organisations. [9220]

Sir John Wheeler: The number of casualties as a result of "punishment" shootings for the period 1 January 1991 to 11 December 1996 is as follows:

Year	*By Loyalist groups*	*By Republican groups*	*Total*
1991	40	36	76
1992	72	61	133
1993	60	25	85
1994	68	54	122
1995	3	0	3
1996[1]	19	3	22

[1] To 11 December.

It is not possible to specify which individual group carried out an offence.

Council for Voluntary Action Report

Mr. McGrady: To ask the Secretary of State for Northern Ireland what assessment he has made of the report entitled, "Missing the Target: a critique of Government policy on Targeting Social Need in Northern Ireland", published by the Northern Ireland Council for Voluntary Action; and what plans he has to implement its recommendations. [9689]

Mr. Ancram: The Government have noted the report on targeting social need published by the Northern Ireland Council for Voluntary Action in December 1996. Though it contains some constructive comments, other criticisms of Government policies are not accepted, particularly when it is suggested that Northern Ireland should diverge from particular national or European Union policies. It would not be appropriate to come to a final view on the report's recommendations in advance of the Standing Advisory Commission on Human Rights' report on employment equality which is scheduled to be published in the near future and which will also deal with targeting social need.

Disability

Dr. Hendron: To ask the Secretary of State for Northern Ireland how many people from Belfast, West (i) are currently in receipt of disability allowance, (ii) have had applications for disability living allowance turned down in 1996, (iii) are currently in receipt of incapacity benefit and (iv) have had applications for incapacity benefit turned down in 1996. [9751]

Mr. Moss: Responsibility for the subject in question has been delegated to the Social Security Agency under its chief executive, Mr. Alec Wylie. I have asked him to arrange for a reply to be given.

Letter from Alec Wylie to Dr. Joe Hendron, dated 20 December 1996:

I have been asked to reply to your Parliamentary Question on Incapacity Benefit and Disability Living Allowance.

I have attached a table showing the number of people in the Belfast West constituency who are in receipt of Incapacity Benefit and Disability Living Allowance. Unfortunately, figures are not available for either benefit for the number of applicants who have been turned down in 1996.

I hope this explains the position for you but I would be happy to provide any further information you require.

Number of people in the Belfast west constituency in receipt of incapacity benefit and disability living allowance

Benefit	*Number of recipients August 1996*
DLA	10,263
IB	6,350

Based on 1991 population census.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Northern Ireland (1) how many days of leave he plans to take during the Christmas adjournment; [9827]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9826]

Sir Patrick Mayhew: I refer the hon. Member to the answer given to him earlier today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Consultants

Mr. Milburn: To ask the Secretary of State for Northern Ireland what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10192]

Sir John Wheeler: Expenditure details are not immediately available for all bodies, especially in the first three years. However, from the information available to Northern Ireland Departments and the Northern Ireland Office, the amount spent by their non-departmental public bodies on external consultants in each of the last five years was:

Year	*Expenditure (£000)*
1991–92	968
1992–93	1,746
1993–94	1,696
1994–95	1,861
1995–96	2,890

Mr. Milburn: To ask the Secretary of State for Northern Ireland if he will list the actions his Department

has taken on each of the recommendations contained in the Cabinet Office report, "The Government's Use of External Consultants". [10193]

Sir John Wheeler: The report did not extend to Northern Ireland because of the separate public expenditure accountability and administrative arrangements that exist there. However, guidance has been issued to the Northern Ireland Departments and the Northern Ireland Office based on the report's recommendations.

Language Teaching

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland how much was spent on the promotion and teaching of *(a)* the Irish language and *(b)* the Ulster-Scots language in 1996 in each of the last five years. [10645]

Mr. Ancram: The table shows the identifiable expenditure on projects with an Irish language or Ulster-Scots dimension for the financial years 1991–92 to 1995–96. It includes expenditure on education through the medium of the Irish language, but does not include expenditure on the teaching of the Irish language in English medium schools because this information is not collected separately. Applications for grant assistance are assessed on their merits and the disparity between the levels of funding reflects the number of Irish language and Ulster-Scots cultural groups in Northern Ireland, and the relative stage of development of the Irish language and Ulster-Scots cultural movements.

£ million

Year	*Irish*	*Ulster-Scots*
1991–92	1.222	Nil
1992–93	1.347	0.004
1993–94	1.554	Nil
1994–95	1.942	0.003
1995–96	2.521	0.021

Fluoridation

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland if he will list the consulting engineers who have been involved in the M and E design work associated with the proposals for the fluoridation of the water supply in Northern Ireland. [10543]

Mr. Moss: Responsibility for the subject in question has been delegated to the Water Service under its chief executive, Mr. H. R. Plester. I have asked him to arrange for a reply to be given.

Letter from H. R. F. Plester to Mr. Peter Robinson, dated 7 January 1997:

Mr Moss has asked me to reply to your parliamentary question asking if he will list the consulting engineers who have been involved in the M & E design work associated with the proposals for the fluoridation of the water supply in Northern Ireland.

The Water Service has not commissioned any consulting engineers to carry out design work associated with the proposals for fluoridation of the water supply in Northern Ireland. All design work to date has been undertaken by the Water Service's own design staff.

EU Financing

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland how much money Northern Ireland has received in each financial year from EC sources apart from payments under the structural funds. [10811]

Sir John Wheeler: The following amounts have been identified as being received in Northern Ireland from European Community sources other than the structural funds since 1987–88, when meaningful figures first became available:

Financial year	*Total £ million*
1987–88	27.6
1988–89	27.8
1989–90	46.0
1990–91	48.0
1991–92	59.5
1992–93	56.1
1993–94	89.7
1994–95	114.7
1995–96	128.7

These receipts are from the guarantee section of the European agricultural guidance and guarantee fund. However, it should be noted that the bulk of guarantee section receipts are disbursed centrally by the Intervention Board for Agricultural Produce and details of payments are not generally maintained at regional level. Other small payments are made by the European Commission direct to recipients which are not passed through the United Kingdom Government.

EU Social Fund

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland how much money under the European social fund for Northern Ireland in each financial year to date accrued to *(a)* the private sector, *(b)* non-central Government public sector bodies and *(c)* central Government. [10814]

Sir John Wheeler: The information is as follows:

£ million

Year	*(a) Private/voluntary sector*	*(b) Non-central Government public bodies*	*(c) Central Government*
1973–74	—	—	—
1974–75	0.41	0.31	2.68
1975–76	—	—	—
1976–77	0.77	0.58	5.05
1977–78	0.90	0.68	5.92
1978–79	1.80	1.35	11.85
1979–80	1.80	1.35	11.85
1980–81	2.76	2.07	18.17
1981–82	3.00	2.25	19.75
1982–83	4.22	3.17	27.81
1983–84	4.56	3.42	30.02
1984–85	4.56	3.42	30.02
1985–86	3.00	2.25	19.75
1986–87	6.39	4.80	42.11
1987–88	6.77	5.08	44.55
1988–89	4.33	3.25	28.52
1989–90	4.17	5.57	36.66
1990–91	4.57	6.08	40.05
1991–92	4.75	6.32	41.63
1992–93	3.77	5.03	33.10

£ million

Year	(a) Private/voluntary sector	(b) Non-central Government public bodies	(c) Central Government
1993–94	3.16	4.21	27.73
1994–95	6.36	8.47	55.77
1995–96	3.41	4.55	29.94
	75.46	74.21	562.93

The totals for European social fund receipts are taken from published Government and Northern Ireland public expenditure plans.

As the information is not readily available in the format requested, the breakdown for each year is based on the percentage outturn for 1994.

EU Regional Development Fund

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland how much money Northern Ireland has received in each year to date from the European regional development fund; how much has been devoted to *(a)* infrastructure projects undertaken by non-central Government bodies, *(b)* infrastructure projects undertaken by central Government and *(c)* industrial projects. [10813]

Sir John Wheeler: The information is as follows:

Infrastructure projects

£ million

Financial Year	Non-central Government	Central Government	Industrial projects	Programmes[1]	Total
1975–76	0.6	—	2.3	—	2.9
1976–77	0.6	2.8	3.8	—	7.2
1977–78	3.2	0.7	2.5	—	6.4
1978–79	2.4	0.8	0.8	—	4.0
1979–80	9.7	3.3	3.0	—	16.0
1980–81	9.7	1.3	10.0	—	21.0
1981–82	4.7	4.0	7.6	0.1	16.4
1982–83	3.8	11.3	2.5	0.4	18.0
1983–84	3.9	7.5	1.3	0.8	13.5
1984–85	5.1	7.5	3.0	1.3	16.9
1985–86	7.0	9.0	1.0	1.4	18.4
1986–87	10.3	6.8	3.8	2.3	23.2
1987–88	22.9	6.4	11.1	5.5	45.9
1988–89	18.9	7.0	15.2	5.6	46.7
1989–90	8.4	4.9	16.9	10.2	40.4
1990–91	6.9	4.3	4.9	31.5	47.6
1991–92	2.2	1.7	4.4	29.81	38.11
1992–93	3.8	0.5	5.7	69.21	79.21
1994–95	0.7	—	0.6	33.6	34.9
1995–96	0.0	—	0.2	64.05	64.25
1996–97[2]	—	—	—	150.50	150.50
Totals[3]	125.8	80.1	101.5	507.88	815.28

[1] These programmes combine elements of both industry and infrastructure. Under the new structural funds arrangements from 1989 emphasis was placed on programmes rather than individual projects and some of these so combine the industrial and infrastructural elements that they cannot be validly separated. The table therefore shows an extra column in respect of this class of ERDF receipt.

[2] Includes estimated receipts to date for 1996–97 financial year.

[3] European regional funds receipts to community initiative programmes benefiting Northern Ireland are included in answer number 14 of 13 January 1997.

European Community (UK Payments)

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland what was Northern Ireland's share of the United Kingdom's payments into the European Economic Community from 1 January 1973 to date; and what was Northern Ireland's share of receipts for the same period. [10812]

Sir John Wheeler: It is not possible to determine Northern Ireland's actual share of the United Kingdom's contribution to the European Community because payments are made on a national and not a regional basis. Similarly it is not possible to identify the full extend of receipts from the Community. However, a Northern Ireland attributed share of the contribution to the EC is calculated as an accounting mechanism because of the operation of a separate Northern Ireland consolidated fund. This notional attributed share does not count as an item of expenditure within the Northern Ireland public expenditure programme and has therefore no bearing on the level of public expenditure in the Province.

Figures for the notional attribution of part of the Northern Ireland's share of the United Kingdom's payments and for those areas where the receipts from the European Community's structural funds can be separately identified are as follows:

£ million

Financial year	Attributed share (part)	Identified receipts[1]
1973–74	1	0
1974–75	6	4
1975–76	8	4
1976–77	13	16
1977–78	16	14
1978–79	24	19
1979–80	28	31
1980–81	28	44
1981–82	50	41
1982–83	66	53
1983–84	66	51
1984–85	68	58
1985–86	74	44
1986–87	62	77
1987–88	91	111
1988–89	85	96
1989–90	104	95
1990–91	107	110
1991–92	78	132
1992–93	121	158
1993–94	[2]171	186
1994–95	[2]173	155
1995–96	[2]207	146
Total	1,647	1,645

[1] This comprises total identified EC structural funds receipts and, from 1994–95, financial instrument for fisheries guidance receipts in Northern Ireland. Receipts under the guarantee section are disbursed centrally by the Intervention Board for Agricultural Produce and are, therefore, not included in the above figures.

[2] Attributed share figures for the last three years are provisional estimates which will be revised when final details of NI's attributed share of tax revenues is determined.

European Initiatives

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland how much money has been received by Northern Ireland under each of the European Community initiatives in each financial year to date; and what proportion of funding each year *(a)* represented a cash addition to the Northern Ireland economy and *(b)* was used to offset Government expenditure. [10810]

Sir John Wheeler: Under the 1989–93 structural funds allocation, Northern Ireland had 11 approved Community initiatives. The amounts received to date under each initiative are:

£ million

Initiative	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*
INTERREG I (assistance to border areas)	5.09	5.70	16.11	—	—	—
STRIDE (research and technological development)	—	5.28	3.27	—	—	—
ENVIREG (environmental improvement)	0.77	1.66	0.33	8.89	—	1.11
PRISMA (assistance to firms)	—	1.21	2.19	—	—	—
TELEMATIQUE (promotion of telecommunications service)	—	3.35	—	—	—	—
EUROFORM (qualifications, new skills, and employment opportunity)	—	0.05	0.96	0.62	—	0.16
NOW (employment opportunity for women)	—	0.30	0.54	—	0.15	—
HORIZON (handicapped and certain disadvantaged groups)	—	0.23	0.75	0.20	0.21	—
—Support Structures	0.03	0.02	0.13	0.08	0.09	—
RETEX I (diversification for textile regions)	—	—	0.9	0.55	—	—
LEADER I (rural development)	—	1.09	—	1.17	—	—
KONVER I (restructuring of defence-dependent areas)	—	—	—	0.25	—	—

Under the 1994–99 structural funds allocation, Northern Ireland benefits under 10 Community initiative programmes including the EU special support programme for peace and reconciliation. The amounts received to date under each initiative are:

£ million

Initiative	*1995–96*	*1996–97*
INTERREG II (promoting cross border areas)	5.94	—
SMEs (small firms)	2.55	—
RETEX II (diversification for textile regions)	1.54	—
EMPLOYMENT (addressing exclusion and marginalisation in the labour markets)	0.51	4.30
ADAPT (industrial change)	—	0.70
URBAN (developing selected urban areas	5.65	—
PESCA (development of fishing areas)	—	0.08
LEADER II (rural development)	1.89	0.68
KONVER II (restructuring of defence-dependent areas)	—	0.06
PEACE PROGRAMME	8.83	33.25

(a) Receipts earned by the private sector and by non-central Government public sector bodies are paid to the claimant. The receipts represent cash additions to the recipients. Receipts earned by central Government are paid into the Northern Ireland consolidated fund. All receipts are subject to EC audit arrangements and normal Government accounting requirements.

(b) The overall level of receipts is taken into account in the Government's decisions on public expenditure allocations, and their availability enables expenditure to be maintained at a higher level than would otherwise be feasible.

Public Appointments

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will make it his policy that in each submission put to him for public appointments where an Irish Government nominee is on the list that any nominee of an hon. Member or a political party for that vacancy is also placed on the same list. [9580]

Sir John Wheeler *[holding answer 18 December 1996]:*

I refer the hon. and learned Gentleman to the reply I gave him on 4 December 1996, *Official Report*, column *705*.

EDUCATION AND EMPLOYMENT

Teachers' Pensions

Mr. Don Foster: To ask the Secretary of State for Education and Employment if she will estimate the cost to the teachers' superannuation scheme if all current contributors and deferred pensioners chose to transfer their accrued pension rights from the teachers' scheme into a personal pension arrangement. [8561]

Mrs. Gillan *[holding answer 10 December 1996]:* The cost to the teachers' superannuation scheme—TSS—if all current contributors and deferred pensioners as at 31 March 1997 chose to transfer their accrued pension rights into a personal pension arrangement is estimated at £14 billion. This estimate assumes that current contributors opt out of the TSS and so transfer their benefits only in respect of service after 5 April 1988.

Mr. Foster: To ask the Secretary of State for Education and Employment if she will estimate the cost to the teachers' superannuation scheme if all current contributors aged *(a)* 50 or over and *(b)* 55 or over years, as at 31 March 1997 chose to transfer their accrued pension rights from the teachers' scheme into a personal pension arrangement. [8562]

Mrs. Gillan *[holding answer 10 December 1996]:* The costs to the teachers' superannuation scheme—TSS—if all contributors aged *(a)* 50 or over and *(b)* 55 or over as at 31 March 1997 chose to transfer their accrued pension rights into a personal pension arrangement are estimated as £3½ billion and £1½ billion respectively. These estimates assume that contributors opt out of the TSS and so transfer their benefits only in respect of service after 5 April 1988.

Mr. Barry Jones: To ask the Secretary of State for Education and Employment what estimate she has made of the reduction in the teacher work force consequent upon the proposed changes in the superannuation scheme; and if she will make a statement. [9981]

Mrs. Gillan: My right hon. Friend does not expect the proposed changes to lead to reductions in the teacher work force.

Mr. Jones: To ask the Secretary of State for Education and Employment what assessment she has made of the adequacy of current teachers' superannuation regulations to deal with teachers aged 55 years and over in the local education authorities of Wales. [9979]

Mrs. Gillan: Under the current regulations, the costs of premature retirement are pooled among all employers of teachers, and are brought to account some years after the event. This system does not encourage employers to behave prudently. Under the proposed new arrangements, since employers will have to pay the extra cost of each premature retirement as and when they make it, they will make more considered, prudent, decisions. These considerations apply to local authorities in Wales and to all other teachers' employers.

Mr. Jones: To ask the Secretary of State for Education and Employment what estimate she has made of the impact upon the morale of the teaching profession of her proposals to make changes in the superannuation scheme. [9980]

Mrs. Gillan: The Budget settlement allows for the cost to employers of a continuing programme of premature retirement. There is therefore no reason why teachers' morale should be affected by the proposals.

Mr. Jones: To ask the Secretary of State for Education and Employment if she will list the principal changes she proposes in the teachers' superannuation scheme; and if she will make a statement. [10220]

Mrs. Gillan: The principal changes proposed by my right hon. Friend are as follows: a reduction in the employers' contribution rate from 8.05 per cent. to 7.2 per cent.; making teachers' employers pay the extra cost of premature retirements as and when they make them; including the cost of pensions increase in the finances of the scheme; increasing the death grant from one to two years' salary from 1 April 1998; making teachers who have been barred for misconduct ineligible for ill health retirement benefits; and re-introducing the requirement that teachers should be permanently incapacitated in order to qualify for ill health retirement benefits.

Mr. Jones: To ask the Secretary of State for Education and Employment what representations she has received concerning her proposals to make changes in the teachers' superannuation regulations for teachers aged 55 years and over. [10142]

Mrs. Gillan: My right hon. Friend has received a large number of representations in respect of the proposed changes to the teachers' superannuation regulations.

Mr. Bill Michie: To ask the Secretary of State for Education and Employment if teachers who are members of the teachers' pension scheme currently have an entitlement to receive an unenhanced pension based on years of service up to the date of dismissal; if dismissed as redundant aged over 50 years; and what legal advice she has obtained on the lawfulness of changing that entitlement, as proposed on 22 October, by means of amending regulations. [10281]

Mrs. Gillan: Under the current regulations, a teacher over 50 receives an immediate pension only if their employer certifies to the Secretary of State that the teacher's employment has been terminated by reason of redundancy or in the efficient discharge of the employer's functions. Under the proposed regulations, teachers' employers would be allowed to make enhanced severance payments, up to 66 weeks' of salary, as an alternative to premature retirement, The Superannuation Act 1972 empowers the Secretary of State to make amending regulations after consultation.

Mr. Peter Bottomley: To ask the Secretary of State for Education and Employment if she will estimate the financial consequences of the proposed changes to funding early retirement for teachers in the maintained and in the independent sector. [10497]

Mrs. Gillan: The reductions in the employers' contribution rate from 8.05 per cent. to 7.2 per cent. will lead to estimated reductions of £87 million and £8 million in spending on superannuation contributions in maintained and independent schools respectively. The Budget settlement assumes that maintained schools will continue to make premature retirements at 75 per cent. of current levels in 1997–98. The estimated net extra cost in the first year of that level of premature retirement would be £15 million. If a similar rate of premature retirement takes place in independent schools the extra cost in the first year would be £1.8 million in 1997–98.

Mr. Bottomley: To ask the Secretary of State for Education and Employment how many applicants by teachers for early retirement have been (i) accepted, (ii) rejected and (iii) not determined in each of the past three years; and what she estimates the numbers might be if her draft proposals are enacted. [10495]

Mrs. Gillan: The Department collects data on the number of premature retirements granted by teachers' employers, but not on the number of applications made by teachers to their employers. Premature retirement is at the discretion of the employer.

Mr. Bottomley: To ask the Secretary of State for Education and Employment if the costs of early retirement for teachers is proposed to fall on the last school or on the education authority. [10498]

Mrs. Gillan: Under the current legislation, the cost of premature retirement for teachers in LEA-maintained schools falls on the LEA, unless it has good reason to charge the cost to the school's delegated budget. The Government have tabled an amendment to the Education Bill now before the House which would allow LEAs to charge the cost to a school's budget if the authority has not agreed to the premature retirement.

Mr. Bottomley: To ask the Secretary of State for Education and Employment if teachers and former teachers have accumulated customary rights to early retirement that will not be extinguished by the proposed changes to funding arrangements. [10496]

Mrs. Gillan: Teachers have no accumulated right to premature retirement, which is at the discretion of the employer.

National Advisory Council on Employment of People with Disabilities

Mr. Tom Clarke: To ask the Secretary of State for Education and Employment (1) what is the total annual budget for the National Advisory Council on Employment of People with Disabilities; [9148]

(2) what proportion of the total budget of the National Advisory Council on Employment of People with Disabilities is accounted for by administrative costs and the remuneration of members; [9151]

(3) if he will list the members of the National Advisory Council on Employment of People with Disabilities and the terms of their appointments. [9152]

Mrs. Gillan: The members of the National Advisory Council on Employment of People with Disabilities—NACEPD—are: Mr. Alan Smith CBE, FIPD (Chairman), Professor Ian Bruce, Mrs. Guinette Davies, Mrs. Andrea Dean, Ms Rita Donaghy, Dr. Stephen Duckworth OBE, Mr. Richard Excell, Dr. Ann Fingret, Sir Peter Large CBE, Mr. Bert Massie OBE, Mr. Paul Newman, Mr. Tim Papé OBE, Ms Susan Scott-Parker, Mr. Richard Sermon, Mr. Ian Sneddon, Mr. John Spencer, Mr. Roger Spoor OBE, and Mrs. Dianah Worman. NACEPD was reconstituted on 1 July 1994 for three years until 30 June 1997, when the terms of members' appointments expire.

The total estimated costs for NACEPD in 1996–97 are £70,200, of which 96 per cent. covers allowances for members' loss of earnings and travel and subsistence expenses, and the provision of the council's secretariat.

Exam Results

Mr. Thurnham: To ask the Secretary of State for Education and Employment what have been the average exam results for state sector schools *(a)* in the Bolton local education authority area and *(b)* nationally in each of the last three years. [9665]

Mrs Gillan: The average exam results for state sector schools *(a)* in the Bolton local education authority area and *(b)* England in each of the last three years are:

GCSE achievements

	Percentage of 15-year-old pupils achieving		
	Five or more GCSE grades A to C*	*Five or more GCSE grades A* to G*	*One or more GCSE grades A* to G*
Bolton			
'1993–94	41.9	85.3	91.0
1994–95	41.4	85.8	91.0
1995–96	41.9	84.8	90.5
England			
1993–94	39.8	85.3	92.3
1994–95	40.4	85.9	92.2
1995–96	41.7	86.3	92.4

GCE A/AS examination achievements of 16 to 18-year-old candidates

	Average GCE A/AS point score	
	Per entry	*Per candidate entered for two or more GCE A/AS*
Bolton		
1993–94	4.8	17.5
1994–95	4.9	17.7
1995–96	5.0	18.1
England		
1993–94	4.8	15.1
1994–95	4.9	15.9
1995–96	5.1	16.8

Official Ministerial Visits

Mr. Donohoe: To ask the Secretary of State for Education and Employment if she will list for each of the Ministers in her Department how many official ministerial visits they have undertaken since 1 January; and how many of these have been abroad. [9389]

Mr. Robin Squire: Since 1 January 1996 up to the present day, Ministers in this Department undertook the following visits:

Minister	*Number of visits*	*Of which were abroad*
Secretary of State, Mrs. Gillian Shephard	100	4
Mr. Eric Forth	93	7
Mrs. Cheryl Gillan	88	1
Mr. James Paice	107	6
Mr. Robin Squire	88	0
Lord Henley	69	2

Jobcentres

Mr. Ian McCartney: To ask the Secretary of State for Education and Employment with whom she has consulted

regarding the suitability of open plan arrangements in jobcentres with respect to the safety of Employment Service staff. [10283]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from R. D. Horne to Mr. Ian McCartney, dated 13 January 1997:

The Secretary of State has asked me, in the absence of the Chief Executive, to reply to your question about who has been consulted regarding the suitability of open plan arrangements in Jobcentres.

Jobcentres operated by the Employment Service and its predecessors have always been open plan since their inception in the early 1970s. From the mid-1980s a programme, with staff agreement, to convert to open plan layouts in Unemployment Benefit Offices was in progress.

Our new integrated Jobcentres, combining the two services, retained an open plan layout because it provided a much more effective and pleasant environment for delivering our services. These require interviews with jobseekers that involve sensitive discussions about their personal circumstances and requirements. Space Planning experts and design consultants were employed to help plan the interior layouts, which have since been subject to thorough risk assessments designed to reduce the risk to the safety of our people to a minimum after the introducation of the Jobseekers Allowance (JSA). The assessments conducted by competent assessors were undertaken in all Jobcentres during 1996. A further round of assessments is planned for 1997 when we have sufficient experience of operating JSA.

I hope this is helpful.

Mr. McCartney: To ask the Secretary of State for Education and Employment what factors underlay the decision by Employment Service management on 1 October to appeal against the issue of a Crown notice of improvement to the Employment Service following an assault at the Camberwell jobcentre. [10282]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from R. D. Horne to Mr. Ian McCartney, dated 13 January 1997:

The Secretary of State for Education and Employment has asked me, in the absence of the Chief Executive, to reply to your question about the Employment Service response to the issue of a Crown Notice following an assault at Camberwell Jobcentre.

The Health and Safety Executive (HSE) informed us of their intention to issue a Crown Notice and invited our comments. Our officials met with theirs and provided further information and evidence to clarify the issues raised by HSE. Following this meeting and a further exchange of correspondence we were informed by HSE that they no longer intended to proceed with the issue of a Crown Notice.

I hope that this is helpful.

Contract for Work Pilots

Mr. Rooney: To ask the Secretary of State for Education and Employment on what date contract for work pilots will commence; in what areas they will be located; what will be the procedure for referring claimants to the programme; if benefit sanctions will apply for refusal to attend; and if these pilots will be linked to project work pilots. [10265]

Mr. Forth: I refer the hon. Member to the reply given to my hon. Friend the Member for Croydon, North-East (Mr. Congdon) on 12 December 1996, *Official Report*, columns *316–17*, for a list of potential areas. There are no plans to introduce project work in any of these areas. The contract for work pilots will begin in the spring of 1997, once tender negotiations have been completed satisfactorily. The Government's intention is that clients will be referred to the programme by the Employment Service at the first restart interview that they receive after the start of the pilot, and that, subject to the approval of Parliament, those who fail to attend without good cause will be subject to benefit sanction under the provisions of section 19 of the Jobseekers Act 1995, and regulation 69, 73 and 75 of the Jobseeker's Allowance Regulations 1996.

Jobmatch Programme

Mr. Rooney: To ask the Secretary of State for Education and Employment in what ways the jobmatch programme for claimants aged 18 to 25 years will differ from the rules and provisions of the pilot programme. [10261]

Mr. Forth: The new jobmatch programme will be delivered through the Employment Service and will remain broadly similar to the pilot programme. It will offer 4,000 places in 1997–98 to help those aged under 25 who have been unemployed for two years or more to leave unemployment for a part-time job. The programme will differ from the pilots in that there will no longer be two payments of the weekly jobmatch allowance after the initial payment period of 26 weeks, and in that the procedures for issuing training vouchers will be simplified.

Literacy and Numeracy

Sir Roger Sims: To ask the Secretary of State for Education and Employment if her proposed mandatory baseline assessments will incorporate screening for children at risk of literacy and numeracy difficulties. [10262]

Mrs. Gillan: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Exeter (Sir J. Hannam) on 3 December 1996, *Official Report*, column *611*.

Education Standard Spending Assessment

Sir Peter Emery: To ask the Secretary of State for Education and Employment if she will list in percentage terms the amount of the education standard spending assessment *(a)* distributed directly to schools and *(b)* retained by the local education authority indicating the sum of each amount transferred to the county for each of the county authorities. [9745]

Mr. Robin Squire: Local education authorities are free to set education budgets higher or lower than their education standard spending assessments—SSAs. As education SSAs are not earmarked, there is no prescribed proportion for delegation to schools, or deployment by the authority for other purposes. The table sets out, for each shire county LEA unaffected by local government re-organisation,

(a) its education SSA,

(b) its adjusted aggregated schools budget—ASB—representing the funding to be distributed directly to schools, and

(c) the adjusted ASB as a percentage of the SSA.

The figures are for 1996–97.

	Education SSA £ million	*Adjusted ASB £ million*	*Adjusted ASB as percentage of SSA*
Bedfordshire	220.156	165.703	75.3
Berkshire	282.308	211.899	75.1
Buckinghamshire	252.855	182.777	72.3
Cambridgeshire	237.278	180.996	76.3
Cheshire	348.970	282.632	81.0
Cornwall	164.930	120.886	73.3
Cumbria	170.602	136.829	80.2
Derbyshire	319.922	243.069	76.0
Devon	345.862	260.300	75.3
Dorset	207.427	155.123	74.8
Durham	216.644	159.569	73.7
East Sussex	219.761	170.270	77.5
Essex	566.981	451.469	79.6
Gloucestershire	183.797	143.271	78.0
Hampshire	525.153	436.658	83.1
Hereford and Worcester	229.005	172.192	75.2
Hertfordshire	387.245	318.261	82.2
Kent	581.733	462.400	79.5
Lancashire	510.448	386.353	75.7
Leicestershire	333.840	257.073	77.0
Lincolnshire	213.026	175.552	82.4
Norfolk	243.384	199.426	81.9
Northamptonshire	222.270	179.817	80.9
Northumberland	113.513	88.719	78.2
Nottinghamshire	365.135	270.030	74.0
Oxfordshire	192.571	141.698	73.6
Shropshire	145.332	113.234	77.9
Somerset	150.908	120.837	80.1
Staffordshire	366.019	283.219	77.4
Suffolk	217.470	178.819	82.2
Surrey	307.474	243.503	79.2
Warwickshire	164.025	131.492	80.2
West Sussex	235.410	183.856	78.1
Wiltshire	197.517	156.683	79.3

Adjusted ASB includes both the aggregated schools budget for LEA schools, and the annual maintenance grant paid to grant-maintained schools.

Nursery Vouchers

Mr. Blunkett: To ask the Secretary of State for Education and Employment what estimate she has made of the percentage of four-year-olds expected to take up a pre-school place in the first year of the national voucher scheme. [9765]

Mr. Robin Squire: The percentage of four-year-olds expected to take up a pre-school place in the first year of the national nursery education voucher scheme will depend upon a number of factors, including the number of pre-school places that satisfy parents' choice, bearing in mind their needs and those of their children.

Mr. Blunkett: To ask the Secretary of State for Education and Employment what assessment she has made of the number of four-year-olds whose parents do not speak English as a first language in each local education authority area; and how many leaflets she plans to make available for distribution to parents of four-year-olds in each local education authority, in languages other than English, to inform them about the nursery voucher scheme. [10148]

Mr. Squire: It is Departmental policy to make education leaflets for parents available in the nine most widely spoken languages other than English; 130,000 copies of the guide for parents on the nursery education voucher scheme have been printed in these nine languages. All parents have been given the opportunity to request this and future information on the scheme in one of the nine languages via a special multi-language order form sent with their initial mailing of the guide. The size of the print run was informed by the take-up of translated versions of leaflets in previous Departmental campaigns and it is expected that the supply will meet the demand over the first year of the scheme.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Education and Employment (1) how many days of leave she plans to take during the Christmas adjournment; [9819]

(2) how many days leave she has taken in the Easter, Whitsun and summer adjournments; and how many days leave she took during the time in which Parliament was prorogued this year. [9818]

Mrs. Gillian Shephard: I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster to you today.

Claimants (Interviews)

Mr. Rooney: To ask the Secretary of State for Education and Employment what will be the format of the new intensive series of advisory interviews for claimants unemployed more than two years; what will be the procedure for referring claimants; if benefit sanctions will be imposed for non-attendance; and what will be the impact of the programme on the 1-2-1 interview programme. [10264]

Mr. Forth: The new jobfinder programme will comprise a series of intensive interviews which focus on helping people who have been unemployed for two or more years back into work. It will build on the success of the 1-2-1 programme, which will continue to help people who have been unemployed for 12 months. The Government's intention is that jobseekers reaching two years or more unemployment will be referred to the programme by the Employment Service at the relevant restart interview and that, subject to Parliament, those who fail to attend without good cause will be subject to benefit sanction under the provisions of section 19 of the Jobseekers Act 1995, and regulation 69, 73 and 75 of the Jobseeker's Allowance Regulations 1996.

National Vocational Qualifications

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment, pursuant to her answer of 12 December, *Official Report*, column *313*, on national vocational qualifications, if she will list those national vocational qualifications which were accredited before July 1994 which *(a)* had not attracted full awards and *(b)* had attracted fewer than 100 awards. [9776]

Mr. Paice: The information requested is contained in a number of tables, copies of which have been placed in the Library.

Pre-school Pupils

Mr. Blunkett: To ask the Secretary of State for Education and Employment, pursuant to her answer of 25 November, *Official Report*, columns *24–26*, what was the *(a)* number and *(b)* percentage of three and four-year-olds in (i) reception classes in primary schools and (ii) nursery schools or nursery classes in primary schools, in each local education authority and nationally in January. [9778]

Mr. Robin Squire: The available information is shown in the table:

Pupils aged three and four in maintained nursery and primary schools in England—Position as at January 1996

	Nursery schools and nursery classes within primary schools		*Infant classes*[1]	
	Pupils	*Percentage of population*	*Pupils*	*Percentage of population*
Camden	1,049	25	984	23
Greenwich	3,344	50	1,103	17
Hackney	2,242	33	1,597	24
Hammersmith and Fulham	1,731	44	559	14
Islington	1,908	37	1,475	28
Kensington and Chelsea	851	27	368	12
Lambeth	2,433	31	1,056	13
Lewisham	2,753	37	1,123	15
Southwark	3,065	41	2,060	27
Tower Hamlets	3,545	61	1,547	26
Wandsworth	2,387	33	1,668	23
Westminster	1,246	32	544	14
Barking and Dagenham	2,101	46	1,543	34
Barnet	2,544	31	2,153	26
Bexley	1,533	25	2,022	33
Brent	2,600	36	2,066	29
Bromley	183	3	2,395	33
Croydon	2,148	23	2,888	31
Ealing	3,821	46	2,458	30
Enfield	1,682	22	2,417	31
Haringey	2,769	44	1,905	31
Harrow	1,029	19	1,605	29
Havering	552	10	1,943	36
Hillingdon	3,383	50	151	2
Hounslow	2,396	40	1,693	28
Kingston upon Thames	1,334	39	1,074	31
Merton	2,711	54	1,007	20
Newham	4,575	52	1,279	15
Redbridge	1,430	22	1,507	23
Richmond upon Thames	863	21	1,160	29
Sutton	1,949	40	74	2
Waltham Forest	2,817	39	1,051	15
Birmingham	11,217	35	10,029	31
Coventry	2,085	24	2,817	33
Dudley	3,270	39	2,676	32
Sandwell	4,556	53	2,912	34
Solihull	1,872	37	1,990	40
Walsall	4,388	59	2,396	32
Wolverhampton	3,912	54	2,224	31
Knowsley	2,957	63	1,673	36
Liverpool	6,160	46	4,212	32
St. Helens	1,620	33	1,600	33
Sefton	2,882	40	2,532	35
Wirral	2,251	26	2,936	34
Bolton	3,172	42	2,503	33
Bury	1,625	32	1,636	32
Manchester	7,307	53	2,432	18
Oldham	2,452	37	2,168	32
Rochdale	2,243	35	2,048	32
Salford	3,663	55	2,052	31
Stockport	2,188	29	2,505	33
Tameside	2,596	40	2,143	33
Trafford	2,640	45	1,828	31
Wigan	2,167	25	2,778	32
Barnsley	2,957	47	1,124	18
Doncaster	3,654	44	2,756	33
Rotherham	3,347	47	1,200	17
Sheffield	5,729	42	2,531	19
Bradford	6,550	44	4,263	29
Calderdale	1,945	35	1,780	32
Kirklees	4,475	41	3,472	32
Leeds	8,980	46	5,771	30
Wakefield	4,813	54	1,818	20
Gateshead	1,926	37	1,686	33
Newcastle upon Tyne	2,799	38	2,250	31
North Tyneside	2,671	55	1,671	34
South Tyneside	2,226	55	1,373	34
Sunderland	3,678	44	2,628	32
Avon	5,267	21	7,782	31
Bedfordshire	5,254	32	2,972	18
Berkshire	6,987	32	922	4
Buckinghamshire	3,342	18	3,022	16
Cambridge	2,254	12	5,854	31
Cheshire	5,569	22	8,551	33
Cleveland	10,017	63	5,324	34
Cornwall	1,689	15	3,584	32
Cumbria	3,470	28	4,120	33
Derbyshire	9,815	39	5,971	24
Devon	3,153	13	4,066	16
Dorset	800	5	4,875	33
Durham	7,325	47	5,235	33
East Sussex	1,963	12	5,247	32
Essex	3,389	8	9,400	23
Gloucestershire	22	0	4,388	31
Hampshire	2,021	5	13,311	32
Hereford and Worcester	2,179	12	2,877	16
Hertfordshire	9,900	36	5,481	20
Humberside	9,369	39	5,769	24
Isle of Wight	170	6	960	36
Kent	2,467	6	13,260	33
Lancashire	8,163	21	12,617	33
Leicestershire	5,090	20	4,924	20
Lincolnshire	2,349	16	4,880	34
Norfolk	1,409	8	5,491	30
North Yorkshire	3,928	22	5,198	30
Northamptonshire	3,332	20	5,491	32
Northumberland	3,112	43	2,496	34

Pupils aged three and four in maintained nursery and primary schools in England—Position as at January 1996

	Nursery schools and nursery classes within primary schools		*Infant classes*[1]	
	Pupils	*Percentage of population*	*Pupils*	*Percentage of population*
Nottinghamshire	14,125	51	2,152	8
Oxfordshire	3,377	20	1,231	7
Shropshire	2,325	21	2,083	19
Somerset	607	5	3,873	33
Staffordshire	7,336	27	9,075	33
Suffolk	3,306	19	2,606	15
Surrey	3,238	12	7,486	29
Warwickshire	2,108	17	4,178	34
West Sussex	1,281	8	2,941	17
Wiltshire	792	5	3,630	23
England [2 3]	364,271	28	344,222	26

[1] Includes reception and other classes.
[2] Includes Isles of Scilly.
[3] Includes Corporation of London.

Connahs Quay High School

Mr. Barry Jones: To ask the Secretary of State for Education and Employment if she will visit Connahs Quay high school to discuss her proposed superannuation scheme. [9982]

Mrs. Gillan: No.

Failing Schools

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment (1) how many primary schools *(a)* nationally, *(b)* in the west midlands and *(c)* in Coventry were classified as failing in (i) 1994–95 and (ii) 1995–96; [9986]

(2) how many secondary schools *(a)* nationally, *(b)* in the west midlands and *(c)* in Coventry were classified as failing in (i) 1994–95 and (ii) 1995–96. [9987]

Mr. Robin Squire: The information requested is given in the table:

	1994–95	*1995–96*
Number of failing primary schools		
Nationally	46	116
West Midlands	4	11
Coventry	—	1
Number of failing secondary schools		
Nationally	35	65
West Midlands	2	4
Coventry	—	—

1. The answer covers the academic years 1 September 1994 to 31 August 1995 and 1 September 1995 to 31 August 1996.
2. The classification of failure applies from the date that the school received the Office for Standards in Education published report.
3. The numbers include those schools which were subsequently restored to health or were closed. They do not include five failing special schools which have both primary and secondary provision, one of which is in the west midlands (Walsall).
4. The west midlands region has been defined as comprising Coventry, Walsall, Staffordshire, Solihull, Warwickshire, Wolverhampton, Birmingham, Dudley, Shropshire, Hereford and Worcester, and Sandwell.

National Curriculum (Exempt Schools)

Dr. Howells: To ask the Secretary of State for Education and Employment which schools are exempt from the national curriculum; and if she will make a statement. [9970]

Mrs. Gillan: Independent schools, non-maintained special schools, maintained special schools established in hospitals, and pupil referral units are the only schools which do not have to follow the national curriculum.

Consultants

Mr. Milburn: To ask the Secretary of State for Education and Employment what estimates she has made of the amount spent on external consultants by her Department's non-departmental public bodies in each of the last five years. [10166]

Mr. Robin Squire: Information in the form requested could be provided only at disproportionate cost.

Mr. Milburn: To ask the Secretary of State for Education and Employment if she will list the actions her Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10167]

Mr. Squire: On 23 February 1995, the Employment Department sent the efficiency unit an action plan for implementing all the recommendations of the original report which were relevant to the Department.

The action plan is being implemented. The merger of the Department for Education and the Employment Department afforded an opportunity to review the guidance available on the use of external consultants. New guidance issued since the merger and procurement and contract management guidance, due to be issued by the end of this financial year, takes full account of the recommendations.

Challenge Fund Grants

Mr. Ingram: To ask the Secretary of State for Education and Employment if she will make a statement on the eligibility criteria for awarding grants under the challenge fund for science equipment announced in the Budget; and if she will make a statement. [9886]

Mr. Forth: It is for the Higher Education Funding Council for England to decide on the detailed criteria for its 1997–98 research equipment initiative. The council intends to finalise the criteria before the end of the current financial year, and details will be placed in the Library. The 1996 Budget letter to the council made clear, however, that the £20 million grant earmarked for research equipment would be expected to generate matching private funds from industry and other users of research.

GCSE Scores

Dr. Howells: To ask the Secretary of State for Education and Employment what percentage of school leavers gained GCSE grades A* to C in *(a)* mathematics, *(b)* English and *(c)* science in the most recent year for which figures are available, broken down by grade. [9975]

Mrs. Gillan: The information requested is not available for school leavers. However, the percentage of 15-year-olds in England who gained GCSE grades A* to C in *(a)* mathematics, *(b)* English and *(c)* science in 1994–95 were as follows:

	Mathematics Per cent.	*English Per cent.*	*Science Per cent.*
Grade A*	2	2	3
Grade A	7	8	7
Grade B	13	17	15
Grade C	19	23	18
Grades A* to C	40	50	43

On-the-job Training

Dr. Howells: To ask the Secretary of State for Education and Employment what percentage of employees of working age received on-the-job training in *(a)* the south-west and *(b)* the United Kingdom broken down by gender in the most recent year for which figures are available. [9977]

Mr. Paice: From the spring 1996 labour force survey, the percentage of employees of working age who received on-the-job training in the four weeks prior to the interview is:

	Total Per cent.	*Men Per cent.*	*Women Per cent.*
South west	6.6	6.4	6.9
United Kingdom	6.3	6.2	6.4

Information on the number receiving training in a year is not available in the form requested.

Schools (Parental Choice)

Mr. Steinberg: To ask the Secretary of State for Education and Employment what assessment she has made of the recent Audit Commission report on the Government's policies in respect of parental choice over school places and provision. [10406]

Mr. Robin Squire: The Audit Commission's report "Trading Places" covers some important topics. I welcome the attention it gives to removing surplus places, which we have been emphasising for some time. I also welcome its acknowledgement that Government policies have driven up standards.

I am, however, disappointed with some of the simplistic conclusions the commission draws. There is no mismatch between LEAs' responsibilities and their powers. LEAs can determine their own priorities. They retain all the powers they need to manage the supply of school places and to respond, with other providers, to parental choice. It remains true that some LEAs have been rather slow in removing surplus places.

School Expenditure

Mr. Sweeney: To ask the Secretary of State for Education and Employment (1) what is *(a)* the average sum per pupil and *(b)* the average percentage of the general schools budget, allotted by each local education authority in the current financial year for (i) mandatory exception from delegation, (ii) discretionary exceptions outside the potential schools budget, (iii) discretionary exceptions within the potential schools budget and (iv) the aggregate schools budget; [10401]

(2) what is *(a)* the average sum per pupil and *(b)* the average percentage of the general schools budget allotted by each local education authority in the current financial year for discretionary exceptions outside the potential schools budget and which is (i) delegated and (ii) not delegated to schools; [10400]

(3) what is *(a)* the average sum per pupil and *(b)* the average percentage of the general schools budget, allotted by each local education authority in the current financial year for (i) money allocated to schools via age-weighted pupil units, (ii) premature retirement compensation, (iii) school transport, (iv) statementing and support for statemented pupils and (v) school meals (net of income). [10402]

Mr. Robin Squire: The table sets out the information requested, except in respect of two items. In relation to funding allocated via age-weighted pupil units, I shall write to my hon. Friend when the requisite figures have been extracted and collated. Where a local education authority has chosen to delegate funding which it might have retained as a discretionary exception outside—or within—the potential schools budget, the amounts in question form part of the aggregated schools budget and cannot ordinarily be separately identified from the LEA's local management of schools' financial statements.

Amounts per pupil and percentage of GSB—Section 122 1996–97

LEA	*Aggregated schools budget*		*Discretionary exceptions within the PSB*		*Discretionary exceptions outside the PSB*		*Mandatory exceptions*	
	£ per pupil	*percentage of GSB*	*£ per pupil*	*percentage of GSB*	*£ per pupil*	*percentage of GSB*	*£ per pupil*	*percentage of GSB*
Barking/Dagenham	2,031	60.8	2,244	6.4	144	4.3	952	0.3
Barnet	1,994	67.3	2,230	8.0	171	5.8	561	0.2
Barnsley	1,512	70.9	1,705	9.1	179	8.4	248	0.1
Bath and North-east Somerset	1,926	77.1	2,147	8.8	161	6.5	190	0.1
Bedfordshire	1,771	73.6	1,916	6.0	205	8.5	167	0.1
Berkshire	1,825	76.8	1,953	5.4	109	4.6	314	0.1
Bexley	1,718	73.5	1,870	6.5	144	6.2	323	0.1
Birmingham	1,971	77.1	2,158	7.3	214	8.4	184	0.1
Bolton	1,694	74.6	1,913	9.7	201	8.8	156	0.1
Bradford	1,684	64.8	1,876	7.4	220	8.5	502	0.2
Brent	2,042	71.0	2,157	4.0	183	6.4	534	0.2
Bristol	2,113	78.7	2,328	8.0	157	5.9	199	0.1
Bromley	1,689	71.1	1,945	10.8	99	4.2	332	0.1
Buckinghamshire	1,704	68.6	1,914	8.4	136	5.5	437	0.2

Amounts per pupil and percentage of GSB—Section 122 1996–97

LEA	Aggregated schools budget £ per pupil	Aggregated schools budget percentage of GSB	Discretionary exceptions within the PSB £ per pupil	Discretionary exceptions within the PSB percentage of GSB	Discretionary exceptions outside the PSB £ per pupil	Discretionary exceptions outside the PSB percentage of GSB	Mandatory exceptions £ per pupil	Mandatory exceptions percentage of GSB
Bury	1,762	78.2	1,906	6.4	221	9.8	127	0.1
Calderdale	1,636	69.5	1,837	8.5	166	7.1	353	0.1
Cambridgeshire	1,670	67.6	1,866	7.9	180	7.3	423	0.2
Camden	2,530	63.6	2,868	8.5	186	4.7	924	0.2
Cheshire	1,784	77.0	1,955	7.4	158	6.8	203	0.1
Cornwall	1,730	69.8	1,959	9.3	174	7.0	345	0.1
Corporation of London	3,196	66.9	360	7.5	439	9.2	780	0.2
Coventry	1,934	76.4	2,127	7.6	131	5.2	272	0.1
Croydon	1,934	72.3	2,118	6.9	225	8.4	332	0.1
Cumbria	1,780	73.9	1,949	7.0	198	8.2	263	0.1
Derbyshire	1,551	70.7	1,738	8.5	228	10.4	226	0.1
Devon	1,765	75.6	1,934	7.3	192	8.2	206	0.1
Doncaster	1,795	71.9	2,042	9.9	182	7.3	273	0.1
Dorset	1,610	73.0	1,794	8.4	132	6.0	278	0.1
Dudley	1,752	81.6	1,823	3.3	152	7.1	171	0.1
Durham	1,681	74.1	1,898	9.6	181	8.0	190	0.1
Ealing	2,019	76.5	2,231	8.1	262	9.9	146	0.1
East Riding	1,854	77.4	2,069	9.0	230	9.6	97	0.0
East Sussex	1,840	74.2	2,043	8.2	187	7.5	250	0.1
Enfield	1,916	68.5	2,124	7.4	158	5.7	514	0.2
Essex	1,751	75.5	1,943	8.3	180	7.8	195	0.1
Gateshead	1,806	66.5	2,081	10.1	149	5.5	488	0.2
Gloucestershire	1,640	73.3	1,797	7.0	121	5.4	318	0.1
Greenwich	2,357	78.6	2,530	5.8	220	7.3	250	0.1
Hackney	2,355	68.8	2,635	8.2	405	11.8	382	0.1
Hammersmith/Fulham	2,505	73.5	2,745	7.1	390	11.4	273	0.1
Hampshire	1,872	76.9	2,054	7.5	144	5.9	235	0.1
Haringey	2,134	64.9	2,471	10.2	243	7.4	573	0.2
Harrow	2,096	77.1	2,327	8.5	75	2.8	316	0.1
Hartlepool	1,685	76.7	1,892	9.4	158	7.2	146	0.1
Havering	1,894	83.6	2,056	7.1	90	4.0	120	0.1
Hereford/Worcester	1,724	75.0	1,910	81	120	5.2	268	0.1
Hertfordshire	1,891	79.1	2,019	5.4	170	7.1	200	0.1
Hillingdon	1,915	72.5	2,124	7.9	134	5.1	385	0.1
Hounslow	2,061	72.9	2,290	8.1	138	4.9	400	0.1
Hull	1,735	77.4	1,931	8.8	202	9.0	109	0.0
Isle of Wight	1,757	76.4	1,955	8.6	148	6.5	195	0.1
Isles of Scilly	3,289	76.9	3,523	5.5	281	6.6	473	0.1
Islington	2,313	681	2,464	4.4	194	5.7	741	0.2
Kensington/Chelsea	2,804	72.6	3,092	7.5	229	5.9	539	0.1
Kent	1,753	74.4	1,971	9.2	119	5.1	267	0.1
Kingston	1,926	80.3	2,121	8.1	83	3.5	195	0.1
Kirklees	1,693	73.5	1,903	9.1	177	7.7	222	0.1
Knowsley	1,885	77.5	2,025	5.7	204	8.4	203	0.1
Lambeth	2,361	66.1	2,700	9.5	297	8.3	574	0.2
Lancashire	1,736	73.1	1,953	9.2	201	8.4	221	0.1
Leeds	1,840	72.2	1,964	4.9	167	6.5	419	0.2
Leicestershire	1,750	76.2	1,988	10.4	176	7.7	131	0.1
Lewisham	2,285	78.6	2,532	8.5	236	8.1	140	0.0
Lincolnshire	1,815	75.1	2,033	9.0	128	5.3	254	0.1
Liverpool	1,824	76.3	1,967	6.0	185	7.7	238	0.1
Manchester	1,837	71.2	2,001	6.4	235	9.1	346	0.1
Merton	1,933	63.7	2,155	7.3	77	2.5	802	0.3
Middlesbrough	1,761	66.8	2,000	9.1	183	6.9	451	0.2
North-east/Lincolnshire	1,801	77.4	2,005	8.7	218	9.4	105	0.0
Newcastle	1,855	74.6	2,084	9.2	201	8.1	201	0.1
Newham	1,855	68.4	2,179	11.9	190	7.0	344	0.1
Norfolk	1,846	72.0	2,024	6.9	222	8.7	317	0.1
North Lincolnshire	1,813	75.2	2,042	9.5	242	10.0	129	0.1
North Somerset	1,891	77.4	2,111	9.0	158	6.5	173	0.1
North Tyneside	1,769	73.2	1,923	6.4	183	7.6	312	0.1
North Yorkshire	1,828	79.2	2,018	8.3	181	7.8	108	0.0
Northamptonshire	1,770	74.9	1,905	5.7	124	5.2	334	0.1
Northumberland	1,739	75.3	1,909	7.4	229	9.9	172	0.1
Nottinghamshire	1,588	73.9	1,786	9.2	196	9.1	168	0.1
Oldham	1,811	77.9	1,995	7.9	190	8.2	138	0.1
Oxfordshire	1,798	70.5	1,954	6.1	151	5.9	446	0.2
Redbridge	1,959	75.2	2,131	6.6	129	4.9	346	0.1
Redcar and Cleveland	1,741	76.5	1,957	9.5	165	7.3	151	0.1
Richmond	2,032	81.3	2,226	7.8	55	2.2	217	0.1
Rochdale	1,701	76.2	1,822	5.4	201	9.0	210	0.1
Rotherham	1,732	78.0	1,933	9.1	134	6.0	153	0.1
Salford	1,775	66.3	1,959	6.9	191	7.1	528	0.2
Sandwell	1,692	75.2	1,898	9.1	141	6.3	211	0.1

Amounts per pupil and percentage of GSB—Section 122 1996–97

LEA	Aggregated schools budget £ per pupil	Aggregated schools budget percentage of GSB	Discretionary exceptions within the PSB £ per pupil	Discretionary exceptions within the PSB percentage of GSB	Discretionary exceptions outside the PSB £ per pupil	Discretionary exceptions outside the PSB percentage of GSB	Mandatory exceptions £ per pupil	Mandatory exceptions percentage of GSB
Sefton	1,821	74.7	2,037	8.9	154	6.3	244	0.1
Sheffield	1,690	72.8	1,934	10.5	189	8.1	198	0.1
Shropshire	1,718	71.2	1,871	6.3	214	8.9	327	0.1
Solihull	1,834	81.8	1,943	4.9	161	7.2	137	0.1
Somerset	1,769	77.9	1,939	7.5	113	5.0	219	0.1
South Gloucestershire	1,863	74.0	2,075	8.4	172	6.8	271	0.1
South Tyneside	1,668	74.8	1,876	9.3	143	6.4	209	0.1
Southwark	2,255	71.9	2,524	8.6	299	9.5	313	0.1
St. Helens	1,821	77.1	2,025	8.6	201	8.5	136	0.1
Staffordshire	1,675	77.5	1,801	5.8	171	7.9	189	0.1
Stockport	1,801	74.4	1,975	7.2	150	6.2	294	0.1
Stockton on Tees	1,790	78.7	1,980	8.3	205	9.0	88	0.0
Suffolk	1,879	79.4	2,030	6.4	166	7.0	170	0.1
Sunderland	1,819	77.5	1,938	5.1	148	6.3	261	0.1
Surrey	1,860	72.0	2,055	7.6	226	8.7	302	0.1
Sutton	1,896	66.7	2,075	6.3	174	6.1	592	0.2
Tameside	1,556	66.8	1,731	7.5	165	7.1	433	0.2
Tower Hamlets	2,241	65.4	2,503	7.6	252	7.4	672	0.2
Trafford	1,556	72.7	1,757	9.4	147	6.9	236	0.1
Wakefield	1,586	62.0	1,818	9.1	184	7.2	556	0.2
Walsall	1,758	78.9	1,956	8.9	84	3.7	190	0.1
Waltham Forest	2,160	73.8	2,299	4.8	255	8.7	374	0.1
Wandsworth	2,313	72.7	2,585	8.5	243	7.6	355	0.1
Warwickshire	1,713	66.6	1,907	7.6	185	7.2	480	0.2
West Sussex	1,795	77.4	2,012	9.4	139	6.0	167	0.1
Westminster	2,351	71.7	2,629	8.5	215	6.5	435	0.1
Wigan	1,892	77.7	2,037	6.0	179	7.4	217	0.1
Wiltshire	1,713	73.5	1,904	8.2	246	10.6	180	0.1
Wirral	1,780	75.3	1,962	7.7	184	7.8	219	0.1
Wolverhampton	1,756	74.9	1,906	6.4	162	6.9	283	0.1
York	1,718	78.6	1,931	9.8	119	5.4	136	0.1

The information in this table has been derived from financial statements produced under the section 122 of the Education Act 1996 (formerly section 42 of the Education Reform Act 1988), incorporating LEAs' changes to their statements notified to the Department by 31 December 1996.

Amounts per pupil and percentage of GSB—Section 122 1996–97

	Premature retirement compensation £ per pupil	Premature retirement compensation Percentage of GSB	Home to school transport £ per pupil	Home to school transport Percentage of GSB	Cost of statements £ per pupil	Cost of statements Percentage of GSB	School meals (net of income) £ per pupil	School meals (net of income) Percentage of GSB
Barking/Dagenham	16	0.5	27	0.8	74	0.1	71	2.1
Barnet	13	0.4	60	2.0	75	0.1	39	1.3
Barnsley	19	0.9	16	0.8	88	0.1	78	3.7
Bath and North-east Somerset	44	1.8	80	3.2	68	0.1	39	1.6
Bedfordshire	22	0.9	65	2.7	19	0.0	65	2.7
Berkshire	10	0.4	57	2.4	15	0.0	25	1.1
Bexley	5	0.2	25	1.1	51	0.1	43	1.9
Birmingham	23	0.9	49	1.9	41	0.0	94	3.7
Bolton	20	0.9	35	1.5	83	0.1	59	2.6
Bradford	38	1.4	39	1.5	81	0.0	101	3.9
Brent	42	1.5	59	2.0	18	0.0	70	2.4
Bristol	41	1.5	46	1.7	24	0.0	70	2.6
Bromley	6	0.3	36	1.5	100	0.2	40	1.7
Buckinghamshire	15	0.6	82	3.3	36	0.0	17	0.7
Bury	38	1.7	23	1.0	18	0.0	93	4.1
Calderdale	25	1.1	20	0.9	88	0.2	61	2.6
Cambridgeshire	22	0.9	61	2.5	90	0.0	45	1.8
Camden	7	0.2	54	1.3	63	0.1	88	2.2
Cheshire	22	0.9	57	2.4	40	0.0	17	0.7
Cornwall	19	0.8	60	2.4	120	0.1	49	2.0
Corporation of London	19	0.4	5	0.1	0	0.0	313	6.6
Coventry	26	1.0	29	1.1	33	0.0	67	2.6
Croydon	10	0.4	51	1.9	50	0.1	51	1.9
Cumbria	46	1.9	62	2.6	72	0.1	42	1.7
Derbyshire	22	1.0	48	2.2	93	0.0	87	4.0
Devon	28	1.2	89	3.8	61	0.0	40	1.7
Doncaster	27	1.1	24	0.9	96	0.1	53	2.1
Dorset	16	0.7	73	3.3	43	0.0	25	1.2
Dudley	18	0.8	28	1.3	11	0.0	54	2.5
Durham	23	1.0	61	2.7	83	0.0	51	2.2

Amounts per pupil and percentage of GSB—Section 122 1996–97

	Premature retirement compensation		*Home to school transport*		*Cost of statements*		*School meals (net of income)*	
	£ per pupil	*Percentage of GSB*	*£ per pupil*	*Percentage of GSB*	*£ per pupil*	*Percentage of GSB*	*£ per pupil*	*Percentage of GSB*
Ealing	20	0.8	77	2.9	66	0.1	77	2.9
East Riding	25	1.1	85	3.6	6	0.0	58	2.4
East Sussex	9	0.4	51	2.1	36	0.0	58	2.4
Enfield	19	0.7	29	1.0	70	0.1	65	2.3
Essex	6	0.3	76	3.3	87	0.0	34	1.5
Gateshead	35	1.3	27	1.0	32	0.0	76	2.8
Gloucestershire	22	1.0	71	3.2	72	0.1	30	1.3
Greenwich	4	0.1	52	1.7	9	0.0	98	3.3
Hackney	17	0.5	93	2.7	55	0.1	133	3.9
Hammersmith/Fulham	11	0.3	97	2.8	67	0.1	161	4.7
Hampshire	13	0.5	47	1.9	24	0.0	39	1.6
Haringey	19	0.6	34	1.0	15	0.0	106	3.2
Harrow	12	0.4	32	1.2	74	0.1	26	1.0
Hartlepool	23	1.0	28	1.3	16	0.0	70	3.2
Havering	12	0.5	23	1.0	61	0.1	25	1.1
Hereford/Worcester	9	0.4	73	3.2	76	0.0	16	0.7
Hertfordshire	14	0.6	59	2.5	68	0.0	17	0.7
Hillingdon	15	0.6	92	3.5	21	0.0	0	0.0
Hounslow	9	0.3	37	1.3	40	0.0	52	1.9
Hull	30	1.3	44	2.0	7	0.0	83	3.7
Isle of Wight	10	0.4	58	2.5	70	0.2	56	2.4
Isles of Scilly	78	1.8	74	1.7	207	18.9	102	2.4
Islington	0	0.0	51	1.5	42	0.1	74	2.2
Kensington/Chelsea	16	0.4	7	0.2	69	0.2	146	3.8
Kent	13	0.5	72	3.1	72	0.0	35	1.5
Kingston	22	0.9	35	1.5	72	0.2	22	0.9
Kirkless	21	0.9	35	1.5	64	0.0	56	2.4
Knowsley	29	1.2	36	1.5	14	0.0	98	4.0
Lambeth	4	0.1	71	2.0	168	0.2	131	3.7
Lancashire	31	1.3	56	2.3	107	0.0	53	2.3
Leeds	22	0.9	31	1.2	20	0.0	53	2.1
Leicestershire	14	0.6	64	2.8	85	0.0	42	1.8
Lewisham	5	0.2	35	1.2	65	0.1	104	3.6
Lincolnshire	23	1.0	95	3.9	69	0.0	14	0.6
Liverpool	34	1.4	34	1.4	36	0.0	88	3.7
Manchester	50	1.9	40	1.6	8	0.0	119	4.6
Merton	27	0.9	35	1.1	88	0.1	3	0.1
Middlesbrough	11	0.4	22	0.8	17	0.0	71	2.7
North-east Lincolnshire	41	1.8	32	1.4	12	0.0	78	3.4
Newcastle	0	0.0	23	0.9	52	0.1	111	4.5
Newham	26	1.0	33	1.2	105	0.1	88	3.2
Norfolk	18	0.7	95	3.7	73	0.0	48	1.9
North Lincolnshire	34	1.4	66	2.7	4	0.0	69	2.8
North Somerset	40	1.6	81	3.3	72	0.1	40	1.7
North Tyneside	35	1.4	23	1.0	63	0.1	78	3.2
North Yorkshire	11	0.5	111	4.8	47	0.0	20	0.9
Northamptonshire	11	0.5	53	2.3	19	0.0	28	1.2
Northumberland	40	1.7	80	3.5	64	0.1	39	1.7
Nottinghamshire	45	2.1	36	1.7	12	0.0	56	2.6
Oldham	17	0.7	17	0.7	16	0.0	72	3.1
Oxfordshire	42	1.6	79	3.1	63	0.0	37	1.5
Redbridge	13	0.5	56	2.2	19	0.0	32	1.2
Redcar and Cleveland	24	1.0	34	1.5	29	0.0	61	2.7
Richmond	10	0.4	27	1.1	73	0.2	0	0.0
Rochdale	25	1.1	26	1.1	36	0.1	102	4.6
Rotherham	13	0.6	29	1.3	31	0.0	51	2.3
Salford	34	1.3	46	1.7	42	0.0	85	3.2
Sandwell	11	0.5	37	1.6	31	0.0	61	2.7
Sefton	26	1.1	28	1.1	40	0.0	71	2.9
Sheffield	40	1.7	35	1.5	78	0.0	75	3.2
Shropshire	28	1.2	90	3.7	41	0.0	36	1.5
Solihull	18	0.8	31	1.4	47	0.1	31	1.4
Somerset	17	0.7	72	3.2	80	0.1	27	1.2
South Gloucestershire	35	1.4	54	2.1	67	0.1	69	2.8
South Tyneside	25	1.1	16	0.7	16	0.0	74	3.3
Southwark	10	0.3	87	2.8	65	0.1	118	3.8
St. Helens	44	1.9	54	2.3	71	0.1	60	2.5
Staffordshire	27	1.3	47	2.2	48	0.0	40	1.8
Stockport	14	0.6	24	1.0	66	0.1	56	2.3

Amounts per pupil and percentage of GSB—Section 122 1996–97

	Premature retirement compensation		*Home to school transport*		*Cost of statements*		*School meals (net of income)*	
	£ per pupil	*Percentage of GSB*	*£ per pupil*	*Percentage of GSB*	*£ per pupil*	*Percentage of GSB*	*£ per pupil*	*Percentage of GSB*
Stockton on Tees	5	0.2	30	1.3	24	0.0	60	2.6
Suffolk	13	0.6	78	3.3	45	0.0	21	0.9
Sunderland	10	0.4	26	1.1	38	0.0	59	2.5
Surrey	18	0.7	98	3.8	71	0.0	28	1.1
Sutton	6	0.2	45	1.6	27	0.1	46	1.6
Tameside	27	1.2	34	1.5	50	0.1	24	1.0
Tower Hamlets	21	0.6	48	1.4	82	0.1	135	3.9
Trafford	19	0.9	34	1.6	49	0.1	48	2.2
Wakefield	20	0.8	31	1.2	61	0.0	79	3.1
Walsall	30	1.3	20	0.9	34	0.0	55	2.5
Waltham Forest	20	0.7	43	1.5	4	0.0	73	2.5
Wandsworth	14	0.4	82	2.6	107	0.2	72	2.3
Warwickshire	35	1.4	68	2.6	23	0.0	43	1.7
West Sussex	3	0.1	53	2.3	40	0.0	30	1.3
Westminster	15	0.5	27	0.8	77	0.1	113	3.5
Wigan	46	1.9	32	1.3	24	0.0	53	2.2
Wiltshire	21	0.9	113	4.9	52	0.0	48	2.0
Wirral	45	1.9	53	2.2	40	0.0	67	2.8
Wolverhampton	50	2.2	35	1.5	22	0.0	75	3.2
York	10	0.5	45	2.1	55	0.1	33	1.5

The information in this table has been derived from financial statements produced under the section 122 of the Education Act 1996 (formerly section 42 of the Education Reform Act 1988), incorporating LEAs' changes to their statements notified to the Department by 31 December 1996.

Professors of General Practice

Mr. Chris Smith: To ask the Secretary of State for Education and Employment how many professors of general practice there were in each of the last five years. [10677]

Mr. Forth: The information requested is not available centrally. I understand that in the 1995–96 academic year there were 23 professors of general practice in post at universities in the UK.

"Going GM" Conference, Warrington

Mr. Hall: To ask the Secretary of State for Education and Employment if she will list those organisations *(a)* invited to attend, *(b)* who attended the "Going GM" conference for head teachers and governors scheduled to be held in Warrington on 21 October; and what was the total cost to public funds of (i) organising and (ii) running the conference. [10629]

Mr. Forth: Invitations to the "Going GM" conference in Warrington on 21 October 1996 were sent to head teachers and chairmen of governors of all LEA-maintained primary and secondary schools in Cheshire, Knowsley, Liverpool, St. Helens, Sefton, Wirral, Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford, Wigan and Lancashire; 118 delegates attended the conference, 90 representing primary schools and 28 representing secondary schools.

The conference cost around £3,500 to organise and £10,700 to run on the day.

Education Standard Spending Assessment (Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for Education and Employment what factors underlay the scale of the increase in the education standard spending assessment for Buckinghamshire county council between 1996–97 and 1997–98 relative to that of other local authorities in England. [10699]

Mr. Robin Squire: The provisional education standard spending assessment for Buckinghamshire in 1997–98 represents an underlying increase of 2.6 per cent. compared with the national average increase of 3.4 per cent. The below average increase is mainly due to a marginal reduction in secondary pupil numbers, a reduction in the proportion of children entitled to free school meals, and a reduction in the area cost adjustment. Standard spending assessments will be finalised at the end of the month.

Professors of Practice and Community Nursing

Mr. Chris Smith: To ask the Secretary of State for Education and Employment how many professors of *(a)* practice nursing and *(b)* community nursing there were in each of the last five years. [10678]

Mr. Forth: The information requested is not available centrally.

Standing Committee of Employment Reports

Mr. Spearing: To ask the Secretary of State for Education and Employment what reports have been issued by the Standing Committee of Employment of the European Communities since the Essen European Council; to whom they have been distributed; when and where they were published; what participation United Kingdom personnel have had in their deliberations; and what actions Her Majesty's Government have taken in response to these reports. [10820]

Mr. Paice: The EC Standing Employment Committee does not issue reports.

SCOTLAND

Mearnskirk Hospital

Mr. Stewart: To ask the Secretary of State for Scotland what discussions he has had with the Greater Glasgow health board concerning future NHS provision from the site of Mearnskirk hospital; and if he will make a statement. [6890]

Lord James Douglas-Hamilton: Greater Glasgow health board has granted preferred provider status to the Victoria Infirmary NHS trust for the development of 60 care of the elderly beds at Mearnskirk hospital. It is expected that this facility will more than match expected future needs in that sector. Both the board and the trust are keen to seek best value for money and to ensure that the proposed development is of a high standard and provides an environment best suited to providing care.

Mr. Stewart: To ask the Secretary of State for Scotland when he expects to reach a decision on the future development of Mearnskirk hospital, Newton Mearns. [6891]

Lord James Douglas-Hamilton: The Victoria Infirmary NHS trust remains on track to open new facilities at Mearnskirk hospital in 1998.

Mr. Stewart: To ask the Secretary of State for Scotland what discussions he has had with East Renfrewshire council concerning a partnership for the provision of future services from Meanskirk hospital. [6900]

Lord James Douglas-Hamilton: None. Having been granted preferred provider status by Greater Glasgow health board for the development of 60 care of the elderly beds at Mearnskirk hospital, I understand the Victoria Infirmary NHS trust is currently considering how the private finance initiative might contribute to establishing the new unit. Its plans do not involve East Renfrewshire council, and I understand that neither Greater Glasgow health board nor the Victoria Infirmary NHS trust is aware of any discussions with East Renfrewshire council in relation to this development.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Scotland (i) how many days leave he has taken in the Easter, Whitsun and Summer Adjournments; and how many days leave he took during the time in which Parliament was prorogued this year; [9794]

(2) how many days of leave he plans to take during the Christmas Adjournment. [9795]

Mr. Michael Forsyth: I refer the hon. Member to the reply given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Curriculum Projects

Mr. Robert Hughes: To ask the Secretary of State for Scotland if he will publish the projects undertaken by the Scottish Consultative Council on the Curriculum since 1989 from the Gordon Cook Foundation of Aberdeen grant of £250,000 and the value of expenditure on each. [9514]

Mr. Raymond S. Robertson *[holding answer 18 December 1996]:* The Scottish Consultative Council on the Curriculum has undertaken the following projects since 1989 using resources from the Gordon Cook Foundation grant. A number of these have been jointly funded with other bodies, as indicated in the table.

Publications and projects which address specific aspects of the values dimension

1. Values in Education: A Paper for Discussion and Development, 1991.
2. Values in Education: An Evaluation, 1992.
3. The Heart of the Matter, 1995.
4. A Review of Personal and Social Education, 1995.
5. Climate for Learning, 1996.
6. Parents and the Curriculum, 1996.
7. Ethos and Education (Perspectives; 1).
8. Values and Educating the Whole Person (Perspectives; 3).
9. The Moral Role of the Teacher (Perspectives; 3).
10. A Holistic Approach: Steiner Waldorf Education (Perspectives; 4).
11. Guidelines for Values for the International and Humanistic Dimension of Education, UNESCO/CIDREE, 1994.
12. Scottish delegation visit to Ontario schools, 1993.
13. In collaboration with SCRE, a project on Values and Classroom Language.
14. Association of Moral Education Conference, 1995.

Collaborative projects addressing aspects of the values of dimension

1. In association with CIDREE Values in Education in Europe Project (VEEP) A Select Annotated Bibliography for 27 Countries, 1985–92.
2. In association with VEEP A Comparative Overview of a Survey of 26 Countries in 1993.
3. Technology and Values Seminar, 1994.
4. Curriculum Conference on School Climate and Ethos (and Report), 1993.
5. Curriculum Conference on Special Educational Needs (which had a Values input).
6. CCC Values input to Review and Developments Groups of 5–14 Programme.
7. Higher Still Framework: a major contribution to the aims of the Government's Higher Still Development Programme.
8. Values input to the Higher Still Personal and Social Education Specialists Group.
9. In collaboration with SOEID:
   (i) Thinking European, 1994.
   (ii) Sharing Responsibility, 1995.
   (iii) Personal and Social Development 5–14 Exemplification.
10. Collaboration with a number of international partners in the Values in Education Project (VEEP).
11. The Dillingen International Symposia on the European Dimension, co-directed by Scottish CCC Directorate, 1991–96.

Seminar, networks, forums and discussion groups

1. Values, Environmental Education and the School Curriculum: Conference and Report, 1992.
2. Values, Generic Issues and the School Curriculum: Seminar and Report.
3. A Sense of Belonging (Seminar).
4. A Sense of Belonging (Reflections in Curricular Issues, No. 4).
5. OECD international Seminar on Environmental Education.
6. Membership of Association of Moral Education.

7. Journal of Moral Education Conference, St. Martin's College, Lancaster: Workshop for Personal and Social Development.

Ongoing projects

1. Working with Peers.
2. Learning and Being Together.
3. 'Perspectives' 5 and 6.
4. In collaboration with St. Andrew's College, Climate for Achievement: Alternative Paradigms for Assessment.
5. In collaboration with the University of Ulster, Staff Development on Peer Mediation and Conflict Resolution.

Project costs (including printing, production and meetings) are as follows:

	£
Parents and the Curriculum	5,000.00
Values and Communication	15,000.00
Climate for Learning	62,500.00
Heart of the Matter	18,125.00
Values in Education	7,500.00
Perspectives Series	15,000.00
Ethos Conference	16,800.00
Seminars	10,000.00
Seminar Reports	5,000.00
Network (7 years)	15,000.00
European Collaboration	4,000.00
Conference Reports	8,000.00
Travel, Admin, Distribution and Materials	39,000.00
£5,500 per annum (x 7 years)	
Total	221,000.00

The initial investment from the Cook Foundation was £200,000, which has generated interest of £180,270 over the period since 1989. In addition, officer time to a value of £95,000 has been funded by the Scottish Office via core grant to the Scottish CCC.

Biological Hazards

Mr. Chisholm: To ask the Secretary of State for Scotland (1) who authorised the closure of the category 4 containment laboratory at Ruchill hospital, Glasgow; when the closure took place; what were the criteria for closing the laboratory; what public consultation took place; and if he will make a statement; [10693]

(2) what arrangements apply in Scotland for dealing with category 4 laboratory specimens; and what assessment he has made of the safety of *(a)* patients and *(b)* specimens. [10696]

Lord James Douglas-Hamilton: Hazard group 4 covers the most pathogenic of the biological hazards which have required to be investigated in category 4 containment laboratories. The only organisms in the group that have been the subject of any laboratory investigations within the United Kingdom are those which cause viral haemorrhagic fever. During the time the category 4 containment laboratory at Ruchill hospital was open it was used very infrequently for the investigation of suspected category 4 organisms. Across the United Kingdom the vast majority of cases of suspected viral haemorrhagic fever have proved to be malaria. No case of viral haemorrhagic fever has ever been recorded in Scotland.

In 1992, and acting on advice received from the Health and Safety Executive, it was agreed that a number of specific improvements required to be made if the facilities were to continue to operate at Ruchill. A sub-committee of the advisory group on infection was tasked to consider whether the required improvements should be made and, if not, what alternative arrangements needed to be put in place. The sub-committee recommended the closure of the high security clinical facility. The subsequent retirement of two of the staff who were skilled in the use of the category 4 laboratory precipitated the closure of the laboratory, which ceased to be operational early in 1995.

Interim guidance on the management of suspected cases of viral haemorrhagic fever was issued in May 1995 from medical advisers within the Scottish Office Department of Health to all consultants involved in communicable diseases in Scotland. The guidance covered the arrangements for initiating laboratory investigations, for obtaining clinical advice or care and for the transportation of patients. Also included were details about the new locus to be approached following the withdrawal of the service from Ruchill. The principles outlined in the guidance have been incorporated into an updated guide on the control of viral haemorrhagic fever which the United Kingdom Advisory Committee on Dangerous Pathogens has recently finalised. The new document entitled "Management Control of Viral Haemorrhagic Fevers" is scheduled for publication later this month. I shall arrange for copies to be placed in the Libraries of the House.

GP Fundholding Practices

Mr. Chisholm: To ask the Secretary of State for Scotland what have been the amounts retained by general practitioner fundholding practices at the end of each financial year since the introduction of general practitioner fundholding for each health board area in Scotland. [10698]

Lord James Douglas-Hamilton: The information in the table sets out GP fundholder savings which are retained by the health board on the fundholder's behalf to be used for the benefit of patients.

£000

Health Board	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Argyll and Clyde	56	nil	55	214	446
Ayrshire and Arran	—	—	330	214	253
Borders	—	—	65	291	144
Dumfries and Galloway	—	—	—	76	278
Fife	—	—	96	150	242
Forth Valley	—	—	23	101	154
Grampian	103	95	551	1,207	739
Greater Glasgow	—	13	185	888	1,459
Highland	—	—	87	—	87
Lanarkshire	—	—	458	1,360	1,607
Lothian	29	39	354	868	1,207

£000

Health Board	1991–92	1992–93	1993–94	1994–95	1995–96
Orkney	—	—	—	—	—
Shetland	—	—	—	—	—
Tayside	—	12	278	363	428
Western Isles	—	—	—	—	—
Scotland	188	159	2,482	5,732	7,044

Maternity Unit (Glasgow)

Mr. Galbraith: To ask the Secretary of State for Scotland, pursuant to his answer of 25 November, *Official Report*, column *43*, what is the proposed building start date for the new maternity unit at Glasgow royal infirmary. [10530]

Lord James Douglas-Hamilton: The trust's current timetable provides for the building work to commence in summer 1998.

Highlands and Islands Convention

Mr. Wallace: To ask the Secretary of State for Scotland (1) by what means of transport and at what cost to public funds he returned to the House following the meeting of the Highlands and Islands convention in Inverness on 16 December; [10293]

(2) if the transport facilities used by him to return to the House from the meeting of the Highlands and Islands convention in Inverness on 16 December were offered to other hon. Members attending the convention; and if he will make a statement; [10294]

(3) when a request was made to the RAF to provide him and the Under-Secretary, the hon. Member for Kincardine and Deeside (Mr. Kynoch), with transport facilities to return to the House from Inverness following the Highland and Islands convention on 16 December. [10509]

Mrs. Ewing: To ask the Secretary of State for Scotland (1) what was the total cost to the Scottish Office of the RAF flight which took him to and from the Highlands and Islands convention in Inverness on Monday 16 December; [10690]

(2) where he boarded the RAF flight which took him to the Highlands and Islands convention in Inverness on 16 December; [10692]

(3) if he will specify the type of aeroplane and the seating capacity of the aircraft which transported the Secretary of State for Scotland and his Minister of State to and from the Highlands and Islands convention in Inverness on 16 December; and what were the names and designations of all the passengers on the flights. [10684]

Mr. Michael Forsyth: A request for transport was made by my office and approved by the RAF on Tuesday 10 December in order to enable me to carry out all my engagements on 16 December. Going north, I boarded the flight at RAF Northolt. The aircraft was a HS125 which seated seven people. On the return flight from Inverness I was accompanied by my hon. Friend the Member for Kincardine and Deeside—the Parliamentary Under-Secretary of State for Scotland—and three Scottish Office staff. A number of matters of ministerial business were dealt with during the flight.

The cost of the flight was £682 per flying hour, plus £62 per hour of waiting time after the first three hours, which are not charged. The cost of a single ticket on a scheduled British Airways flight from Inverness to London would have been £145 per person.

As the hon. Member for Orkney and Shetland (Mr. Wallace) knows from his own experience, I am always willing to offer transport to hon. Members where possible.

Mrs. Ewing: To ask the Secretary of State for Scotland what were the total costs, including travel costs, of the Highlands and Islands convention on 16 December. [10691]

Mr. Forsyth: Costs incurred to date for the meeting of the Convention of the Highlands and Islands on 16 December amount to £1,058.

This amount excludes travel and subsistence costs for which claims are still being received from convention members.

ENVIRONMENT

Home Energy Efficiency Scheme

Ms Ruddock: To ask the Secretary of State for the Environment (1) how many responses he has received to the consultation paper on the future of the home energy efficiency scheme; how many of the responses supported additional measures within the scheme; and how many indicated that additional measures should be dependent on an increase in the scheme's financial resources; [10232]

(2) what will be the maximum grant under the home energy efficiency scheme once the revised scheme comes into effect; and from what date this will apply; [10231]

(3) what changes will be made to the standard draught-proofing job available under the home energy efficiency scheme, once the revised scheme comes into effect; and from what date these changes will apply. [10244]

Mr. Robert B. Jones: We received 59 responses, many of which were from bodies representing a number of organisations and companies. Sixty one per cent. of respondents supported the introduction of additional measures to the scheme, and 24 per cent. suggested that additional measures should be accompanied by the allocation of more money.

Following the consultation exercise I have announced revisions to the scheme, increasing the range and choice of energy efficiency measures available, and I hope they will come into effect in April this year. I intend that the maximum grant will remain unchanged at £315. The measures to be included, and their specifications, have yet to be determined.

These changes, together with the increase in the allocation for 1997–98 for this popular programme of 3 per cent. to £75 million, demonstrate our commitment to helping the most vulnerable people keep warmer and use energy more efficiently.

Mr. Gunnell: To ask the Secretary of State for the Environment (1) what were the total sums paid to over 60-year-olds under the HEES in the financial years *(a)* 1994–95 and *(b)* 1995–96; and what is his estimate of the amount to be paid in *(c)* 1996–97 and *(d)* 1997–98; [10223]

(2) how those householders not on low-income benefit but who are entitled to assistance under the HEES have their contributions calculated; [10221]

(3) how many *(a)* applicants for and *(b)* recipients of full assistance under the HEES there were in the current year and the year preceding the changes announced on 28 November 1995. [10222]

Mr. Jones: A total of 624,000 grants were paid under the home energy efficiency scheme in 1995–96 and 470,221 in 1994–95. There is no distinction between applicants and recipients, since grant is applied for after the work has been done by a network installer. There is no central record of inquiries to installers which do not result in work being done under the scheme.

The total amounts of grant paid to applicants giving age as their ground for qualification are set out in the table. It should be borne in mind that those applying on the grounds of age may also be entitled through receipt of a qualifying benefit.

Year	*Total amount of grant £ million*
1994–95	40.4
1995–96	65.9
1996–97	34 (estimate)

It is not possible to estimate the number of grants to over-60s in 1997–98, since I have announced that the scheme will be extended to include a wider range of measures during 1997, and this may affect current patterns of demand.

Householders aged 60 and over applying since April 1996 receive grant of 25 per cent. of the cost of the work, provided that the cost does not exceed the maximum grant level. Their contribution is therefore 75 per cent. of the cost. If the work costs more than the maximum grant, which happens in the case of a minority of houses which are either very large or of unusual design, the work may still go ahead with grant aid if the client wishes. The client is then required to pay the amount of the excess in the same way as all claimants.

Ms Ruddock: To ask the Secretary of State for the Environment (1) how much money from the 1996–97 home energy efficiency scheme budget has been used to fund work where the application was made on or before 31 March 1996; and how many grants have been made in relation to such applications to the latest available date; [10236]

(2) how many grants have been made under the home energy efficiency scheme from 1 April 1996 to the latest available date; in how many cases these were maximum grants; and in how many cases the applicants were required to meet a proportion of the costs; [10237]

(3) what was the average grant made under the home energy efficiency scheme in each of the last three years; and what is the estimated amount for the average grant for 1997–98. [10238]

Mr. Jones: A total of 159,318 grants were paid to householders who had registered an interest before 31 March 1996, at a cost of around £27 million, between 1 April and 30 November 1996. This represents about half of the 319,747 grants paid in the period. Of these, 79,773 were for the maximum amount permitted, and 53,737 applications indicated that the cost of work exceeded this maximum. The number of cases where the applicant paid the excess is now known.

This information about average grants is as follows:

Year	*Mean grant value*
1996–97[1]	167
1995–96	165
1994–95	170
1993–94	171

[1] To end of November.

I cannot yet estimate the mean grant value for 1997–98, when the revised, more flexible scheme offering a wider range of energy efficiency measures will start operating, because the pricing bases have not yet been decided.

Ms Ruddock: To ask the Secretary of State for the Environment (1) in respect of how many cases where application for home energy efficiency scheme grants have been approved the work has not yet been carried out at the latest available date; [10240]

(2) what was the national average waiting time for *(a)* processing applications for home energy efficiency scheme grants and *(b)* carrying out the work under the home energy efficiency scheme once an application was approved in each month of 1996 to the latest available date; [10229]

(3) what was the average waiting time in each region of England and in Scotland and Wales for processing applications for home energy efficiency scheme grants and carrying out work under the home energy efficiency scheme once an application was approved in each month of 1996 to the latest available date; [10230]

(4) what is the waiting list of applicants for home energy efficiency scheme grants which have been received but have yet to be processed at the latest available date. [10239]

Mr. Jones: During the first three months of 1996, installers nationally had order books of between 14 and 18 weeks' work. Between April and November, the latest date for which information is available, the average installer had over 30 weeks' work. Information is not available by region. Latest indications are that this period is decreasing, while customer satisfaction research indicates that actual waiting times tend to be significantly shorter than installers' order books suggest.

The increase was caused by the pre-registration of better-off householders aged 60 and over before the end of March in order to qualify for grants under the old rules. The scheme managers and installers have dealt with the demand efficiently and have ensured that the proportion

of the scheme budget going to benefit the least well-off has not diminished by comparison with previous years. The scheme managers will shortly be writing to about 210,000 people who registered an interest last year but have not yet claimed grant to remind them to contact an installer. I estimate that another 40,000 householders have more recently applied to installers for grants and are waiting for work to be done.

Mr. Gunnell: To ask the Secretary of State for the Environment (1) how many representations he has received which criticised his decision to restrict assistance under the home energy efficiency scheme to low-income households in the three months following the announcement of his decision; [10253]

(2) how many representations he has received which criticised the universal entitlement of householders aged 60 years or more for assistance under the home energy efficiency scheme from its inception until the announcement on 28 November 1995 of its restriction to low-income households. [10252]

Mr. Jones: In April 1994 the scheme was expanded to allow full grants to people aged 60 and over regardless of income. This drew comment from both energy action organisations and the press. For example, the report "HEES: The Impact of Change", published by National Energy Action in September 1995, concluded that other sectors of the HEES clientele were becoming marginalised, and that more affluent over-60s clients, particularly those in larger owner-occupied dwellings, were over-represented in numerical terms, and were claiming a disproportionate amount of HEES funding. Since April 1996 householders aged 60 and over who do not receive income-related benefits or disability allowances have been required to make a contribution to the cost of measures provided under the scheme. Around 200 representations were received following the announcement of the change, though most of these were primarily about the scheme's level of funding.

Ms Ruddock: To ask the Secretary of State for the Environment (1) what revision he has made to his estimate of the total number of jobs to be carried out under the home energy efficiency scheme in 1996–97 since his answer of 7 March 1996, *Official Report*, columns *303–304*; and what assessment he has made of the reasons for the changes in the anticipated number of home energy efficiency scheme jobs to be carried out in 1996–97; [10233]

(2) what estimate he has made of the impact on job numbers in *(a)* energy efficiency services and *(b)* suppliers of energy saving materials and related services of the reduction in the home energy efficiency scheme budget from 1 April 1996 to the latest available date. [10235]

Mr. Jones: I have not changed my expectation that more than 400,000 grants will be paid under the home energy efficiency scheme in 1996–97, and present indications are that this will be the outcome. Already more than 2 million grants have been paid under this scheme, improving almost 10 per cent. of the entire housing stock and helping people in the greatest need to keep warmer and use energy more efficiently. This is a substantial achievement. One of the criteria for choosing installers within the scheme is their portfolio of work, to ensue that they should not rely on the scheme as their only source of income. There are many opportunities at present for the domestic energy efficiency supply and installation industries. As well as the home energy efficiency scheme there are the regional electricity companies' standards of performance schemes and the Energy Saving Trust's cavity wall insulation scheme. The latter is supported by the Department and I expect at least 40,000 homes to be insulated by the end of the present financial year. In total, these energy efficiency grant, subsidy and cashback schemes should benefit about 500,000 homes, mostly occupied by the more vulnerable households, in the current financial year.

Hot Water Tank Insulation

Ms Ruddock: To ask the Secretary of State for the Environment how many *(a)* total dwellings and *(b)* dwellings with a hot water tank have (i) hot water tank insulation and (ii) hot water tank insulation of 80 mm or more in (1) England, (2) Wales, (3) Scotland and (4) Northern Ireland. [10242]

Mr. Robert B. Jones: Recent information is not available in this precise form. The following table provides estimates of the number of households in England, Wales and Scotland with hot water tank insulation in December 1995 and the number of dwellings in Northern Ireland with insulation in 1991.

Thousands

	Total households/ dwellings	*With hot water tank*	*With hot water tank insulation*	*With 80mm or more insulation*
England	19,581	16,667	15,788	10,699
Wales	1,151	969	877	574
Scotland	2,108	1,991	1,871	1,406
Northern Ireland	574	not known	492	not known

Health and Safety Laboratory

Mr. Ingram: To ask the Secretary of State for the Environment how much has been spent to date on the prior options review and conversation to agency status of the health and safety laboratory; and from which budget these sums were paid. [10074]

Sir Paul Beresford: The conversion of the health and safety laboratory to an internal agency of the Health and Safety Executive on 1 April 1995 followed a review by the Health and Safety Executive's then director general, John Rimington. The estimated cost to the health and safety laboratory of preparing for agency status during 1994–95 was £507,000. It is not possible to quantify the related costs of the other staff of the Health and Safety Executive who were involved in the review of the laboratory and in its subsequent conversion to agency status.

The estimated cost to the Health and Safety Executive of the prior options review was £61,000. All costs were met from within HSE's existing resources.

The health and safety laboratory's status as an agency provides greater exposure to the market place and this is increasing both its efficiency and effectiveness.

Mr. Ingram: To ask the Secretary of State for the Environment how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the health and safety laboratory as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee. [10076]

Sir Paul Beresford: Employees of the health and safety laboratory serve on *(a)* 73 United Kingdom, *(b)* 62 European and *(c)* 25 international committees. They lead the United Kingdom team on 21 European and 12 international committees.

Mr. Ingram: To ask the Secretary of State for the Environment what estimate he has made of the future costs of the prior options review of the health and safety laboratory; and from which budget these sums will be paid. [10075]

Sir Paul Beresford: The review of the health and safety laboratory has been completed and its outcome was announced by my noble Friend Earl Ferrers on 24 July 1996. The Health and Safety Executive has established a team to prepare a detailed plan to implement to the Government's decisions. The estimated cost of preparing this plan is £50,000. It will not be possible to estimate the full costs of implementation until that plan has been finalised. All these costs will be met from within HSE's existing resources.

Mr. Ingram: To ask the Secretary of State for the Environment how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the health and safety laboratory. [10077]

Sir Paul Beresford: Employees of the health and safety laboratory chair *(a)* six United Kingdom, *(b)* eight European and *(c)* seven international committees.

Consultants

Mr. Milburn: To ask the Secretary of State for the Environment what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10164]

Sir Paul Beresford: The information requested is not held centrally and could be made available only at disproportionate cost.

Mr. Milburn: To ask the Secretary of State for the Environment if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10165]

Sir Paul Beresford: A large number of the report's recommendations addressed controls that are already part of the strong framework my Department has in place over the use of external consultants. However, that framework has been strengthened further, through:

(a) issuing revised guidance. This re-emphasises in particular:

- the requirement for a project brief or business case for each consultancy;
- the role and responsibilities of the project manager for each consultancy contract; and
- the procedures for establishing that the consultancy has delivered value for money.

(b) Ministerial approval for the Department's annual expenditure plan for consultants.

In addition, the Department's purchasing has been made more professional through the establishment of centres of procurement expertise at key points in the organisation, including those who buy consultancies.

Building Research Establishment

Mr. Ingram: To ask the Secretary of State for the Environment (i) how much has been spent to date on the prior options review and privatisation of the Building Research Establishment; and from which budget these sums were paid; [10002]

(2) what estimate he has made of the future costs of the privatisation of the Building Research Establishment; and from which budget these sums will be paid. [10003]

Mr. Robert B. Jones: The costs of the prior options review, which is complete, and of the privatisation will fall to the Department's administration vote. Work on the review involved staff from this Department overseen by an advisory group drawn from Government and industry. Work on the privatisation involves staff the majority of whom are not working full time on this work. In both cases the staff and related costs could be determined only at disproportionate cost. Expenditure on professional fees in connection with the prior options review were around £100,000. It is estimated that professional fees in connection with the privatisation will be in the region of £1.3 million.

Mr. Ingram: To ask the Secretary of State for the Environment how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Building Research Establishment as representatives of UK interests; and how many of these employees are leading the UK team on their committee. [10004]

Mr. Jones: The information is as follows:

	UK	*European*	*International*
Number of Committees	350	143	56
UK team leader from BRE	0	6	5

Mr Ingram: To ask the Secretary of State for the Environment how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Building Research Establishment. [10005]

Mr. Jones: The information is as follows:

	Committees chaired by BRE employees
UK	34
European	23
International	6

Loft Insulation

Ms Ruddock: To ask the Secretary of State for the Environment how many *(a)* total dwellings and *(b)* dwellings with access to a loft have (i) loft insulation, (ii) loft insulation of 150 mm or more and (iii) loft insulation of 200 mm or more in (1) England, (2) Wales, (3) Scotland and (4) Northern Ireland. [10241]

Mr. Robert B. Jones: Recent information is not available in this precise form. The following table provides estimates of the number of households in England, Wales and Scotland with loft insulation in December 1995 and the number of dwellings in Northern Ireland with insulation in 1991.

Thousands

	Total households/ dwellings	*With accessible loft*	*With loft insulation*	*With 150 mm or more insulation*
England	19,581	15,649	14,306	2,687
Wales	1,151	959	870	97
Scotland	2,108	1,352	1,203	93
Northern Ireland	574	534	465	not known

Draught-proofing

Ms Ruddock: To ask the Secretary of State for the Environment how many dwellings have *(a)* draught-proofing and *(b)* draught-proofing of 40 per cent. or more of the dwelling's rooms in (1) England, (2) Wales, (3) Scotland and (4) Northern Ireland. [10243]

Mr. Robert B. Jones: Recent information is not available in this precise form. The following table provides estimates of the number of households in England, Wales and Scotland with draught proofing in December 1995 and the number of dwellings in Northern Ireland with draught proofing in 1991.

Thousands

	Total household/ dwellings	*With draught proofing*	*With 40 per cent. or more rooms treated*
England	19,581	6,078	2,357
Wales	1,151	281	96
Scotland	2,108	895	318
Northern Ireland	574	269	not known

National Non-domestic Rates

Mr. Tipping: To ask the Secretary of State for the Environment if he will list *(a)* the estimate he has made of national non-domestic rates available for distribution in 1996–97 and 1997–98 and *(b)* the percentage difference in both cash and real terms between the two years; and if he will list the differences between the two years. [10479]

Sir Paul Beresford: The information requested is as follows:

	1996–97	*1997–98*	*Percentage difference*
Distributable Amount of non-domestic rates			
—cash prices	12,736	12,027	–5.6
—1996–97 prices	12,736	11,791	–7.4

For a list of the differences between the two years, I refer the hon. Member to the answer which my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration gave to my hon. Friend the Member for Croydon, North-East (Mr. Congdon) on 27 November, *Official Report*, columns *242–44*.

Private Finance Initiative

Mr. Allason: To ask the Secretary of State for the Environment from what date the shadow unitary local authorities scheduled to come into effect in April 1998 are permitted to enter into PFI contracts. [10439]

Sir Paul Beresford: Where an authority gaining unitary status is an existing county or district council, it will be a continuing authority and there is no need for a shadow council; the role of the authority acquiring new functions is expanded to encompass the shadow role. In these cases, whether the authority can enter a PFI contract before it assumes full unitary powers depends on whether the contract pertains to one of its existing or one of its new functions. If it concerns one of the new functions, the authority can enter into a contract only if it will facilitate the preparation for the discharge of its new functions.

There are only two authorities which will be new authorities with a shadow council elected in 1997 and with assumption of full unitary status on 1 April 1998. A shadow authority may enter into contracts only pursuant to those functions which include powers to facilitate the preparation for the discharge of its new functions.

South Yorkshire Supertram

Mr. Illsley: To ask the Secretary of State for the Environment what estimate he has made of the effect of the South Yorkshire supertram project on the rates of council tax in Barnsley metropolitan borough council from April 1997. [10321]

Sir Paul Beresford: Under the Secretary of State's provisional capping principles, the South Yorkshire supertram project would have no impact on council taxes in Barnsley. It is, of course for Barnsley to decide whether to spend up to its cap.

Local Government Finance

Ms Armstrong: To ask the Secretary of State for the Environment (1) what is the *(a)* total standard spending assessment and police grant and *(b)* total external support including revenue support grant, non-domestic rates, standard spending assessment reduction grant and police grants to be received by (i) each individual local authority, (ii) education authorities and (iii) all authorities in (1) 1997–98 and (2) 1996–97 and for

each the change over 1996–97 and *(a)* cash and *(b)* percentage terms, adjusting 1996–97 amounts for local government reorganisation and for changed local authority functions and responsibilities in 1997–98, and the transfer of responsibilities for care in the community from central Government budgets in 1997–98; and if he will supply this information in written and machine-readable forms; [10694]

(2) what is the *(a)* total standard spending assessment and police grant and *(b)* total external support including revenue support grant, non-domestic rates, standard spending assessment reduction grant and police grants to be received by (i) each group of local authority classified by Department of Environment regions, (ii) each group of education authority classified by Department of the Environment region and (iii) all authorities classified by Department of the Environment region in (1) 1997–98 and (2) 1996–97 and for each the change over 1996–97 in (a) cash and (b) percentage terms, adjusting 1996–97 amounts for local government reorganisation and for changed local authority functions and responsibilities in 1997–98, and the transfer of responsibilities for care in the community from central Government budgets in 1997–98; and if he will supply this information in written and machine-readable forms. [10702]

Sir Paul Beresford: The information requested has been placed in the Library.

Mr. Lidington: To ask the Secretary of State for the Environment what are *(a)* the provisional standard spending assessment for 1997–98, *(b)* the standard spending assessment for 1997–98 as it would have been had the Elliott report on area cost adjustments been implemented and *(c)* the difference between those two figures expressed in (i) percentage and (ii) cash terms for (1) Buckinghamshire county council, (2) Aylesbury Vale district council, (3) Chiltern district council, (4) Wycombe district council and (5) the Thames Valley police authority; and if he will make a statement. [10682]

Sir Paul Beresford: The information is contained in the table.

1997–98 provisional SSAs calculated using both the proposed Area Cost Adjustment (ACA) factors and the ACA factors in the Elliott report

	1997–98 provisional SSA using proposed ACA factors £ million	*Hypothetical 1997–98 SSA using ACA factors from Elliott report (rounded) £ million*	*Difference (rounded) £ million*	*Difference £ Per cent.*
Buckinghamshire CC	282.824	292.4	+7.5	+2.6
Aylesbury Vale DC	12.491	13.2	+0.8	+6.1
Chiltern DC	6.939	7.0	+0.1	+0.9
Wycombe DC	13.249	14.0	+0.7	+5.4
Thames Valley Police	103.541	106.3	+2.8	+2.7

The hypothetical SSAs using ACA factors from the Elliott report are approximate. They are believed to be a reasonable guide to the extent of the difference in SSAs, but would require detailed refinements if they were to be used in determining revenue support grant.

Coal Mines (Injuries)

Mr. Clapham: To ask the Secretary of State for the Environment how many major injuries were reported under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 for all United Kingdom coal mines for the year April 1995 to March 1996. [10685]

Sir Paul Beresford: The number of major injuries reported to HM inspectorate of mines occurring in UK coal mines for 1 April 1995 to 31 March 1996 was 159.

WALES

Adult Education (Learning Disabilities)

Mr. Alex Carlile: To ask the Secretary of State for Wales what was the total funding in Wales, in each of the last 10 years for which figures are available, for adult education for people with learning disabilities; what is the projected spending for the next three years; and if he will make a statement. [10200]

Mr. Hague: Expenditure of this kind is determined by local authorities and other bodies; aggregate information is not collected centrally.

Consultants

Mr. Milburn: To ask the Secretary of State for Wales what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10184]

Mr. Hague: None. This is a matter for individual non-departmental public bodies to determine as part of the day-to-day management of their affairs.

Mr. Milburn: To ask the Secretary of State for Wales if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report, "The Government's Use of External Consultants." [10185]

Mr. Hague: My Department has reviewed its procedures to take account of the scrutiny report recommendations. The revised arrangements have been applied to all consultancies undertaken in this financial year.

Skilled Workers

Dr. Howells: To ask the Secretary of State for Wales if he will make a statement on the number of skilled workers in Wales *(a)* in employment and *(b)* unemployed. [9890]

Mr. Gwilym Jones: The spring 1996 labour force survey estimates of the skills of persons in Wales are shown in the following table:

Skills of persons of working age in Wales, Spring 1996[1]

Thousands

Skill type	*In employment*	*ILO unemployed*[2]
Professional/intermediate	380	15
Skilled (non manual)	242	16
Skilled (manual)	266	21
Partly skilled	187	24
Unskilled	66	10

[1] Excludes persons in the armed forces and those who did not answer.

[2] Skill type defined by last job. Information on the skills of the ILO unemployed who have never worked (estimated to be 14,000 people in Wales) are not available from the Labour Force Survey.

Employment (Students)

Dr. Howells: To ask the Secretary of State for Wales what percentage of successful full-time higher education students from institutions in Wales other than the University of Wales gained first destination permanent employment in each of the years 1989–90 to 1993–94. [9974]

Mr. Jonathan Evans: The information requested may be found in table 6.10 of the recent Welsh Office publication "Further and Higher Education and Training Statistics in Wales 1996", published in May 1996. A copy of the publication is available in the Library of the House.

Training

Dr. Howells: To ask the Secretary of State for Wales what percentage of employees of working age received on-the-job training in Wales, broken down by gender in the most recent year for which figures are available. [9976]

Mr. Gwilym Jones: The spring 1996 labour force survey estimated that, in Wales 8 per cent. of male, 5.5 per cent. of female and 6.8 per cent. of all employees of working age received on-the-job training in the four weeks before the interview. The information for numbers receiving training in a year is not available in the form requested.

Roads

Dr. Howells: To ask the Secretary of State for Wales if he will make a statement on planned expenditure on new construction and improvement of roads in Wales for the next year. [9972]

Mr. Gwilym Jones: My right hon. Friend announced our spending plans for 1997–98 on 12 December 1996, *Official Report*, columns 405-19. These include £113 million for the trunk road and motorway network and £76 million for local roads, including £54 million for transport grant schemes. Details of future improvements to the road network will be published in the Welsh Office's departmental report in the spring.

GCSE Grades

Dr. Howells: To ask the Secretary of State for Wales what percentage of school leavers gained GCSE grades A*–C in *(a)* mathematics, *(b)* English and *(c)* science in the most recent year for which figures are available, broken down by gender. [9978]

Mr. Jonathan Evans: Information is not collected centrally on grades achieved in individual GCSE subjects by school leavers. Information relating to pupils aged 15—age as at 31 August 1995—or the academic year 1995–96 is contained in the following table.

Percentage of 15 year olds[1] *in Wales achieving GCSE grade A*–C by subject—1996*

	Mathematics	*English*	*Science*
Boys	39	40	42
Girls	42	58	43
Pupils	40	49	42

[1] Age as at 31 August 1995.

Assisted Places

Mr. Flynn: To ask the Secretary of State for Wales how many pupils in each county in Wales have been included in the assisted places scheme in the last five years; and how many are planned in the next two years. [9850]

Mr. Jonathan Evans: The number of assisted place pupils in Wales in the last five years, in each of the counties within which participating schools are located, is shown in the following table, along with information the number of assisted places planned in the next two years. Information on individual pupils' place of residence is not held centrally.

The table for 1996–97 and beyond reflects local government reorganisation and includes the additional places made available through the expansion of the scheme from September 1996, at a further seven schools across Wales. Planned places for Denbighshire are subject to redistribution should the proposed closure of Howells senior school, Denbigh proceed.

Academic year	*1992–93*	*1993–94*	*1994–95*	*1995–1996*	*1996–97*	*1997–98*	*1998—99*
Clwyd	177	179	186	191	—	—	—
Dyfed	52	52	55	61	—	—	—
Gwent	219	208	221	214	—	—	—
Powys	81	87	88	91	—	—	—
South Glamorgan	171	165	173	169	—	—	—
Bridgend	—	—	—	—	14	28	42

Academic year	1992–93	1993–94	1994–95	1995–1996	1996–97	1997–98	1998–99
Cardiff	—	—	—	—	208	233	258
Carmarthenshire	—	—	—	—	69	77	85
Conwy	—	—	—	—	142	166	190
Denbighshire	—	—	—	—	94	108	122
Gwynedd	—	—	—	—	9	18	27
Monmouthshire	—	—	—	—	228	238	248
Newport	—	—	—	—	15	30	45
Powys	—	—	—	—	101	111	121
Swansea	—	—	—	—	7	14	21
Totals	700	691	720	726	887	1,023	1,159

General National Vocational Qualifications

Dr. Howells: To ask the Secretary of State for Wales if he will list the percentage of successful GNVQ candidates in Wales who *(a)* obtained full-time employment, *(b)* obtained part-time employment, *(c)* entered further training schemes, *(d)* continued with further or higher education and *(e)* became unemployed in (i) 1992–93, (ii) 1993–94 and (iii) 1994–95. [9967]

Mr. Jonathan Evans: The information requested is not held centrally.

Further Education

Dr. Howells: To ask the Secretary of State for Wales if he will list *(a)* the student-staff ratio and *(b)* average class size for each of the institutes of further education in Wales in each of the years 1990–91 to 1995–96. [9969]

Mr. Jonathan Evans: The available information is shown in the following table.

Student staff ratios and average class sizes at further education institutions in Wales[1]

Institution	1990–91		1991–92		1992–93		1993–94		1994–95
	Student staff ratio	Average class size	Student staff ratio	Average class size	Student class ratio	Average class size	Student staff ratio	Average class size	Student staff ratio
Aberdare College	14.1	18.2	20.5	26.6	19.6	25.2	20.0	26.7	16.7
Afan College	11.5	14.5	15.2	15.5	15.0	23.0	13.9	16.9	13.4
Barry College	11.4	14.1	12.8	15.7	13.3	15.1	12.3	14.2	14.9
Bridgend College	11.1	15.1	13.9	18.4	13.9	18.4	15.5	20.2	14.3
Carmarthen College of Technology and Art	12.8	16.8	13.8	16.5	14.5	16.6	16.2	18.7	18.9
Coleg Ceredigion	11.5	13.0	11.7	14.0	12.1	13.6	11.3	12.5	9.7
Coleg Glan Hafren[2]	12.1	13.9	16.4	15.8	17.1	15.8	—	—	21.3
Coleg Glynllifon[3]	6.0	9.5	6.9	8.8	—	—	—	—	—
Coleg Harlech	—	—	—	—	9.7	7.9	14.0	4.1	16.3
Coleg Llysfasi									
College	8.1	11.1	8.0	10.5	9.8	11.0	9.5	9.8	11.2
Coleg Meirion-Dwyfor[3]	—	—	—	—	9.3	11.4	8.8	11.9	10.6
Coleg Meirionydd[3]	9.2	11.0	10.2	12.0	—	—	—	—	—
Coleg Menai[4]	—	—	—	—	—	—	—	—	17.0
Coleg Pencraig[4]	11.1	12.9	13.1	14.8	14.4	15.5	13.0	13.2	—
Coleg Powys	9.9	12.8	10.4	13.8	12.0	15.3	13.0	16.1	14.6
Crosskeys College[5]	10.0	12.6	14.0	15.3	—	—	—	—	—
Deeside College[6]	—	—	—	—	12.7	17.0	13.7	17.5	14.5
Ebbw Vale College[1]	7.6	9.9	10.2	12.4	—	—	—	—	—
Gorseinon College	12.0	14.4	12.7	14.1	14.2	14.6	13.4	14.1	14.8
Gwent Tertiary College[5]	—	—	—	—	12.9	14.4	14.1	14.2	12.3
Gwynedd Technical College[4]	10.0	13.2	11.5	13.7	12.2	14.2	15.1	18.1	—
Llandrillo College	11.2	15.9	12.7	15.2	15.7	17.3	15.0	17.3	12.9
Merthyr Tydfil College	11.3	14.8	13.4	16.0	15.7	17.5	14.9	16.8	14.4
Neath College	13.0	15.8	14.1	16.3	15.8	16.5	16.9	16.9	14.7
Newport College[3]	10.7	12.5	12.9	15.4	—	—	—	—	—
North East Wales Institute[6]	11.5	14.5	13.1	19.5	—	—	—	—	—
Pembrokeshire College	14.0	16.8	14.4	16.4	14.9	16.9	15.6	17.0	11.4
Pencoed College	6.3	8.9	8.1	11.5	9.2	12.3	14.2	18.4	12.1
Pontypool College[4]	10.8	11.9	12.6	13.4	—	—	—	—	—
Pontypridd College	12.2	14.3	12.9	17.5	13.7	18.5	13.5	16.0	15.4
Rhondda College	11.5	14.9	12.7	16.3	13.4	14.9	14.1	16.5	17.4
St. Davids 6th Form College	—	—	—	—	—	—	15.4	16.8	12.2
Swansea College	15.6	17.0	16.0	17.2	16.0	17.0	16.7	17.7	17.4

Student staff ratios and average class sizes at further education institut ons in Wales[1]

Institution	1990–91 Student staff ratio	1990–91 Average class size	1991–92 Student staff ratio	1991–92 Average class size	1992–93 Student class ratio	1992–93 Average class size	1993–94 Student staff ratio	1993–94 Average class size	1994–95 Student staff ratio
Usk Agricultural College[4]	7.0	9.2	—	—	—	—	—	—	—
Welsh Agricultural College[2]	9.1	19.9	9.5	18.4	—	—	—	—	—
Welsh College of Horticulture	8.9	12.3	10.9	15.8	13.3	19.1	12.1	17.2	11.8
Yale College	—	—	—	—	—	—	14.4	14.9	11.8
Ystrad Mynach College	12.0	14.7	13.2	16.1	13.6	15.8	13.9	16.7	14.0
Wales average	11.4	14.3	13.2	13.5	13.8	16.1	14.1	16.0	14.3

Source:
Welsh Office and Further Education Funding Council for Wales.
Notes:
[1] Data from Welsh Office annual monitoring survey to 1993–94. Calculated from Welsh Office further education student record and FEFCW staff individualised record for 1994–95. Data for 1990–91 to 1993–94 relate only to further education courses of students, 1994–95 data relate to all courses of study at further education institutions. Excludes WEA north and south and YMCA which are not colleges.
[2] 1993–94 data not given.
[3] In September 1992, Coleg Glynllifon and Coleg Merionydd amalgamated to form Coleg Merion-Dwyfor.
[4] In September 1994, Coleg Pencraig and Gwynedd Technical college amalgamated to form Coleg Menai.
[5] In September 1992, the colleges of Newport, Crosskeys, Pontypool (including Usk college, from 1991–92) and Ebbw Vale amalgamated to form Gwent tertiary college.
[6] In January 1993, North East Wales Institute divided to form Deeside college and North East Wales Institute of HE.
[7] In February 1993, Welsh Agricultural college became a higher education institution.

Inward Investment

Dr. Howells: To ask the Secretary of State for Wales if he will list the number of direct inward investment projects attracted to Wales in each of the years 1992–93 to 1995–96. [9971]

Mr. Hague: The number of overseas generated inward investment projects attracted to Wales in each of the years 1992–93 to 1995–96 are provided in the following table:

	Projects
1992–93	87
1993–94	77
1994–95	57
1995–96	69

Figures based on financial year.

Secondary Schools (Expenditure)

Dr. Howells: To ask the Secretary of State for Wales what was the amount spent per secondary school pupil in each of the *(a)* grant-maintained and *(b)* LEA schools in Wales in the most recent year for which figures are available. [9997]

Mr. Jonathan Evans: Comparable information on expenditure per pupil in LEA and grant-maintained schools is not readily available. I will write to the hon. Member to provide him with the information and place a copy of the letter in the Library of the House.

Class Sizes

Mr. Ainger: To ask the Secretary of State for Wales if he will list the average class size in *(a)* primary schools and *(b)* secondary schools in each of the past 10 years. [10654]

Mr. Jonathan Evans: The information requested is shown in the following table:

Average class size[1]

Year	Primary schools	Secondary schools
January 1996	25.9	20.2
January 1995	25.9	20.2
January 1994	25.6	20.1
September 1992	25.0	21.4
September 1991	25.0	21.5
September 1990	24.8	21.0
September 1989	24.8	20.5
September 1988	24.8	20.7
September 1987	24.5	21.3
September 1986	24.4	21.6

Notes:
[1] Average class size is calculated as the number of pupils divided by the number of classes. In the case of primary schools, the number of classes used is the number of registered classes (including ordinary, special and nursery classes) whereas for secondary schools it is the number of classes in which the pupils were taught in a specified period on the day of the schools' census.

Mr. Ainger: To ask the Secretary of State for Wales what is the average class size in *(a)* primary schools and *(b)* secondary schools in each local authority area in Wales. [10673]

Mr. Evans: The information requested is shown in the following table. Both LEA maintained and GM schools are included.

Average class size

Local education authority	Primary schools	Secondary schools
Blaenau Gwent	27.8	18.9
Bridgend	27.7	20.2
Caerphilly	26.9	20.7
Cardiff	27.4	22.3
Carmarthenshire	22.9	20.1
Ceredigion	21.2	19.3
Conwy	25.6	19.5
Denbighshire	25.8	20.0
Flintshire	27.5	19.6

Average class size

Local education authority	*Primary schools*	*Secondary schools*
Gwynedd	22.6	18.0
Isle of Anglesey	22.6	19.5
Merthyr Tydfil	26.9	19.5
Monmouthshire	27.2	19.8
Neath Port Talbot	25.0	20.5
Newport	28.8	22.3
Pembrokeshire	23.9	20.1
Powys	22.1	17.9
Rhondda, Cynon, Taff	27.0	19.6
Swansea	26.1	20.8
Torfaen	27.6	20.0
The Vale of Glamorgan	26.9	20.4
Wrexham	26.9	21.8
Wales	25.9	20.2

Source:
January 1996 Schools' Census.

Schools

Mr. Ainger: To ask the Secretary of State for Wales what proportion of schools in Wales *(a)* have no spare places and *(b)* are less than 75 per cent. full. [10655]

Mr. Jonathan Evans: Information is currently available centrally only for most schools outside the former county of Gwynedd. Of those schools, in 1995 approximately *(a)* 30 per cent. had no spare places and *(b)* 25 per cent. were less than 75 per cent. full.

TRANSPORT

London Underground

15. **Mr. MacShane:** To ask the Secretary of State for Transport what steps he is taking to ensure safety on London Underground. [8771]

Mr. Bowis: Safety is the top priority for both the Government and for London Transport. The Railways (Safety Case) Regulations 1994 required London Underground to prepare a safety case setting out its approach to safety management, and this was accepted by HM railway inspectorate last January. London Underground intends to update its safety case on a regular basis and to publish an annual safety plan.

20. **Mr. Cohen:** To ask the Secretary of State for Transport what plans he has to improve the existing infrastructure of the London Underground system. [8766]

Mr. Bowis: The Government's plans for improving public transport in London, including services on the existing London Underground network, were set out in the transport strategy for London.

London Transport

17. **Mr. Keith Hill:** To ask the Secretary of State for Transport when he last met the chairman of London Transport to discuss London's transport needs. [8769]

Mr. Bowis: I last met the chairman of London Transport on 9 January when we travelled on the first passenger-carrying run of the new Jubilee line extension trains. We were able to see and celebrate the remarkable progress in this expansion of London Underground services.

River Transport

18. **Sir Michael Neubert:** To ask the Secretary of State for Transport on how many occasions in the last 12 months he has travelled on the River Thames in his official capacity to assess river transport. [8768]

Sir George Young: I have travelled on the River Thames once in the past year in my official capacity, when I visited the Port of London Authority in June last year.

Heathrow-London Rail Link

19. **Mr. Harry Greenway:** To ask the Secretary of State for Transport what estimate he has made of the cost of establishing an underground connection at Ealing on the Paddington to Heathrow express line; and if he will make a statement. [8767]

Mr. Bowis: None. The Heathrow express scheme to which my hon. Friend the hon. Member refers is being developed by BAA plc and it would be a matter for it to consider if it wished to introduce a stop at Ealing or on any other part of the route. However, a stopping service is proposed to run from St. Pancras to Heathrow. This is likely to include a stop at Ealing Broadway.

Fenchurch Street Line

21. **Mr. Amess:** To ask the Secretary of State for Transport what recent representations he has received on the Fenchurch Street line. [8765]

Mr. Watts: None.

Road Users (Medicinal Drugs)

22. **Mr. Flynn:** To ask the Secretary of State for Transport what assessment he has made of the dangers posed by road users who are under the influence of medicinal drugs. [8764]

Mr. Bowis: Some prescribed and over-the-counter medications may impair driving skills. However others, if taken as advised, will improve driving performance by removing the adverse effects of the medical condition. A 1989 study by the Transport Research Laboratory found that the incidence of medicinal drugs in fatal accidents was six times lower than that of alcohol. We recently began a further three-year survey of road fatalities to update our knowledge in this area.

Motorway Noise

23. **Mr. William O'Brien:** To ask the Secretary of State for Transport what proposals he has to reduce noise from increased traffic levels on existing motorways affecting domestic properties; and if he will make a statement. [8763]

Mr. Watts: Tighter noise emission standards for new vehicles were introduced on 1 October 1996. In addition, when renewing the surface of a road the Highways Agency considers the materials and technology available. Some of the surfacing products now available generate

significantly less tyre noise than older surfaces, and they can be used where they are no more expensive in whole-life cost terms than conventional surface treatment.

Manchester Airport

24. **Mr. Nigel Evans:** To ask the Secretary of State for Transport what recent representations he has received concerning his Department's open skies policy at Manchester airport. [8762]

Sir George Young: I have received a number of letters recently, including one from my hon. Friend, as a result of Manchester airport's open skies campaign.

Mr. Alfred Morris: To ask the Secretary of State for Transport which airlines have a right of veto in respect of air services between Bangkok and Manchester airport; what assessment he has made of the conformity of such vetos with fair competition policy; how many such vetos exist; and what proposals he has to remove them from bilateral agreements. [9885]

Infrastructure

25. **Mr. Mackinlay:** To ask the Secretary of State for Transport what measures he has taken in the last year to improve transport infrastructure in south-east England. [8761]

Sir George Young: The Government are committed to a wide range of measures to improve transport infrastructure in the south-east. In the last year, this has included signing the development agreement for CTRL, continuing work on the Jubilee line extension and funding for 27 local authority transport packages and including in our revised trunk road programme schemes in the south-east with a total value of about £2 billion.

Rail Safety

26. **Dr. Goodson-Wickes:** To ask the Secretary of State for Transport what consultations he has had recently with bodies responsible for rail safety. [8760]

Mr. Watts: My right hon. Friend the Secretary of State and I met Frank Davies, the chairman of the Health and Safety Commission, on 21 October 1996, to discuss various railway safety matters.

We have also had reports both from the Anglo-French Intergovernmental Commission and from the independent Channel Tunnel Safety Authority on the recent fire in the channel tunnel.

Passenger Rolling Stock

27. **Mr. Dunn:** To ask the Secretary of State for Transport what has been the total investment in cash terms in new passenger rolling stock serving north Kent and south London destinations over the last 10 years. [8758]

Mr. Watts: Expenditure on new passenger rolling stock serving north Kent and south London destinations, for the 10 years from 1986–87 to 1995–96 totalled £510 million at cash prices.

Infrastructure Expenditure (London)

28. **Mr. Spearing:** To ask the Secretary of State for Transport what recent representations he has received from (i) the Board of London Transport and (ii) London Underground Ltd. concerning their allocation of expenditure for renewal of their infrastructure. [8757]

Mr. Bowis: My right hon. Friend the Secretary of State for Transport and I meet the chairman and other members of the board of London Transport on a regular basis and discuss a wide range of issues including finance.

Shipping Safety

29. **Mr. Waterson:** To ask the Secretary of State for Transport what steps he is taking to promote safety for shipping in United Kingdom waters; and if he will make a statement. [8756]

Sir George Young: We have successfully pursued a number of proposals, through the International Maritime Organisation and the European Community, leading to agreements on improving safety standards in shipping. These include the Stockholm agreement on ferry safety, which we shall be implementing shortly through new regulations. We shall continue to work towards the implementation of higher standards in construction and management of ships.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Transport (1) how many days of leave he plans to take during the Christmas adjournment; [9797]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9796]

Sir George Young: I refer to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster today.

Second Tamar Bridge

Mr. Matthew Taylor: To ask the Secretary of State for Transport what were the estimated costs to his Department of *(a)* consultancy work and *(b)* compulsory purchase in relation to the second Tamar bridge projects in each of the last three years; and what was the total cost to his Department. [10207]

Mr. Watts: The costs for consultancy work are as follows:

1994: £44,000

1995: £16,000

1996: £45,000

Compulsory powers have not been used to purchase properties in relation to this project.

However, properties have been acquired in response to blight notices served on the Secretary of State under the Town and Country Planning Act 1990 or applications under discretionary powers in the Highways Act 1980. The approximate costs of these acquisitions are as follows:

1994–95: £48,000

1995–96: £1,880,000

1996–97: £2,425,000

Following the abandonment of the project, the properties will be re-sold as soon as possible.

InterCity West Coast

Mrs. Dunwoody: To ask the Secretary of State for Transport what was the public subsidy for InterCity West Coast for services to *(a)* Watford and *(b)* Milton Keynes in each of the last five years. [9760]

Mr. Watts: It is not possible to provide subsidy figures for individual rail services. The grant claim for InterCity West Coast over the last three years is as follows:

1996–97: £92.53 million

1995–96: £84.69 million

1994–95: £99.05 million

Prior to 1 April 1994, grant was paid to British Railways Board as a whole, and not in respect of individual rail companies.

Manchester Metro

Mr. Eastham: To ask the Secretary of State for Transport if departmental grants towards the costs of the Manchester metro Salford Quays–Eccles extension are conditional on the best and final lowest tender price being secured for this contract. [9842]

Mr. Watts: No. Bidding for the contract to build the Manchester metrolink extension to Salford Quays and Eccles has been conducted under rules prescribed by the European procurement directive. Award criteria were set at the outset of the competition, and notified to the tenderers; bids were evaluated against these criteria.

Mr. Eastham: To ask the Secretary of State for Transport what account he will take when considering funding for the Greater Manchester metrolink extension—Salford Quays to Eccles—of any subsidies paid to EU manufacturers successful in the competitive tendering; and if he will make it a condition of funding that no such subsidies have been or are being paid. [10653]

Mr. Watts: Funding of £17.3 million for the Manchester metrolink extension to Eccles via Salford Quays, through the capital challenge programme, was announced on 16 December. Greater Manchester passenger transport executive is responsible for the award of tenders to build and operate the system.

State aids to manufacturers are regulated and policed by the European Commission. Her Majesty's Government would not knowingly provide support towards a contract to any firm which is in receipt of illegal state aid.

Consultants

Mr. Milburn: To ask the Secretary of State for Transport what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10180]

Mr. Bowis: The following amounts were spent on external consultants by the Department of Tranpsort's non-departmental public bodies in the last five years:

£ thousands

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Trinity House	42	30	34	32	88
Northern Lighthouse Board	271	216	43	13	59
London Regional Passengers' Committee[1]	—	—	—	18	2
The Traffic Director for London	40	120	2,050	3,250	3,700

[1] The Department only assumed responsibility for the London Regional Passengers' Committee in April 1994.

The Department's other non-departmental public bodies—the rail users' consultative committees and the Disabled Persons' Transport Advisory Committee—did not incur expenditure on external consultants in the last five years.

Mr. Milburn: To ask the Secretary of State for Transport if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report, "The Government's Use of External Consultants". [10181]

Mr. Bowis: The actions taken by the Department of Transport in response to the multi-departmental scrutiny on the Government's use of external consultants are listed in the Department's implementation report, which was submitted to the Cabinet Office in April 1996. Copies of the implementation report have been placed in the House Library.

Civil Aviation Authority

Sir Peter Fry: To ask the Secretary of State for Transport, pursuant to his answer of 29 November, *Official Report*, columns *420–21*, when his officials have discussed with the Civil Aviation Authority the issue of commissioning a balance of benefits study in relation to the renegotiation of the US–UK air service agreements (Bermuda II); and what assessment he has made of the adequacy of the analysis in relation to the bilateral talks. [10292]

Mr. Bowis: Officials regularly discuss UK–US aviation matters with the Civil Aviation Authority, and such discussions have included the feasibility of an overarching "balance of benefits" study of liberalising UK–US air services. We decided not to instruct the CAA to undertake such an analysis: the number of variables which would need to be taken into account, and assumptions which would have to be made, would make it impossible to model results which could be treated with any confidence. I am however satisfied that UK negotiators are fully briefed for the current series of bilateral talks.

Mr. Bowis: The current UK–Thailand air services arrangements do not permit the operation of services between Bangkok and Manchester by Thai Airways International. The Department of Transport has been seeking talks with the Thai authorities for some time now with a view to liberalising these arrangements.

London Transport Prestige Project

Mr. Hutton: To ask the Secretary of State for Transport if a tender for the London Transport prestige project which is not fully compliant with the specification set by London Transport will be eligible for consideration as a preferred bid; and if he will make a statement. [10430]

Mr. Bowis: This is a matter for London Transport. I understand that it is conducting the prestige competition in accordance with both its normal procurement practices and the relevant European procurement legislation.

Rail Services (Financial Support)

Mr. Chidgey: To ask the Secretary of State for Transport by what mechanisms he plans to deliver financial support for rail services in the English and Scottish passenger transport executive areas in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000; and what estimates he has made of the amounts to be provided. [10422]

Mr. Watts: We intend that, subject to the approval of the House of Commons, special grant should be paid in 1997–98 and beyond to all the English passenger transport authorities, for local railway services in their areas. Similarly, The Scottish Office intends, subject to the approval of the House of Commons, to pay special grant to Strathclyde PTA. The exact level of support for these rail services in future years will not be determined finally until the franchises have been signed, and the levels of services settled with the PTEs.

Road Maintenance Costs

Mr. Bradley: To ask the Secretary of State for Transport what was the average cost per mile of maintaining *(a)* motorways and *(b)* A roads in (i) 1990 and (ii) 1995. [10346]

Mr. Watts: I regret that data for 1990 are not readily available. However, in financial year 1991–92, roads maintenance expenditure—capital and current—was approximately £152,000 for each mile of motorway and £25,000 for each mile of A road. The equivalent figures for financial year 1994–95 were £166,000 and £34,000 respectively.

South Yorkshire Supertram Project

Mr. Illsley: To ask the Secretary of State for Transport (1) if he will carry out a review of the basis on which his Department took its initial decision to award a section 56 grant to the South Yorkshire supertram project; [10316]

(2) what assessment he has made of his Department's role in sanctioning the total funding package for the South Yorkshire supertram. [10315]

Mr. Watts: As with all such cases, the Department's decision to award section 56 grant, and to sanction other elements of the funding package, was based on an appraisal put forward by the promoter of the project, in this instance South Yorkshire passenger transport executive, and was in accordance with the procedures and criteria published in circular 3/89, "Section 56 Grant for Public Transport." I will consider whether experience of South Yorkshire supertram has wider implications.

Mr Illsley: To ask the Secretary of State for Transport if he will *(a)* publish and *(b)* place in the Library the results of studies undertaken by his Department into the cost-effectiveness of his Department's support for the South Yorkshire supertram. [10317]

Mr. Watts: Work is still in progress on the supertram monitoring study, commissioned jointly by my Department and South Yorkshire PTE. The "before" surveys relating to this project have already been published. When the full study has been completed, my Department will be discussing arrangements for publication with South Yorkshire PTE.

Mr. Illsley: To ask the Secretary of State for Transport (1) what assessment he has made of the liabilities which will fall due to the South Yorkshire metropolitan borough councils after 31 March 1997, arising from the South Yorkshire supertram project; [10320]

(2) what assessment he has made of the advantages of extending the period over which debts incurred by the South Yorkshire metropolitan borough councils arising out of the construction and operation of supertram may be repaid. [10319]

Mr. Watts: My Department and the South Yorkshire local authorities are currently discussing these issues.

Mr. Illsley: To ask the Secretary of State for Transport if he will list the costs to public funds to date of the South Yorkshire supertram project, including all credit approvals, capitalised debts, revenue costs and other liabilities. [10318]

Mr. Watts: The funding authorised by my Department for the construction costs of South Yorkshire supertram is as follows:

	£ million
Section 56 grant	62.529
Non-trading credit approvals	62.529
Trading credit approvals	81.741
Capitalised interest	15.790
ERDF grant	6.526
Pre-1991 spending	12.759
Total	241.874

The figure for pre-1991 spending includes some items that were funded by South Yorkshire PTE. The total does not include administrative costs incurred by my Department, which could be quantified only at disproportionate cost. These figures do not include operating losses and other post-construction costs, which are a matter for South Yorkshire PTE.

Boeing 747 Fuel Tanks

Mr. Wilshire: To ask the Secretary of State for Transport if he will make a statement on the safety of Boeing 747 aircraft fuel tanks. [10322]

Mr. Bowis: The United States National Transportation Safety Board is investigating the accident to TWA flight TW800. The cause of the accident has not yet been established although it is the view of the NTSB that the centre wing fuel tank exploded as part of the accident sequence. The source of ignition for the explosion has yet to be identified and the three theories—bomb, missile and aircraft malfunction—remain open.

Under International Civil Aviation Organisation rules, primary responsibility for promulgating information necessary to maintain the continued airworthiness of an aircraft type rests with the state of design. In the case of the Boeing 747 the US Federal Aviation Administration is the body responsible. As a result of its investigation the NTSB has made some interim safety recommendations to the FAA. If, following consideration of the NTSB safety recommendations, the FAA determines that mandatory corrective action is necessary, it will issue an airworthiness directive. It is the policy of the Civil Aviation Authority automatically to endorse all such directives and to ensure that the operators of relevant UK registered aircraft undertake the prescribed action.

Motorway Service Stations

Sir Irvine Patnick: To ask the Secretary of State for Transport if he will discuss with the franchisees of motorway service stations the measures they can take to show when services on one side of the motorway, other than petrol filling stations, are closed. [10324]

Mr. Watts: All motorway service areas are required to offer a range of basic facilities, including toilets, free short-term parking and fuel, 24 hours a day every day of the year. Operators are entitled to close parts of their MSAs during quiet periods but the specified minimum facilities must remain available at all times to all motorway users, including the disabled. If my hon. Friend has a particular problem in mind, perhaps he will let me know and I will arrange for it to be taken up with the operator concerned.

M1 (Lighting)

Sir Irvine Patnick: To ask the Secretary of State for Transport what progress has been made in lighting the remaining parts of the M1; what is the future timetable; and if he will make a statement. [10330]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Sir Irvine Patnick, dated 13 January 1997:

The Secretary of State for Transport has asked me to reply to your recent question about the M1 motorway and the possibilities for lighting provision along those remaining unlit sections.

The M1 is lit from Junctions 1 to 19, 20 to 21A, 23 to 26, and 40 to 42. The section between Junctions 42 and 43 will be lit as part of the M1–A1 Link Road Scheme which is currently under construction. In addition, the M1 between Junctions 31 and 32 is programmed to be lit as part of the motorway widening scheme which remains in the programme. There are currently no further lighting schemes programmed for the M1.

Greater Manchester Rail Services

Mr. Chidgey: To ask the Secretary of State for Transport what schemes are being provided, by what mechanism, for rail services in the Greater Manchester area in 1996–97 which in previous years were supported by the section 20 "bolt on" arrangement and metropolitan railway grant; and what arrangements he plans to introduce for future years. [10420]

Mr. Watts: From 1 April 1996 the franchising director assumed responsibility for the financial support of local rail services in the Greater Manchester area previously supported by the Greater Manchester passenger transport executive. It is intended that from 1 April 1997 responsibility for those services will revert to GMPTE, supported by special grant. It is intended that the level of services to be so supported will broadly reflect that currently supported by the franchising director. Subject to approval by the House of Commons, the grant would be paid under section 88B of the Local Government Act 1988.

A46–A47 Link Road Scheme

Mr. Vaz: To ask the Secretary of State for Transport which *(a)* bodies and *(b)* individuals have requested meetings with representatives of his Department in respect of the A46–A47 link road scheme; and who notified him of each request. [10314]

Mr. Watts: With the exception of the hon. Member himself, we have no record of any such requests.

Mr. Vaz: To ask the Secretary of State for Transport if discussions to date involving his Department in respect of the A46–A47 link road constitute routine discussions about funding under the transport policies and programmes process. [10343]

Mr. Watts: Those with Leicestershire county council.

Two-wheeled Motor Vehicles (Training)

Sir Cranley Onslow: To ask the Secretary of State for Transport what representations he has received concerning the Driving Standards Agency circular letter to all registered keepers of two-wheeled motor vehicles up to 125cc, dated November 1996, advising them that learners must obtain a compulsory basic training certificate by 1 January 1997; and what assessment he has made of whether the time provided allows a reasonable time for learners to complete the necessary training course. [10331]

Mr. Bowis: We have received about 350 letters and a number of telephone calls since the DSA letter to registered keepers of small motorcycles and mopeds was issued. The change to motorcycle training rules was first announced in August 1995, giving 11 months before the planned date of implementation on 1 July 1996. In March 1996 we deferred implementation until 1 January 1997 to give more time for publicity to reach those affected and for them to take training under the existing rules. The DSA has been publicising the change using leaflets and the media and the November letter to individuals was intended as a final reminder.

The strong demand for training courses during the autumn indicates that the message about the need for training was reaching people. We appreciate that there has nevertheless been a rush to take training courses from those who missed the earlier publicity or had left matters until the last moment and we understand that motorcycle training bodies are endeavouring to meet the demand for courses.

Rail Services (Government Financial Support)

Mr. Chidgey: To ask the Secretary of State for Transport by what mechanisms Government financial support for rail services is delivered to the passenger

transport executives in England and Scotland; and what estimate he has made of the level of that support during the current financial year. [10421]

Mr. Watts: Metropolitan district councils in England receive recognition of the costs of PTE support for railway passenger services payments. In the current financial year this is included within the calculation of revenue support grant. The support given in this way, and through the Scottish local government finance settlement, amounts to £281.2 million for 1996–97. Railways passenger services in those areas also benefit from expenditure funded by payments under the terms of the deeds of assumption.

National Roads Programme

Mr. Bradley: To ask the Secretary of State for Transport if he will list by parliamentary constituency each of the schemes in the national roads programme before the 1994 review and the changes to the status of each scheme in the 1994, 1995 and 1996 reviews, including any additional schemes. [10345]

Mr. Watts: I will write to the hon. Member with details and place a copy of my letter in the Library.

M66 (Contract 3)

Mr. Chris Davies: To ask the Secretary of State for Transport when work is expected to commence on contract 3 for the construction of the M66; what is the length of the contract; and in what month of what year work is expected to be completed. [10502]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. member.

Letter from Lawrie Haynes to Mr. Chris Davies, dated 13 January 1997:

The Secretary of State for Transport has asked me to reply to your question about the timing of Contract 3 of the M66 Manchester Outer Ring Road.

The present intention is to let this contract in 1998 subject to the availability of funds. We would expect it to be for a period of some two years.

White Hart Roundabout, Northolt

Mr. Harry Greenway: To ask the Sectetary of State for Transport if he will make a statement on the cost and time expended by the traffic director and staff to achieve the repair of the phased traffic lights at the White Hart roundabout, Northolt, in December. [10636]

Mr. Bowis: The traffic director for London was not involved in the repair and consequently did not incur any costs. The fault was repaired by the traffic control systems unit under its maintenance contract.

Air Cargo

Mr. Stewart: To ask the Secretary of State for Transport what recent assessment he has made of the economic consequences for Scotland of a liberalised international air cargo regime; and if he will make a statement. [10665]

Mr. Bowis: The Department of Transport has not made any assessment of an overall liberal air cargo regime for Scotland, since air cargo matters are negotiated bilaterally with individual countries on behalf of the United Kingdom as a whole. In assessing the economic benefits of cargo liberalisation in specific bilateral arrangements, the Department takes account of the overall interests of the United Kingdom, including consumers, airports and airlines.

Rail Privatisation (Pension Funds)

Mr. Hall: To ask the Secretary of State for Transport if he will list the names of the trustees of all the pension funds created out of the former British Rail pension fund following the privatisation of British Rail. [10631]

Mr. Watts: In common with other multi-employer pension schemes, the railways pension scheme has one central corporate trustee covering the whole scheme and, if the relevant employers so decide, a pensions committee for individual section funds. These pensions committees operate under arrangements delegated from the central trustee and have the relevant duties and obligations of trustees. The Secretary of State has a locus only in the appointment of members of the pensions committee of the 1994 pensioners section, for which he is the designated employer.

Only the Railways Pension Trustee Company has the names of all current trustees. The current members of the pensions committee of the 1994 pensioners section of the railways pension scheme are:

Employers' side	*Members' side*
F. Robertson	C. A. Cullen
D. Allen	J. F. Craig
M. Carpenter	M. Gee
C. Grimsey	V. C. Hince
D. F. Renn	A. D. Hoadley
E. M. Sandland	J. H. Mayfield
B. Westbrook	D. Tyson

Rail Privatisation

Mr. Chidgey: To ask the Secretary of State for Transport (1) if he will list for each franchise let since 31 October the details of payments to or from the franchise in the same format as his answer of 31 October, to the hon. Member for Crewe and Nantwich, (Mrs. Dunwoody) *Official Report*, columns *241–42*; [10418]

(2) if he will list the amount of support paid to British Rail for franchises let since 31 October before franchising and the amounts of administered profit included within such support. [10419]

Mr. Watts: The information is set out in the table.

£ million

	Cost of advisors	1995–96 Budgeted messenger revenue	1996–97 Budgeted support to BR for whole year	Including administered profit[1]	Support paid at franchising Year 1[2]	Year 2	Year 3	Year 4	Year 5	Year 6
Cross Country Trains	1.68	133.70	127.20	8.35	130.19	112.86	95.50	80.00	71.98	65.96
West Anglia Great Northern	1.08	121.60	71.07	9.09	60.30	53.45	33.83	24.71	12.73	4.16
Anglia	1.09	43.00	40.87	3.30	37.25	35.90	26.02	22.05	15.98	12.99
Great Eastern	0.91	125.90	40.59	8.48	24.52	29.08	14.04	8.14	2.79	0.31
Merseyrail Electrics	1.27	27.10	84.13	2.67	81.10	80.72	72.80	67.23	64.90	62.04
Total	5.98	491.70	363.86	31.89	333.36	511.95	242.17	202.12	168.57	144.84
Savings on BR Support	—	—	—	—	30.50	91.91	121.89	161.74	195.09	218.02
Commutative savings	—	—	—	—	30.50	82.41	204.10	365.83	561.33	780.35

£ million

	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16
Cross Country Trains	49.16	38.43	21.54	13.44	6.87	2.97	0.79	0.00	–4.99	–10.01
West Anglia Great Northern	–14.21	–24.81	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Anglia	8.58	6.29	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Great Eastern	–5.12	–9.54	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Merseyrail Electrics	61.65	60.80	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—
Total	100.07	72.17	21.54	13.44	6.87	2.97	0.79	0.00	–4.99	–10.01
Savings on BR support	263.79	55.03	105.86	113.76	120.33	124.23	126.41	127.20	132.19	137.21
Cumulative savings	1,044.14	1,055.17	1,204.83	1,318.59	1,438.91	1,583.15	1,589.56	1,876.76	1,948.93	2,086.16

[1] The Merseyrail BR support figures have been restated on a comparable basis to the franchise agreement and include budgeted payments from Merseyside PTE.
[2] Not covered by the franchise.
[3] The Year 1 franchise payment to the full year equivalent payment that appears in the franchise agreement to allow for accurate comparisons. All the franchises except Merseyrail commenced on 5 January 1997. Merseyrail will complete at a later date.
Therefore there is an overlap between the amount paid to BR and the franchise payment year 1.
Payments to the Franchising Director appear as negative amounts.
All payments are real amounts.
Advisor costs are correct to December 1996.

DEFENCE

Range Facilities

Dr. John Cunningham: To ask the Secretary of State for Defence what facilities are available at the Shoeburyness range that are not available at any other range of his Department. [10153]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency. I have asked the chief executive, DERA, to write to the right hon. Member.

Letter from John Chisholm to Dr. John Cunningham, dated 13 January 1997:

I have been asked to reply to your question about the facilities available at the Defence Evaluation and Research Agency (DERA) Shoeburyness range which are not available at any other range, since as Chief Executive of DERA this is a matter for which I am responsible.

The Shoeburyness range has the only facilities within DERA which enable the following activities to be undertaken:

(a) overwater recovery for shells to a range of 24 kilometres

(b) long range ground to ground firing up to 17 kilometres

(c) Environmental Test Centre for hazardous stores and weapons

(d) ammunition disposal meeting Environmental Agency requirements

(e) fragmentation trials routinely requiring a danger area above 1,800 metres radius.

I hope this information is helpful.

Dr. Cunningham: To ask the Secretary of State for Defence what is his Department's policy for the long-term provision of range facilities for the Defence Evaluation and Research Agency; and if he will make a statement. [10274]

Mr. Arbuthnot: DERA's ranges are provided to meet the current and future needs of the Ministry of Defence and its prime contractors in a competitive and cost-effective manner. Because current requirements are declining, especially for ranges in support of the land programmes, DERA is at present undertaking a study to determine the most cost effective way to provide these essential capabilities. Major users of DERA's land ranges, both within the Ministry of Defence and UK industry, are being consulted. No final decisions have been taken, but if the study recommends significant changes to the way in which the land ranges are run, then staff, unions and other interested parties will be fully consulted in the normal way.

Nerve Agents

Mr. Livingstone: To ask the Secretary of State for Defence what studies have been carried out by the Chemical Defence Establishment, Porton Down, to test the new treatment of a combination of the drugs physostigmine and hyoscine against nerve agents; when

these tests *(a)* began and *(b)* ended; what were their conclusions; and when the new treatment entered service with the armed forces. [10245]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency. I have asked the chief executive, DERA, to write to the hon. Member.

Letter from John Chisolm to Mr. Ken Livingstone, dated 13 January 1997:

I have been asked to reply to your question concerning studies carried out by Porton Down to test the new combination of physostigmine and hyoscine against the effects of nerve agents. The Chemical Biological Defence Section (CBD) at Porton Down is now part of the Defence Evaluation and Research Agency (DERA) for which I am responsible as Chief Executive.

Assessments of the physostigmine hyoscine combination as a possible pre-treatment against nerve agent poisoning were first reported by CBD in 1984. Further studies into its effect against a range of different nerve agents and its electrophysiological, biochemical and behavioural effects have continued since then and are still ongoing.

No work to determine the efficacy of the pre-treatment against the effects of nerve agent poisoning has been conducted on humans. Studies to assess the military acceptability of the commercially licensed drugs which are combined in the proposed pre-treatment have recently commenced. This work will continue for some years before any recommendations can be made regarding the suitability of the proposed pre-treatment for general use with UK armed forces. The new physostigmine/hyoscine pre-treatment has not yet entered service with UK armed forces.

I hope this information is helpful.

Franco-British Naval Agreement

Mr. Wilkinson: To ask the Secretary of State for Defence if he will publish the text of the Franco-British naval agreement signed at the recent Franco-British summit at Bordeaux. [9768]

Mr. Soames: I refer my hon. Friend to the answer given by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Boothferry (Mr. Davis), on 13 November, *Official Report*, columns *214-15*, to the hon. Member for Nottingham, South (Mr. Simpson). A copy of the UK-French naval letter of intent is in the Library of the House.

Auxiliary Oilers

Mr. Davidson: To ask the Secretary of State for Defence when he intends to announce the award of an order for auxiliary oilers for the Royal Navy. [10544]

Mr. Arbuthnot: My right hon. Friend the Secretary of State for Defence hopes to be able to make this announcement within the near future.

Organophosphate Pesticide Investigation Team

Mr. Llew Smith: To ask the Secretary of State for Defence what was the cost of the work of the organophosphate pesticide investigation team set up on 11 October; and what budget is allotted to support its future work. [9591]

Mr. Soames: The organophosphate pesticide investigation team has not been assigned a separate budget, and costs incurred by its activities currently form part of the budget of the Deputy Chief of Defence Staff (Programmes and Personnel). The estimated net staff cost associated with the production of the substantive report dated 6 December is £30,725.

Mr. Smith: To ask the Secretary of State for Defence what steps he is taking to rectify the failings of his Department to keep files in accordance with standing procedures to which reference is made at paragraph 1.B.15 of the report D/OPPIT/3 of his departmental organophosphate pesticide investigation team, dated 6 December. [9594]

Mr. Soames: Steps have been taken to ensure that the administrative support necessary to keep files in accordance with standing procedures is available to those areas of the Department referred to in paragraph 1.B.15 of the organophosphate pesticide investigation team report.

Mr. Smith: To ask the Secretary of State for Defence if he will extend the remit of his organophosphate pesticide investigation team to examine the methodology of earlier studies into effects of organophosphates, to which reference is made in paragraph 1.A.9 in his departmental substantive report of the organophosphate investigation team, dated 6 December. [9672]

Mr. Soames: The earlier MOD documents referred to in paragraph 1.A.9 of the Departmental substantive report of the organophosphate investigation team are concerned with the use of, not the effects of exposure to, organophosphate pesticides. As it made clear in paragraph 3.H.12 of the report, the organophosphate investigation team is not qualified to assess the effects of exposure to pesticides.

Chapelcross and Calder Hall Reactors

Mr. Cohen: To ask the Secretary of State for Defence what has been the cost to his Department of operating the (i) Chapelcross and (ii) Calder Hall reactors for each of the last five years. [9636]

Mr. Soames: The reactors at Chapelcross and Calder Hall are owned and operated by British Nuclear Fuels Ltd. Details of the contracts between BNFL and the Ministry of Defence for services provided at these sites are commercially confidential and therefore under the code of practice on access to Government information are not given as such information could harm the effective management and operations of the public service.

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence what assessment was made of the quality control applied to the production of the pertussis vaccine purchased from France, to which reference is made in his departmental memorandum issued in support of the statement made about Gulf war illness on 10 December *Official Report*, columns *119–23*. [9633]

Mr. Soames: No assessment was made of the quality control applied to the production of the pertussis vaccine purchased from France for use during Operation Granby. The Department of Health acted as agents for the import of the vaccine, and arranged for it to be tested by the National Institute of Biological Standards and Control before it was released for use.

Mr. Smith: To ask the Secretary of State for Defence what was the basis of the difference in assessment between his Department and that of the United States Government concerning the likely threat posed by plague in the Gulf war; and which is now assessed to be more accurate. [9568]

Mr. Soames: The factors influencing US Government assessments are not a matter for my Department. The UK assessment at the time of the Gulf war was that Iraq had probably developed plague as a biological weapon. We have had no cause to revise this assessment since then.

Staff

Mr. Donohoe: To ask the Secretary of State for Defence if he will list for his Department *(a)* how many people in total are employed, *(b)* how many of the total number of staff are (i) male and (ii) female and *(c)* how many (I) men and (II) women are employed on a (1) full-time and (2) part-time basis. [9489]

Mr. Arbuthnot: The information requested in respect of my Department and its agencies, as at 1 November 1996, is set out.

	Total	*Male*	*Female*
Full/Part time	115,683	79,593	36,090
Full time	110,649	79,121	31,528
Part time	5,034	472	4,562

Both permanent and casual UK based staff are included. The information is in the form of a headcount, i.e. both full and part-time personnel count as one.

Training Airspace

Mr. Redmond: To ask the Secretary of State for Defence what changes in air defence training airspace requirements will occur as a result of the introduction of the Eurofighter 2000; what factors underlie these changes; and what plans he has for changes in airspace structure to accommodate such changes. [9838]

Mr. Soames: Work is under way to identify the training airspace requirements for Eurofighter.

Mr. Redmond: To ask the Secretary of State for Defence what was the briefed western boundary of the airspace in use over northern England and southern Scotland on 17 November 1995 for mutual air combat training by RAF Tornados and Dutch air force F16 aircraft operating from RAF Leeming. [9841]

Mr. Soames: The briefed western boundary of the airspace used by RAF Tornado and Royal Netherlands Air Force F16 aircraft for mutual air combat training on 17 November 1995 was a line from 55 degrees 59 minutes north, 2 degrees 50 minutes west to 55 degrees 3 minutes north, 2 degrees 12 minutes west.

Mr. Redmond: To ask the Secretary of State for Defence what plans he has to exclude advisory route airspace from military exercises. [9840]

Mr. Soames: There are no plans to exclude advisory route airspace from military exercises.

Scheduled Exercises (Purple Series)

Mr. Redmond: To ask the Secretary of State for Defence if he will list the dates and locations of scheduled exercises in the Purple series in the next 12 months. [9873]

Mr. Soames: The next exercise in the Purple series is programmed for October 1997 and has been designated Purple LINK. It will be a computer-assisted exercise based in the United Kingdom and will be undertaken with the Americans. This is the only Purple exercise planned for 1997.

Air Combat Manoeuvring Instrumentation

Mr. Redmond: To ask the Secretary of State for Defence what plans he has to acquire air combat manoeuvring instrumentation equipment for the Royal Air Force which can be used without ground relay facilities. [9834]

Mr. Arbuthnot: We are planning to issue an invitation to tender for the rangeless airborne instrumented debriefing system in the near future. If a limited trial programme proves successful, we plan to procure RAIDS for the entire fast jet fleet by around the turn of the century.

AWACS Controllers

Mr. Redmond: To ask the Secretary of State for Defence what plans he has to permit airborne warning and communication system controllers to co-ordinate traffic under their control directly with *(a)* ground-based military air traffic controllers and *(b)* ground-based civil air traffic controllers. [9877]

Mr. Soames: There are currently no plans to permit AWACS controllers to co-ordinate traffic under their control directly with ground-based military or civil air traffic controllers.

Mr. Redmond: To ask the Secretary of State for Defence in what circumstances controllers in AWACS aircraft are permitted to provide a radar service to aircraft under their control using a radar picture generated by a ground-based radar; and what plans he has to change these rules. [9875]

Mr. Soames: Controllers in AWACS aircraft are not permitted to provide a radar service to aircraft under their control using a radar picture generated by a ground-based radar. There are currently no plans to change this.

Air Traffic Control

Mr. Redmond: To ask the Secretary of State for Defence if he will list those civil air traffic control radars which supply data directly to the UK air defence ground environment; and what plans he has for additional civil radars to be so linked. [9839]

Mr. Soames: The civil air traffic control radars which supply data to the UK air defence ground environment are Burrington, Pease Pottage, Debden, Claxby, Clee Hill and Great Dun Fell. Additional radars which can be linked as required are Perwinnes Hill, Tiree, Stornoway and Sumburgh.

Mr. Redmond: To ask the Secretary of State for Defence under what circumstances United Kingdom air

defence ground environment controllers are permitted to provide a radar service to aircraft under their control using a radar picture generated by an airborne warning and communications system aircraft; and what plans he has to change these rules. [9876]

Mr. Soames: UK air defence ground environment controllers are not permitted to provide a radar service to aircraft under their control using a radar picture by AWACS aircraft. There are currently no plans to change this.

Mr. Redmond: To ask the Secretary of State for Defence under what circumstances UK air defence ground environment controllers are permitted to provide a radar service to aircraft under their control using a radar picture generated by more than one ground-based radar; and what plans he has for changes to these rules. [9836]

Mr. Soames: UK air defence ground environment controllers provide a radar service to aircraft under their control with a single radar selected and are not permitted to provide such a service using more than one ground-based radar. There are currently no plans to change this.

Radiation Experiments

Mr. Matthew Taylor: To ask the Secretary of State for Defence (1) what follow-up tests his Department has conducted on the long-term effects of radiation experiments on volunteers at *(a)* Harwell and *(b)* Porton Down; [10206]

(2) if he will place in the Library copies of the consent forms signed by volunteers taking part in human radiation experiments at *(a)* Harwell and *(b)* Porton Down. [10208]

Mr. Soames: It is important to draw a distinction between studies involving minimal amounts of radioactive material used as a tracer and so-called radiation experiments in which individuals are exposed to high doses of radiation in order to assess the damage produced. All studies carried out by my Department, including those carried out on volunteers attending Porton Down, were in the former category. Consequently, no follow-up action was deemed necessary by Porton Down. Consent forms were not in use in the 1950s/early 1960s when the studies involving radio-labelled tracers were conducted at Porton Down.

Matters relating to Harwell are the responsibility of my right hon. Friend the President of the Board of Trade.

Mr. Taylor: To ask the Secretary of State for Defence if he will place in the Library copies of the guidelines issued by his Department to *(a)* the Harwell medical ethics committee regarding radiation experiments on humans and *(b)* the Committee for the Safety of Human Experiments, the medical sub-committee of the Defence Scientific Advisory Council, and the independent ethics committee regarding radiation experiments on humans at Porton Down. [10209]

Mr. Soames: All studies involving volunteers at Porton Down are governed by the principles for ethical control of human experiments as stated in the Nuremburg code, the Helsinki declaration and the guidelines of the Royal College of Physicians. My Department does not issue guidelines to the independent ethics committee of experts who oversee the volunteer programme at Porton Down. Porton Down has not carried out any radiation experiments on humans. Work carried out in the 1950s and early 1960s involved the use of radio-labelled tracer materials in decontamination and medical evaluations and was subject to the normal ethical controls.

Matters relating to Harwell are the responsibility of my right hon. Friend the President of the Board of Trade.

Low Flying

Mr. Redmond: To ask the Secretary of State for Defence what information is made available to civil operators concerning the activity status of low-level overland training areas. [9874]

Mr. Soames: I refer the hon. Member to the answer I gave him on 8 February 1996, *Official Report*, columns *356–57*.

Tornado F3

Mr. Redmond: To ask the Secretary of State for Defence what is the capability of the identification friend or foe system in the Tornado F3 aircraft to receive the secondary surveillance radar codes of civil aircraft. [9879]

Mr. Soames: The Tornado F3 is able to receive secondary surveillance codes of civil aircraft, provided it has been notified of the civil aircraft's code number. In common with other military aircraft and our allies, civil aircraft are located chiefly through use of the F3's primary radar and visual identification. These techniques augment procedural separations enforced by air traffic authorities.

Air Force Training (Former Warsaw Pact)

Mr. Redmond: To ask the Secretary of State for Defence if he will list the dates and locations of scheduled training deployments to the United Kingdom by units from air forces of former Warsaw pact countries in the next 12 months. [9833]

Mr. Soames: No such deployments have been finalised for 1997, although discussions with a number of air forces are continuing.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Defence (1) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year; [9800]

(2) how many days of leave he plans to take during the Christmas adjournment. [9801]

Mr. Portillo: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Vosper Thorneycroft (Official Appointment)

Mr. Derek Foster: To ask the Secretary of State for Defence what scrutiny procedures were undertaken in respect of the recent appointment of a senior MOD official to Vosper Thorneycroft; if any recommendation was made to delay the appointment; what *(a)* formal and

(b) informal contact the official had with Vosper Thorneycroft while at his Department; and if he will make a statement. [9881]

Mr. Arbuthnot: The official's application to take up the appointment with Vosper Thornycroft (UK) Ltd. was considered under the rules on the acceptance of outside appointments by Crown servants. Although he had frequent contact with his prospective employer, he was not in a position where he could influence the award of defence contracts. Ten competitors of Vosper Thornycroft (UK) Ltd. were consulted about the proposed appointment but none wished to raise objections. It would not have been appropriate, in the circumstances, to have placed any restriction on the proposed employment.

Murdered Tour Guide (Cyprus)

Mr. Cox: To ask the Secretary of State for Defence if the parents of the murdered tour guide in Cyprus have been informed by Her Majesty's Government that they have the right to claim compensation against the Ministry of Defence. [10326]

Mr. Soames: I understand that the family in question are aware that they have the same rights to make a claim for compensation against the Ministry of Defence as they would have against any other employer or organisation.

Battle of Trafalgar

Mr. Spellar: To ask the Secretary of State for Defence when he expects to begin preparations for the commemoration of the bicentenary of the battle of Trafalgar and the death of Nelson. [10865]

Mr. Soames: It is too early for detailed arrangements or plans to have been considered by my Department for this important event in October 2005. However, we expect that there will be major coverage, and we are already looking at the possibility of Navy days being held at Portsmouth that year.

Consultants

Mr. Milburn: To ask the Secretary of State for Defence if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10169]

Mr. Arbuthnot: In response to the Cabinet Office's report my Department drew up an action plan, which was forwarded to the Cabinet Office in October 1994. This set out the action my Department would be taking on the recommendations contained in the report. As a follow-up exercise to the action plan, all Departments were required to submit, within two years, an implementation report setting out progress on their action plans. My Department's implementation report was forwarded to the Cabinet Office in March 1996 and I have arranged for a copy to be placed in the Library of the House.

Expenditure

Mr. George: To ask the Secretary of State for Defence if he will list for each year since 1979 the adjustments made to the cash plans for defence spending in future years to take into account revised forecasts of the level of inflation indicating, in each case, whether the increase or decrease in the cash plan matched exactly the revised inflation forecast. [9468]

Mr. Soames: Like all Departments, the Ministry of Defence determines its spending plans in consultation with the Treasury during the public expenditure survey. Adjustments to the previous years' plans are made for a variety of reasons, of which forecast inflation is only one. Therefore it is not usually possible to identify a specific figure from any given set of spending plans that represents an adjustment solely attributable to changes in forecast levels of inflation. The spending plans announced in November 1996, however, maintained the real value of the money planned for spending in 1997–98 because of the Government's commitment to a period of stability for the armed forces. Lower inflation forecasts enabled this to be achieved at a lower cost than estimated at the time of the 1995 public expenditure survey. Money has also been added to the defence budget to cover special housing costs.

Insecticides

Mr. Llew Smith: To ask the Secretary of State for Defence what exemptions apply to his Department in respect of the *(a)* Food and Environment Protection Act 1985, *(b)* Control of Pesticides Regulations 1986 and *(c)* Plant Protection Products Regulations 1995, in respect of the use of insecticides. [10635]

Mr. Soames: The Food and Environment Protection Act 1985—the 1985 Act—does not apply to land where there is no interest other than a Crown interest or to land which is exclusively in Crown occupation.

The Control of Pesticides Regulations 1986—the 1986 regulations—were made under the 1985 Act and the same exemptions apply.

The Plant Protection Products Regulations 1995—the 1995 Regulations—were made under the European Communities Act 1972, which does not provide for Crown exemption. However, where the 1995 regulations refer to the 1986 regulations, the exemption provided in the 1985 Act would apply.

Vaccinations

Mr. Llew Smith: To ask the Secretary of State for Defence when his Department decided to declassify details of vaccinations used by departmental medical personnel; and what factors underlay this decision. [10650]

Mr. Soames: I announced in my statement to the House on 10 December, *Official Report*, columns 119–23, our decision to declassify details of the vaccinations used during the Gulf conflict. The decision was taken in the light of a detailed review of the classification of the vaccination programme, given the developments in UK defensive capability against biological warfare agents since 1991.

Polaris

Mr. Cohen: To ask the Secretary of State for Defence what are the current operating costs of the Polaris fleet; what were the costs in each of the last 15 years at 1996

prices; and what sum the Government have allocated for *(a)* decommissioning and *(b)* scrapping the Polaris (i) submarines, (ii) missiles and (iii) warheads. [10746]

Mr. Soames: The operating costs of the Polaris fleet in each of the last 15 years at 1995–96 prices are as follows:

Financial year	*Spend at constant prices £million*[1]
1981–82	470
1982–83	472
1983–84	410
1984–85	367
1985–86	383
1986–87	434
1987–88	434
1988–89	373
1989–90	303
1990–91	250
1991–92	183
1992–93	162
1993–94	107
1994–95	67
1995–96	63

[1] All at 1995–96 prices using GDP deflators.

Details of operating costs during the current financial year are in the course of preparation.

The estimated cost for the defuelling, de-equipping and laying-up of the Polaris fleet of submarines is approximately £71 million at 1996–97 prices, over the next 10 years. No firm estimate is yet available of the likely cost of eventual disposal.

The cost of decommissioning and scrapping Polaris missiles currently totals £8 million. These costs include sums already spent plus values of contracts let. The sum covers missile decommissioning/scrapping costs but excludes warhead disposal.

It is not our practice to reveal costs associated with the warhead.

Vocational Qualifications

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many service men and women and of what rank obtained vocational qualifications in each of the last five years; and if he will make a statement. [10453]

Mr. Soames: All three services are placing increasing emphasis on accreditation of service training and experience.

It is Navy Board policy to negotiate from civilian awarding bodies the highest level of recognition for naval skills and training which meet operational performance statements. The Royal Navy is vigorously pursuing the issue of VQs, principally in the area of NVQs. Within the Royal Navy there are currently three approved assessment centres for NVQs and a further three are planned for designation during the next year. During the current financial year the Royal Navy expects that nearly 8,000 civilian qualifications will be awarded as a result of in-house training programmes and this figure is expected to increase year on year.

Under the Army's VQ policy, all Army personnel are to be given the maximum opportunity throughout their careers to gain VQs and other forms of professional recognition for their workplace skills, knowledge and experience. The process of mapping Army trades and employments against the national vocational standards is progressing well. Over 1,700 VQs were gained by Army officers and soldiers during the period 1 April to 30 September 1996. It is anticipated that schemes offering appropriate qualifications will be available to most Army personnel within two years.

It is RAF policy that everyone will have the opportunity to achieve an NVQ within 18 months of joining the service and most trades have either incorporated NVQs into their initial training courses or are on the verge of doing so. Many RAF personnel are also achieving further trade based or management VQs throughout their service. A range of schemes are being pursued with a view to increasing the availability of VQs including the NVQ accreditation of prior learning which, since its introduction in 1996, enrolled some 9,800 RAF engineering and supply personnel, of whom over 500 have already been awarded certificates.

In addition to in-house initiatives, across the three services individuals are encouraged to pursue VQs in a private capacity to prepare themselves for outside employment when they leave the service.

Detailed information on the vocational qualifications obtained by different ranks of service personnel during the last five years is not held centrally and could not be provided without disproportionate costs.

TRADE AND INDUSTRY

Staff

Mr. Donohoe: To ask the President of the Board of Trade if he will list for his Department *(a)* how many people in total are employed, *(b)* how many of the total number of staff are (i) male and (ii) female and *(c)* how many (I) men and (II) women are employed on a (1) full-time and (2) part-time basis. [9484]

Mr. John M. Taylor: The Department employs 6,095 staff in the headquarters area, of whom 3,377 are male and 2,718 are female; 3,337 male staff are full-time and 40 are part-time; 2,314 female staff are full-time and 404 are part-time.

Ministerial Leave

Mr. Ian McCartney: To ask the President of the Board of Trade (1) how many days of leave he plans to take during the Christmas adjournment; [9815]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9814]

Mr. Lang: I refer the hon. Member to the answer made by my right hon. Friend the Chancellor of the Duchy of Lancaster on Wednesday 18 December 1996, *Official Report*, column 699.

Public Bodies

Mr. Ingram: To ask the President of the Board of Trade (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Babraham Institute as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10112]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Institute for Animal Health as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10104]

(3) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Institute of Arable Crops Research as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10044]

(4) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Institute of Food Research as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10048]

(5) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Institute of Grassland and Environmental Research as representatives of UK interests; and how many of these employees are leading the UK team on their committee; [10140]

(6) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the John Innes Centre as representatives of UK interests; and how many of these employees are leading the UK team on their committee; [10136]

(7) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Roslin Institute as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10108]

(8) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Silsoe Research Institute as representatives of UK interests; and how many of these employees are leading the UK team on their committee; [10132]

(9) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Institute of Arable Crops Research; [10045]

(10) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees for the Institute for Animal Health; [10105]

(11) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Institute of Food Research; [10049]

(12) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Institute of Grassland and Environmental Research; [10141]

(13) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the John Innes Centre; [10137]

(14) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Roslin Institute; [10109]

(15) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Silsoe Research Institute; [10133]

(16) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Babraham Institute. [10113]

Mr. Ian Taylor: The staff at these institutes are employed by the Biotechnology and Biological Sciences Research Council—BBSRC. The prior options process is designed to ensure that the interests of the United Kingdom are best served by these institutes. In most cases, membership of committees in fact reflects the professional or personal qualifications of the individual concerned. Although there are a number of questions of definition, the institutes have provided information on committee membership which is summarised in the table.

Committee membership of staff at BBSRC institutes

	(a) UK	*(b) Europe*	*(c) International*
Babraham		2	
Institute of Food Research	5	1	

Committee membership of staff at BBSRC institutes

	(a) UK	(b) Europe	(c) International
Institute of Grassland and Environmental Research (IGER)	1	1	1
Silsoe Research Institute (SRI)	15	2	9

IGER has indicated that a UK and an international committee is chaired by staff. SRI has indicated that three international committees are chaired by staff.

Mr. Ingram: To ask the President of the Board of Trade how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Daresbury and Rutherford Appleton Laboratories as representatives of United Kingdom interests; and how many of these employees are leading the UK team on their committee. [10128]

Mr. Taylor: The prior options process is designed to ensure that the interests of the United Kingdom are best served by research establishments.

Employees of the Daresbury and Rutherford Appleton Laboratory are members of a very large and diverse range of UK, European and international bodies. The total number of such bodies is in excess of 400. This includes some 45 European bodies, and some 40 international bodies, on which members of the laboratories' staff represent UK interests. In about a quarter of these, the member of the laboratories' staff leads the UK team.

Mr. Ingram: To ask the President of the Board of Trade (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the British Geological Survey as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10100]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the British Geological Survey. [10101]

Mr. Taylor: The staff at the British Geological Survey are employed by the Natural Environment Research Council. The prior options process is designed to ensure that the interests of the United Kingdom are best served by these bodies. In most cases, membership in fact reflects the professional or personal qualifications of the individual. However, information on committee membership is set out in the attached table.

	Chair	Member[1]
United Kingdom	7	7
European	6	2
International	10	15

[1] Those holding senior positions.

Mr. Ingram: To ask the President of the Board of Trade (1) how much has been spent to date on the prior options review of the British Geological Survey; and from which budget these sums were paid; [10098]

(2) how much has been spent to date on the prior options review of the institutes and laboratories making up the Centre for Coastal and Marine Sciences; and from which budget these sums were paid. [10094]

Mr. Taylor: Work on this and other similar reviews has principally involved staff in the Natural Environment Research Council. The NERC estimates the Council's expenditure on the reviews covering the three NERC establishments: the British Geological Survey, the Centre for Coastal and Marine Sciences and the Centre for Ecology and Hydrology as £0.4 million, borne by the NERC allocation from the science budget. It is not possible to quantify the costs related to the work by staff elsewhere, for example in Government Departments.

Mr. Ingram: To ask the President of the Board of Trade (1) what estimate he has made of the future costs of the prior options review of the Toxicology Unit; and from which budget these sums will be paid; [10027]

(2) what estimate he has made of the future costs of the prior options review of the Radiobiology Unit; and from which budget these sums will be paid; [10035]

(3) what estimate he has made of the future costs of the prior options review of the Virology Unit; and from which budget these sums will be paid; [10051]

(4) what estimate he has made of the future costs of the prior options review of the Reproductive Biology Unit; and from which budget these sums will be paid; [10031]

(5) what estimate he has made of the future costs of the prior options review of the Dunn Nutrition Unit; and from which budget these sums will be paid. [10039]

Mr. Taylor: The reviews of these units have been completed. Any implementation costs would depend on decisions which have not yet been taken.

Mr. Ingram: To ask the President of the Board of Trade (1) what estimate he has made of the future costs of the prior options review of the Roslin Institute; and from which budget these sums will be paid; [10107]

(2) what estimate he has made of the future costs of the prior options review of the Institute of Grassland and Environmental Research; and from which budget these sums will be paid; [10139]

(3) what estimate he has made of the future costs of the prior options review of the Institute of Arable Crops Research; and from which budget these sums will be paid; [10043]

(4) what estimate he has made of the future costs of the prior options review of the Silsoe Research Institute; and from which budget these sums will be paid; [10131]

(5) what estimate he has made of the future costs of the prior options review of the Babraham Institute; and from which budget these sums will be paid; [10111]

(6) what estimate he has made of the future costs of the prior options review of the Institute of Food Research; and from which budget these sums will be paid; [10047]

(7) what estimate he has made of the future costs of the prior options review of the Institute for Animal Health; and from which budget these sums will be paid; [10103]

(8) what estimate he has made of the future costs of the prior options review of the John Innes Centre; and from which budget these sums will be paid. [10135]

Mr. Taylor: The reviews of these institutes have been completed. Any implementation costs would depend on decisions which have not yet been taken.

Mr. Ingram: To ask the President of the Board of Trade (1) how much has been spent to date on the prior options review of the Toxicology Unit; and from which budget these sums were paid; [10026]

(2) how much has been spent to date on the prior options review of the Radiobiology Unit; and from which budget these sums were paid; [10034]

(3) how many has been spent to date on the prior options review of the Virology Unit; and from which budget these sums were paid; [10050]

(4) how much money has been spent to date on the prior options review of the Reproductive Biology Unit; and from which budget these sums were paid; [10030]

(5) how much has been spent to date on the prior options review of the Dunn Nutrition Unit; and from which budget these sums were paid. [10038]

Mr. Taylor: Work on all these reviews has principally involved existing staff in the Medical Research Council and several Government Departments. It is not possible to quantify the costs relating to individual reviews. However, the MRC considers that overall expenditure on readily identifiable specific costs were £65,000 broken down as follows:

MRC Head Office staff time: £38,000

Consultants' fee: £23,000

Travel: £4,000.

The overall figure specifically excludes staff time at the MRC units concerned and clerical support at head office.

These sums are paid from the MRC allocation from the science budget.

Mr. Ingram: To ask the President of the Board of Trade how much has been spent to date on the prior options review of the Daresbury and Rutherford Appleton Laboratories; and from which budget these sums were paid. [10126]

Mr. Taylor: The cost of two prior options reviews of the Daresbury and Rutherford Appleton Laboratories was £36,000, excluding the cost of time spent by existing members of the laboratories' staff. The cost was met from the laboratories' running costs budget.

Mr. Ingram: To ask the President of the Board of Trade what estimate he has made of the future costs of the prior options review of the Daresbury and Rutherford Appleton Laboratories; and from which budget these sums will be paid. [10127]

Mr. Taylor: The prior options reviews of the Daresbury and Rutherford Appleton Laboratories have been completed and announced, and there are no future costs to be met.

Mr. Ingram: To ask the President of the Board of Trade how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Daresbury and Rutherford Appleton Laboratories. [10129]

Mr. Taylor: The approximate numbers of committees chaired by employees of the Daresbury and Rutherford Appleton Laboratories are as follows:

(a) United Kingdom: 15

(b) European: 10

(c) International: 5.

Mr. Ingram: To ask the President of the Board of Trade (1) how much has been spent to date on the prior options review of the National Weights and Measures Laboratory; and from which budget these sums were paid; [9998]

(2) what estimate he has made of the future costs of the prior options review of the National Weights and Measures Laboratory; and from which budget these sums will be paid. [9999]

Mr. Taylor: The prior options review of the National Weights and Measures Laboratory was announced on 29 September 1995. It formed part of an interdepartmental review of the options for the future of all of Government laboratories. NWML's review was carried out by DTI staff. Costs cannot specifically be disaggregated but are estimated to have been less than £10,000. The conclusions of the review were that NWML should remain an agency. There are no costs associated with the implementation of the review's findings.

Mr. Ingram: To ask the President of the Board of Trade (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Centre for Coastal and Marine Sciences as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10096]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Centre for Coastal and Marine Sciences. [10097]

Mr. Taylor: The staff at the Centre for Coastal and Marine Sciences are employed by the Natural Environment Research Council. The prior options process is designed to ensure that the interests of the United Kingdom are best served by these bodies. In most cases, membership in fact reflects the professional or personal qualifications of the individual. However, information on committee membership is set out in the attached table.

	Chair	*Member*
United Kingdom	3	24
European	3	14
International	10	44

Mr. Ingram: To ask the President of the Board of Trade (1) what estimate he has made of the future costs of the prior options review of the British Geological Survey; and from which budget these sums will be paid; [10099]

(2) what estimate he has made of the future costs of the prior options review of the institutes and laboratories making up the Centre for Coastal and Marine Sciences; and from which budget these sums will be paid. [10095]

Mr. Taylor: The reviews of the three NERC establishments the British Geological Survey, the Centre for Coastal and Marine Sciences and the Centre for Ecology and Hydrology have been completed. Any implementation costs will depend on decisions which has not yet been taken.

Mr. Ingram: To ask the President of the Board of Trade (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the National Weights and Measures Laboratory as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10000]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the National Weights and Measures Laboratory. [10001]

Mr. Taylor: I have asked the chief executive of the NWML executive agency to reply directly to the hon. Member.

Letter from Seton Bennett to Mr. Adam Ingram, dated 13 January 1997:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about employees as chairman of committees.

The details are as follows:

(a) 2 UK committees

(b) 2 European committees

(c) 1 international committee.

Letter from Mr.Seton Bennett to Mr. Adam Ingram, dated 13 January 1997:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about employees as members of committees.

The details for those appointed by the UK Government are:

(a) 12 UK committees;

(b) 8 European committees; and

(c) 7 international committees.

A total of 10 employees are leading the UK teams on their respective European or international committees.

Mr. Ingram: To ask the President of the Board of Trade (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Dunn Nutrition Unit as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10040]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Dunn Nutrition Unit; [10041]

(3) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Toxicology Unit as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10028]

(4) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Toxicology Unit; [10029]

(5) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Virology Unit as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10052]

(6) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Virology Unit; [10053]

(7) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Radiobiology Unit as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10036]

(8) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Radiobiology Unit; [10037]

(9) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Reproductive Biology Unit as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10032]

(10) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Reproductive Biology Unit. [10033]

Mr. Taylor: The staff at these institutes are employed by the Medical Research Council. The prior options process is designed to ensure that the interests of the United Kingdom are best served by these institutes. In most cases, membership of committees in fact reflects the professional or personal qualifications of the individual concerned. Although there are a number of questions of definition, the institute has provided information on committee membership which is summarised in the table.

Committee membership of staff at MRC units

	(a) UK	*(b) Europe*	*(c) International*
Reproductive Biology Unit	2	1	0
Virology Unit	0	0	0
Dunn Nutrition Unit	2	1	0
Toxicology Unit	9	0	0
Radiation and Genome Stability Unit[1]	2	0	0
Mammalian Genetics Unit[1]	0	0	0

None of these committees are chaired by staff.

[1] The Radiation and Genome Stability Unit and the Mammalian Genetics Unit were formed in a reorganisation of the former Radiobiology Unit.

Oil Platforms

Mr. Ainger: To ask the President of the Board of Trade what research his Department has *(a)* commissioned and *(b)* evaluated into the viability of zero-discharge oil platforms. [10483]

Mr. Page: My Department is supporting and co-operating in the research and development which is leading towards the reduction of emissions to the marine

environment and to the atmosphere. The concept of a zero discharge platform is very difficult to put into practice but my Department is working to encourage the adoption of such arrangements where these are possible and likely to bring a real benefit to the environment.

Arms Contracts (British Companies)

Mrs. Clwyd: To ask the President of the Board of Trade what assessment he has made of the extent of British companies' involvement in arms contracts prohibited under UN sanctions. [10749]

Mr. Nelson: Enforcement of export controls and controls on the supply and delivery of goods to specific destinations, imposed in accordance with resolutions of the United Nations Security Council is a matter for the Commissioners of HM Customs and Excise. It is not, however, Customs' general practice to comment publicly about the existence or nature of any investigations of individuals or companies not yet accused of criminal offences, since to do so could risk prejudicing any ongoing inquiries or future criminal proceedings.

Armoured Vehicles (Indonesia)

Mrs. Clwyd: To ask the President of the Board of Trade, pursuant to his answer of 9 December, *Official Report*, column *29*, relating to the issue of licences to Avis for the export of armoured vehicles to Indonesia, what is the associated equipment to which he referred in his answer. [10744]

Mr. Nelson: The associated equipment to which my right hon. Friend the President of the Board of Trade referred in his answer of 9 December 1996 consists of ammunition, radio equipment, two gunnery desk top simulators, technical publications and a supply of spare parts and workshop tools. The latter equipment comprises basic components for such items as engine controls, steering, brakes, electric gearbox controls, and exhaust systems all for the support of the armoured vehicles. They would be too numerous to list.

Iraq (Trade Restrictions)

Mrs. Clwyd: To ask the President of the Board of Trade what recent relaxations there have been in trade restrictions between British companies and Iraq. [10747]

Mr. Nelson: On 11 December, my Department issued an open general licence to communicate. This allows UK companies to comply with the procedures that will be employed by the United Nations Security Council Committee, established by resolution 661 (1990), to implement the arrangements set out in resolution 986 (1995). Under the licence, companies may discuss and sign contracts with a view to exporting to Iraq, medicine, health supplies, foodstuffs and materials, and supplies for essential civilian needs, as well as parts and equipment essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq. However, companies will still require individual licences to export such goods.

Energy Council

Dr. Kim Howells: To ask the President of the Board of Trade what progress was made towards agreeing a European directive on gas liberalisation at the EU Energy Council of Ministers meeting on 3 December, and if he will make a statement. [10823]

Mr. Page: I refer the hon. Member to the answers I gave my hon. Friend the Member for Beaconsfield (Mr. Smith) on 9 December, *Official Report*, column *30* and the hon. Member for Blaneau Gwent (Mr. Smith) on 11 December, *Official Report*, column *274*.

Crown Post Office, Newcastle under Lyme

Mrs. Golding: To ask the President of the Board of Trade for how long the Crown post office has operated from the Iron Market in Newcastle under Lyme. [10503]

Mr. Page: I understand from the Post Office that a post office has operated in Iron Market, Newcastle under Lyme since 1969.

Mrs. Golding: To ask the President of the Board of Trade what was the turnover for *(a)* 1993–94, *(b)* 1994–95 and *(c)* 1995–96 at the Crown post office in Newcastle under Lyme. [10504]

Mr. Page: Turnover figures for individual post offices are commercially confidential.

Mrs. Golding: To ask the President of the Board of Trade how many customers used the Crown post office in Newcastle under Lyme in each year since 1988. [10505]

Mr. Page: I understand from the Post Office that the annual number of transactions since 1993–94 at the Crown post office in Iron Market Newcastle under Lyme has been:

Year	*Number of transactions*
1993–94	1,480,281
1994–95	1,646,161
1995–96	1,615,557
1996–97	[1]942,814

Information for earlier years is not available.
[1] To end November 1996.

Consultants

Mr. Milburn: To ask the President of the Board of Trade what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10182]

Mr. John M. Taylor: My Department is responsible for 22 executive non-departmental public bodies, 25 advisory bodies and seven tribunals, considering the 28 industrial tribunals as one body. I regret that the information requested by the hon. Member is not held centrally, and could be provided only at disproportionate cost.

Toxic Chemicals

Mr. Gordon Prentice: To ask the President of the Board of Trade how many United Kingdom companies

are licensed under the Chemical Weapons Act 1996 to manufacture toxic chemicals; and how many licence applications he has refused. [10414]

Mr. Nelson: Two applications have so far been received for individual licences to produce schedule 1 chemicals in excess of 5g in 1997; licences have been issued in both cases. Any companies or individuals wishing to produce up to 5g of schedule 1 chemicals under the open general licence issued pursuant to the Chemical Weapons Act 1996 are required to submit a notification by 15 January or 14 days after the date of first production; no such notifications have been received to date.

Surveillance and Bugging Equipment

Mr. Gordon Prentice: To ask the President of the Board of Trade what controls there are on the sale to the general public of surveillance and bugging equipment. [10416]

Mr. Ian Taylor: None, but the use of such equipment is subject to relevant legislation, for example governing the integrity of communications.

Newspapers

Mr. Peter Robinson: To ask the President of the Board of Trade (1) when he last met representatives from the Multiple Newsagents Association; and if he will make a statement on the matters which were discussed at that meeting; [10648]

(2) if he will request the Director General of Fair Trading to refer newspaper distribution to the Monopolies and Mergers Commission. [10646]

Mr. John. M. Taylor: I refer the hon. Member to my reply to the hon. Member for Birmingham, Selly Oak (Dr. Jones) on 2 December 1996, *Official Report*, column *495*.

Subsidence Claims

Mr. Rowlands: To ask the President of the Board of Trade if he will list those constituencies in which there are outstanding claims under the Coal Mining Subsidence Act 1991; and how many cases there are in each constituency. [10542]

Mr. Page: This is a matter for the Coal Authority or other "responsible person" as defined by the Coal Industry Act 1994.

Faraday Partnership Scheme

Mr. Ingram: To ask the President of the Board of Trade what has been the level of financial support given by his Department to the Faraday partnership scheme announced by the Engineering and Physical Sciences Research Council; and what is the projected expenditure. [9973]

Mr. Ian Taylor: The DTI welcomes the EPSRC Faraday partnerships scheme as a contribution to wider efforts to link academia and industry, and will monitor progress. It may be possible for potential partnerships to make bids into any further rounds of the sectoral challenge.

No allocation has been made from DTI central funds for 1997–98 because of financial constraints.

SOCIAL SECURITY

Invalidity Benefit

Mr. Rogers: To ask the Secretary of State for Social Security how many people are currently receiving invalidity benefit in the Rhondda benefit district; what percentage this is of the total population of working age; and what are the average percentages for *(a)* Wales and *(b)* England and Wales. [7969]

Mr. Burt: The administration of incapacity benefit is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Allan Rogers, dated 18 December 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many people are currently receiving Invalidity Benefit (IVB) in the Rhondda benefit district; what percentage this is of the total population of working age; and what are the average percentage for (a) Wales and (b) England and Wales.

The information is not available in the format requested. Sickness Benefit and IVB were replaced by Incapacity Benefit (IB) on 13 April 1995. The Rhondda area is dealt with by Tonypandy Benefits office, this forms part of the Benefits Agency (BA) South Wales District.

At 31 May 1996, the latest date for which figures are available, 9,820 customers were in receipt of IB from the Tonypandy Benefits Office.

Data on the working population is not available for individual BA office therefore it is not possible to give the percentage of the working population in receipt of IB for Tonypandy Benefits office.

The available information is shown in the attached table.

I hope you find this reply helpful.

Percentage of total population of working age in receipt of incapacity benefit

	Per cent.
Tonypandy Benefits Office	n/a
Wales	8.7
England and Wales	4.3

The Incapacity Benefit figures are taken from a 5 per cent. sample of the PSCS (INCAP) computer system at 31 May 1996, and exclude a small number of cases not held on this system.

Percentage population figures are calculated from the latest figures available (mid 1994) from "Population Trends" published by the Office for National Statistics, Summer 96 edition.

Benefits Agency (Telephone Calls)

Mr. Ainger: To ask the Secretary of State for Social Security what proportion of claimants of benefits other than the jobseeker's allowance make their first contact with the Benefits Agency by telephone *(a)* in the United Kingdom and *(b)* in Wales. [9353]

Mr. Roger Evans: This is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Nick Ainger, dated 18 December 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what proportion of claimants of benefits other than the Jobseeker's Allowance make their first contact with the Benefits Agency (BA) by telephone (a) in the United Kingdom and (b) in Wales.

The information is not available in the format requested. This is because there has been no UK customer survey on first contact with the BA since 7 October 1996, when Jobseeker's Allowance came into operation.

The statistics available from the most recent customer contact research, conducted in 1995, show percentage of first contact with BA for six benefits. The research makes no distinction between the UK as a whole and individual countries within. Consequently a breakdown of the information to show data for Wales is not available.

The findings of the research concluded that the percentage of benefit recipients whose first contacts with the BA were through the telephone was, by benefit: Income Support 35 per cent., Social Fund 40 per cent., Retirement Pension 56 per cent., Family Credit 58 per cent., Disability Living Allowance 56 per cent. and Child Benefit 57 per cent.

I hope you find this reply helpful.

Family Credit

Mr. Milburn: To ask the Secretary of State for Social Security how many recipients of family credit there have been in each year since 1990 in Darlington. [9732]

Mr. Roger Evans: The administration of family credit is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Alan Milburn, dated 18 December 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many recipients of Family Credit (FC) there have been in each year since 1990 in Darlington.

The information is not available in the format requested. It may be helpful if I explain that FC is administered centrally by the Family Credit Unit. Statistics are produced on a national basis and provide the number of families in receipt of FC within a particular Benefits Agency (BA) office area at a given date. However, this only serves as a "snap-shot" of the position at that given date and does not provide details of the number of families in receipt of FC annually.

Furthermore, details relating to FC claims are normally destroyed after 18 months. However, the information requested is currently available from 1993 onwards and these figures are as follows:

Families in receipt of FC in the area of the BA Darlington Office

	Number
April 1993	1,605
October 1993	1,773
April 1994	1,748
October 1994	1,911
April 1995	2,016
October 1995	2,087
April 1996	2,119
October 1996	2,298

Figures are provisional and subject to change.

I hope you find this reply useful.

Benefits Agency Appointments

Mr. Ainger: To ask the Secretary of State for Social Security (1) how many people were given financial assistance to travel to Benefits Agency appointments in each of the last five years; [9354]

(2) what was the total amount paid out in financial assistance to people travelling to Benefits Agency appointments in each of the last five years. [9355]

Mr. Roger Evans: This an operational matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Nick Ainger, dated 18 December 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how many people were given financial assistance to travel to Benefits Agency (BA) appointments in each of the last five years and; what was the total amount paid out in financial assistance to people travelling to BA appointments in each of the last five years.

The information is not available for the number of people given financial assistance and could be obtained only at disproportionate cost.

Financial assistance is given to people travelling to BA offices when they have been invited to attend an office to discuss benefit entitlement. The BA provides reimbursement of the travelling expenses where these are in excess of £0.80p.

The BA also meets the cost of travelling expenses and where appropriate loss of earnings and travelling expenses for a companion or interpreter, incurred in attending a medical examination at a medical examination centre. Most medical examination centres are situated within BA office accommodation although not necessarily on the same site. The amounts paid out are shown on the attached Annex.

I hope you find this reply helpful.

Financial assistance for travel to the Benefits Agency for the last five financial years

	£
Reimbursement of travel in excess of £0.80:	
1991–92	84,966
1992–93	100,018
1993–94	98,234
1994–95	118,189
1995–96	123,528
Reimbursement of travel costs for attending a medical examination	
1991–92	2,450,945
1992–93	2,498,012
1993–94	[1]3,202,965
1994–95	[2]1,589,733
1995–96	[3]2,271,155

[1] The increase here is as a result of additional activity for War Pension medical referrals.
[2] The decrease reflects a transfer of funding to War Pensions Agency for medical examinations.
[3] The increase here is as a result of increased activity in respect of Incapacity Benefit medical referrals.
Figures are provisional and subject to change.

Social Security Expenditure

Mr. Frank Field: To ask the Secretary of State for Social Security if he will set out the revised estimates of *(a)* the number of claimants and *(b)* expenditure for each benefit for each year from 1995–96 to 1999–2000 which were the basis for the total expenditure figures contained in table 5.7 of the "Financial Statement and Budget Report"; and if he will give equivalent information for cyclical social security expenditure in each of those years. [9284]

Mr. Burt: Detailed breakdowns of total expenditure figures in the "Financial Statement and Budget Report" are made available in the subsequent social security departmental report. This will be published in March 1997.

Mr. Field: To ask the Secretary of State for Social Security if he will set out the successive estimates of the number of claimants in 1995–96 for each social security benefit *(a)* within the new control total and *(b)* included in cyclical social security expenditure, which were used as the basis for the figures published in each "Financial Statement and Budget Report" since the 1992 autumn statement. [9285]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the table.

Caseload forecasts for 1995–96 from FSBR 1992 to FSBR 1995

	Forecasts underlying:			
	FSBR 1992[1]	*FSBR 1993*[2]	*FSBR 1994*[2]	*FSBR 1995*[2]
New Control total				
Retirement Pension				
Basic	10,060	9,800	10,033	10,231
Earnings related component	—	4,401	4,299	4,591
Widows Benefits				
Basic	320	323	306	322
Earnings related component	—	251	239	253
Sickness Benefit	135	159	n/a	n/a
Statutory Sick Pay	330		10	10
Invalidity Benefit		10		
Basic	1,775	1,773	n/a	n/a
Earnings related component	—	1,702	n/a	n/a
Incapacity Benefit				
Short Term	n/a	n/a	223	214
Long Term	n/a	n/a	1,673	1,670
Earnings related component			1,482	1,467
Maternity Allowance	15	19	14	12
Statutory Maternity Pay	90	90	90	95
Guardians' Allowance/Child's Special Allowance	—	5	3	3
Non-contributory Retirement Pension	30	30	32	33
War Pension	305	357	346	341
Attendance Allowance	1,050	1,138	1,044	1,099
Invalid Care Allowance	270	306	301	323
Severe Disablement Allowance	360	338	350	365
Disability Living Allowance	1,160	1,430	1,483	1,609
Disability Working Allowance	25	53	9	8
Industrial Disablement Benefit	285	300	335	322
Industrial Death Benefit	20	20	19	20
Other Industrial Injuries Benefit	—	2	1	2
Income Support – New Control Total		1,848	1,851	1,757
Income Support – Total	6,215	6,213	5,831	5,585
Child Benefit:				
Number of children	12,855	12,885	12,754	12,900
Number of families	7,105	7,064	6,955	7,065
One Parent Benefit	1,030	1,036	943	1,005
Family Credit	490	603	640	627
Rent rebate	3,545	3,244	2,906	2,902
Rent Allowance	1,355	1,479	1,817	1,805
Community Charge/Council Tax Benefit	7,185	5,453	5,637	5,642
Cyclical Social Security				
Unemployment Benefit	725	697	474	424
Income Support—cyclical	—	4,365	3,980	3,828

[1] Table 6 of 1993 department report – (average annual caseload).
[2] Underlying caseload forecasts used as the basis for the expenditure forecasts in Table 1 of the 1994, 1995, 1996 departmental reports – (average annual caseload).
[3] Cyclical social security was defined in July 1992 and is only available for plans for 1993–94 and beyond.
1. Figures cannot be totalled as individual claimants may be in receipt of more than one benefit.
— data not available.
n/a = not applicable.

Mr. Field: To ask the Secretary of State for Social Security if he will set out the plans in each Budget since 1992 for Government spending for each year to 1999–2000 in respect of *(a)* social security expenditure within the new control total and *(b)* the level of cyclical social security expenditure. [9286]

Mr. Burt: The information is in the tables.

New control total

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
1992 plans	65,015	67,150	70,750	[1]—	[1]—	[1]—	[1]—
1993 plans		68,771	72,900	76,150	[1]—	[1]—	[1]—
1994 plans			72,798	75,950	79,200	[1]—	[1]—
1995 plans				76,274	79,050	81,700	[1]—
1996 plans					79,740	82,950	86,200

[1] Figures are not available as plans were not produced at the time for these years.
1. Plans for 1992 to 1995 inclusive are those published in the relevant social security departmental reports (1993–96). Control total figures for 1996 are those published in the FSBR. Cyclical social security figures are those published in the FSBR excluding Northern Ireland.
2. Figures are the total Department of Social Security expenditure on benefits and administration. They do not include other benefit expenditure administered by local authorities and other Government Departments.

Cyclical social security

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
1992 plans	14,744	15,800	16,250	[1]—	[1]—	[1]—	[1]—
1993 plans		14,223	14,900	15,600	[1]—	[1]—	[1]—
1994 plans			13,459	13,400	13,800	[1]—	[1]—

Cyclical social security

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
1995 plans				13,292	13,550	14,000	[1]—
1996 plans					13,515	13,638	14,008

[1] Figures are not available as plans were not produced at the time for these years.
1. Plans for 1992 to 1995 inclusive are those published in the relevant social security departmental reports (1993–96). Control total figures for 1996 are those published in the FSBR. Cyclical social security figures are those published in the FSBR excluding Northern Ireland.
2. Figures are the total Department of Social Security expenditure on benefits and administration. They do not include other benefit expenditure administered by local authorities and other Government Departments.

Mr. Field: To ask the Secretary of State for Social Security what was the basis for the statement in paragraph 5.64 of the "Financial Statement and Budget Report" relating to the advantage of encouraging private provision in pensions as part of the reform of social security expenditure; and what savings resulted from that policy. [9287]

Mr. Heald: The Government are committed to funded occupational and personal pension provision, and have encouraged growth in this area by the introduction of greater choice and flexibility in pension options. As a result, this country is almost uniquely well placed to meet its pension promises in the new millennium. The Organisation for Economic Co-operation and Development and the International Monetary Fund have acknowledged the strong position of the UK compared with other countries.

Mr. Field: To ask the Secretary of State for Social Security if he will update the forecasts of the growth of social security, given in figure 10 of the DSS departmental report (Cm 3213) *(a)* on the basis of the latest FSBR projections concerning the level of unemployment *(b)* on the assumption of a constant level of unemployment and *(c)* using the unemployment assumption as contained in Cm 3213. [9289]

Mr. Burt: Long-term projections of social security benefit expenditure will be made available in the social security departmental report, which will be published in March. I will write separately to the hon. Member about any information he has requested in his answer which is not answered in the departmental report when it is published.

Mr. Field: To ask the Secretary of State for Social Security if he will set out *(a)* in cash terms and *(b)* at constant prices (i) the actual outturn and (ii) Budget estimated outturn of cyclical social security expenditure in each year since 1992; and if he will show the principal factors which affected the difference for each year between the actual outturn and the estimated outturn. [9290]

Mr. Burt: The information is not available in the format requested. Such information as is available is set out in the table:

Cyclical social security

£ million

	Expenditure
CASH PRICES	
1993 plans	
1993–94 estimated outturn[1]	13,470
Outturn[3]	13,822
1994 plans	
1994–95 estimated outturn[2]	13,602
Outturn[3]	13,697
1995 plans	
1995–96 estimated outturn[3]	13,942
1995–96 current estimated outturn[4]	13,904
REAL TERMS (1996–97 PRICES)	
1993 plans	
1993–94 estimated outturn[1]	14,394
Outturn[3]	14,770
1994 plans	
1994–95 estimated outturn[2]	14,281
Outturns[3]	14,381
1995 plans	
1995–96 estimated outturn[3]	14,291
1995–96 current estimated outturn[4]	14,252

[1] March 1994 departmental report.
[2] March 1995 departmental report.
[3] March 1996 departmental report.
[4] 1995–96—Cyclical social security includes benefits paid from the national insurance fund. The 1995–96 accounts for national insurance fund are not yet published so final outturn figures are not available.
1. Data for 1992–93 have not been provided as cyclical social security spending was only defined for public expenditure purposes in July 1992. Estimated outturn figures for social security for 1992–93 were therefore not on the same basis and are not directly comparable with plans for 1993–94 and beyond.
2. The principal factors giving rise to the differences in expenditure between estimated and actual outturn were: higher than anticipated increases in numbers of lone parents and sick and disabled receiving income support; higher than anticipated average amounts paid to income support recipients; and lower than anticipated numbers of unemployed claimants.

Private Finance Initiative

Mr. Frank Field: To ask the Secretary of State for Social Security how much of the private finance initiative expenditure by his Department listed in table 5.5 of the "Financial Statement and Budget Report" has already occurred; and what are the future commitments implicit in this private finance initiative expenditure. [9288]

Mr. Burt: Table 5.5 of the "Financial Statement and Budget Report" gives the capital sums which the Department estimates will be spent by the private sector between 1997–98 and 1999–2000 as a consequence of any private finance initiative deals it may make with the DSS. It does not therefore include any expenditure by the Department itself or any expenditure estimated already to have taken place.

Revenue commitments resulting from the PFI deals concluded by this Department are still subject to negotiation and are currently commercial-in-confidence.

Mr. Field: To ask the Secretary of State for Social Security if he will provide a breakdown by project of the estimated capital spending on his Department's private finance initiative projects for each year given in table 5.5 of the "Financial Statement and Budget Report". [9291]

Mr. Burt: The information is not available as disaggregating the figures quoted in table 5.5 of the "Financial Statement and Budget Report" into individual, identifiable projects at this stage would harm the competitive position of a third party and prejudice the Department's position in on-going and future project negotiations.

Mr. Field: To ask the Secretary of State for Social Security what proportion of the expected future private finance initiative expenditure by his Department listed in table 5.5 of the "Financial Statement and Budget Report" is contracted for; and what proportion is estimated. [9292]

Mr. Burt: Of the capital sum which this Department estimates will be spent by the private sector between 1997–98 and 1999–2000 as a consequence of any private finance initiative deals it may make, broadly half has been contracted for already. All figures are estimated as the total level of private sector capital expenditure is not specified contractually.

Consultants

Mr. Milburn: To ask the Secretary of State for Social Security what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10196]

Mr. Burt: The information is not available in the format requested. Such information as is available is as follows:

Financial year	*Expenditure* £
1996–97 (to end of November)	34,766
1995–96	40,219

The Department of Social Security's non-departmental public bodies—NDPBs—are funded directly from the Department's overall administration and miscellaneous services vote. The vote accounting arrangements prior to April 1995 preclude separate identification of NDPBs' expenditure on external consultants.

Mr. Milburn: To ask the Secretary of State for Social Security if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report, "The Government's Use of External Consultants". [10197]

Mr. Burt: The information has been placed in the Library.

War Pensions

Mr. Livingstone: To ask the Secretary of State for Social Security how many sets of guidelines and instructions have been issued by his Department to its officials since 1986 to help them decide whether to award war pensions to claimants who are claiming disablement as a result of experiments at the Chemical Defence Establishment, Porton Down. [10227]

Mr. Heald: Under war pensions legislation, awards may be made in respect of any disablement which is attributable to, or has been and remains aggravated by, service in the armed forces. No distinction is made between those who participated in experiments at Porton Down and other members of the armed forces who did not.

Guidance and instruction in determining entitlement to a war pension is contained in the war pensions manual available to all appropriate staff of the War Pensions Agency.

The version of the manual current in 1986 did not include a section which related solely to Porton Down cases.

That version was comprehensively rewritten in 1993, when a section about such claims was included. The manual was restructured in 1995 to coincide with the introduction of a new computer system and now consists of 12 separate guides, two of which mention Porton Down claims.

Of these two guides, a total of 79 and 117 sets respectively are currently in issue.

Mr. Livingstone: To ask the Secretary of State for Social Security if he will list the current members of the Central Advisory Committee on War Pensions; in what form the advice of the committee is communicated to the Minister with special responsibility for war pensions; if this advice is publicly available; on what dates the committee has met since January 1993; and *(a)* if the minutes and *(b)* the committee's annual report are publicly available. [10228]

Mr. Heald: The current members of the Central Advisory Committee on War Pensions are listed below. Advice from members comes through discussion at the meetings, which are chaired by my right hon. and noble Friend the Minister of State, Lord Mackay of Ardbrecknish, and through individual written representations. Copies of the minutes of committee meetings and supporting papers are distributed to members of the committee, the chairmen and vice chairmen of war pensions committees and to certain ex-service organisations which are not directly represented on the committee. Copies are not usually distributed more widely, but details of the main issues considered by the committee are published in the war pensioners' annual report'. The committee does not produce its own annual report.

Since January 1993, the committee has met on the following dates: 24 June 1993; 2 December 1993; 23 June 1994; 7 December 1994; 29 June 1995; 7 December 1995; 13 June 1996; and 5 December 1996.

Members of the Central Advisory Committee on War Pensions

Members	
Mrs. P. A. Ade OBE	Chairman, North and West Wales War Pensions Committee (WPC)
Major J. Aitkin TD CA	Chairman, The Royal British Legion Scotland
Major General C. G. Cornock CB MBE	Chairman, The Confederation of British Service and Ex-Service Organisations
Mr. T. S. Deeming MBE	Chairman, Derbyshire, Leicestershire and Staffordshire WPC
Brigadier A. K. Dixon	Director, Ex-Services Mental Welfare Society
Mr. P. H. Dixon OBE MA	Vice Chairman, SSAFA Forces Help
Mr. G. Downing	Chairman, The Royal British Legion

Members of the Central Advisory Committee on War Pensions

Members	
Mr. I. Duncan Smith MP	Conservative party
Mr. W. R. Dunn MBE	Chairman, Northumbria WPC
Mr. I. Grainger	Departmental Representative
Major J. W. Henning MBE UD	Chairman, Northern Ireland WPC
Mr. D. B. Hilton	The Royal British Legion Scotland
Lt. Col. R. R. Holland OBE BEM	General Secretary, British Limbless Ex-Servicemans' Association
Mr. T. C. House	The Royal British Legion
Mr. W. G. MacDonald	Chairman, North of Scotland WPC
Lord Mackie of Benshie CBE DSO DFC	Liberal Democrat party
Mr. A. Meale MP	Labour party
Mrs. H. Murphy MBE	Honorary Secretary, War Widows' Association of Great Britain
Mr. W. S. Mutimer MBE JP MIPM	Chairman, London South WPC
Mrs. P. Newnes OBE	Chairman, West Midlands, Northamptonshire and Warwickshire WPC
Mr. F. E. Onyon MBE	Chairman, Lancashire WPC
Sir Roger Palin KCB OBE MA	Controller, RAF Benevolent Fund
Mr. A. G. Palmer MBE	Chairman, East Anglia WPC
Mr. H. L. Payne CBE	President, National Federation of FEPOW Clubs and Associations
Brigadier H. L. B. Salmon OBE	Chairman, The Chilterns WPC
Mr. F. E. Walker MBE	Chairman, Sussex WPC
Lt. Col. R. G. Woodhouse DL	Chairman, South West England WPC

The Lord Mackay of Ardbrecknish and Mrs. Anne Bowtell, DSS permanent secretary, are ex officio members of the Committee.
Captain D. J. Mooney, Chairman of the Republic of Ireland War Pensions Advisory Committee, is an official observer to the Committee.
[1] Report to Parliament by the Secretaries of State for Social Security, Health, Scotland and Wales in accordance with the Transfer of Functions (Ministry of Pensions) Order 1953 (SI 1198).

European Court of Justice Ruling

Mr. Jamieson: To ask the Secretary of State for Social Security if he will make a statement on the recent interim ruling by the European Court of Justice in respect of measures concerning poverty and the elderly. [9992]

Mr. Heald: The Government welcome the Court's interim ruling on 24 September 1996. The Court held that no payments of grants to projects should be made until the Court's final decision and that the Commission must make it clear that any commitments it enters into to make grants will be subject to the Court upholding the legality of payment in the main proceedings. The final ruling is not expected until later this year at the earliest.

European Programmes

Mr. Jamieson: To ask the Secretary of State for Social Security what representations he has made to the German Government regarding their blocking of the older people's programme and the poverty programme in the Council of Ministers. [9991]

Mr. Heald: Officials are in regular contact with their German counterparts on a wide range of European Union and bilateral issues.

Social Security Appeal Tribunals

Mr. Flynn: To ask the Secretary of State for Social Security how many social security appeal tribunal sessions were held in each month of 1996 for which information is available; and to what extent changes in the number of sessions were affected by the financial situation of the Independent Tribunal Service. [10428]

Mr. Roger Evans: The information is set out in the table:

Month	*Number of sessions*
January	2,200
February	2,294
March	2,437
April	2,781
May	3,125
June	3,100
July	3,779
August	3,594
September	3,589
October	3,649
November	3,349
December	[1]—

[1] Not yet available.

The running of sessions is a matter for the president of the Independent Tribunal Service (ITS), Judge Bassingthwaighte. However, the ITS has informed me that sessional activity is determined, and regularly reviewed, in the light of a number of factors including caseload, expected and actual intake of new appeals, the readiness of cases to proceed to hearing, the need to clear appeals expeditiously and value for money considerations.

Retirement Pensions (Payments Abroad)

Mr. Robert McCartney: To ask the Secretary of State for Social Security if he will list the foreign countries in which the highest number of retirement pensions are paid by the Northern Ireland Office, the numbers of pensioners involved and the average ages of pensioners per country, specifying if pensions are or are not uprated. [10446]

Mr. Heald: The information is not available in the format requested. Such information as is available is in the table. The pensions of former Northern Ireland residents living outside the United Kingdom are paid by the pensions and overseas benefits directorate of the Benefits Agency. Figures are available only for the United Kingdom as a whole. It is not possible to identify the Northern Ireland cases separately.

Country	*Total number of United Kingdom retirement and widow pensioners in July 1996*	*Average age of pensioners*	*Pensions uprated?*
Australia	189,520	73	No
Canada	129,512	72	No
USA	94,910	71	Yes
Republic of Ireland	78,128	72	Yes
South Africa	33,927	73	No
New Zealand	32,789	74	No
Spain	30,870	71	Yes
Italy	21,981	70	Yes
Germany	21,373	70	Yes
Jamaica	20,946	72	Yes

Pensioner Incomes

Mr. Denham: To ask the Secretary of State for Social Security if he will recalculate charts 1 to 7 in Government economic service working paper No. 129 using pensioner incomes for 1994 which are compatible with those given in table 5 of the pensioners' income series 1994–95. [10525]

Mr. Heald: The information could be obtained only at disproportionate cost.

PENSIM is based on data from the 1988 retirement survey, the 1987 social change and economic life initiative, which contain details of work histories essential to the way in which PENSIM forecasts pensioners' incomes, and the 1988 family expenditure survey. The results are not compatible with the pensioners' income series, which is based mainly on data from the family expenditure survey covering the financial year 1994–95.

The rates of growth in pensioners' incomes, and their individual components, forecast by PENSIM are robust and present a best estimate of what is likely to happen under certain assumptions. It is planned to restructure PENSIM and incorporate more recent data in the future.

Mr. Denham: To ask the Secretary of State for Social Security what estimate he has made of net pensioner income by quintile in 2010 and 2025; and what assessment he has made of how these figures relate to the figures given in table 5 of the pensioners' income series 1994–95. [10524]

Mr. Heald: Estimated mean incomes for quintiles of the single pensioner and pensioner couple populations are given in the table for 2010 and 2025, at 1996 prices. Also shown in the table are estimates of the growth in mean income in each quintile between 1994 and 2010 and 1994 and 2025. All estimates have been made using PENSIM, a dynamic simulation model that projects pensioners' incomes into the next century. PENSIM estimates are based on a number of economic and behavioural assumptions. Due to the reliance on assumptions and the time period covered, estimates should be treated with caution, and have been rounded.

The percentage increases in 2025 for pensioner couples shown in this table correct the information I gave you in my written answer of 18 December, *Official Report*, columns *765–66*.

The net income quintile mean estimates contained in the table are not directly comparable with those contained in table 5 of the pensioners' income series 1994–95, as they are necessarily based on a different data source, are at 1996 prices, and have been calculated using a different methodology. However, PENSIM does provide a good indication of the likely future growth in pensioners' incomes levels.

Mean net before housing cost income by population quintile: single and couple pensioners 2010 and 2025 at 1996 prices, and forecast growth since 1994

	Q1	*Q2*	*Q3*	*Q4*	*Q5*	*Mean*
Single pensioners						
2010	£61	£89	£107	£139	£293	£138
Growth	[1]	20 per cent.	20 per cent.	30 per cent.	60 per cent.	35 per cent.
2025	£68	£99	£120	£158	£350	£159
Growth	15 per cent.	30 per cent.	30 per cent.	45 per cent.	95 per cent.	55 per cent.
Pensioner couples						
2010	£141	£193	£248	£335	£635	£310
Growth	15 per cent.	30 per cent.	35 per cent.	45 per cent.	65 per cent.	45 per cent.
2025	£151	£205	£260	£338	£606	£312
Growth	25 per cent.	35 per cent.	40 per cent.	45 per cent.	55 per cent.	45 per cent.

[1] Represents less than 5 per cent.

1. Growth figures show growth from PENSIM estimates for 1994.
2. Pensioners are defined as those single aged at state pension age or above, or couples in which the husband is aged at state pension age or above.
3. Figures have been rounded to the nearest £1 and 5 per cent.
4. Quintiles for single pensioners and pensioner couples have been calculated separately - i.e. the bottom quintile of single pensioners represents those pensioners in the bottom 20 per cent. of the income distribution of single pensioners.

Mr. Denham: To ask the Secretary of State for Social Security if he will recalculate the figures in table 6, paragraph 7.12 of "Options for Equality in State Pension Age" for a woman retiring aged between 55 and 65 years, with a pivotal age of 60 years, on the basis of current prices. [10526]

Mr. Heald: The information is in the table:

Basic pension available at different ages 1996–97 prices

	Age 60 'pivot' (£)
55	44
56	47
57	50
58	53
59	57
60	61
61	66
62	71
63	76
64	82
65	89

Source:

Government Actuary's Department.

Note:

Table 6, paragraph 7.12 of "Options for Equality in State Pension Age" applies to men and woman as it was assumed that, as now, men and women would receive the same adjustment to their pension for retiring at different ages. Thus the equivalent figures given above apply equally to men and to women.

AGRICULTURE, FISHERIES AND FOOD

BSE

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food when the agreement entered into at Florence relating to BSE will be implemented in full by the United Kingdom. [9218]

Mr. Baldry: There are five preconditions for the lifting of the export on UK beef under the Florence agreement. We have made substantial progress on four of these. With regard to the fifth precondition, the selective cull, I refer the hon. Member to the statement that the Minister made in the House on 16 December, *Official Report*, columns 632–34.

Mr. Hendry: To ask the Minister of Agriculture, Fisheries and Food what has been the total number of cases reported to his Ministry of BSE in cattle imported from the Netherlands since January 1996, by month. [9845]

Mrs. Browning: No cases of BSE have been reported in cattle imported into Great Britain from the Netherlands since January 1996.

We are however investigating the possibility that one cow, confirmed positive in September 1996, may have been imported from the Netherlands in 1994, but was carrying a British ear tag at the time of report. The Dutch authorities will not be contacted until all details have been verified.

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what research into BSE has been conducted on behalf of his Department at the ADAS research establishment. [10642]

Mr. Boswell: ADAS conducts BSE research on behalf of MAFF on maternal transmission at three research centres and embryo transfer at one research centre.

Mr. Smith: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library a list of the contracted research undertaken on BSE for his Department. [10643]

Mrs. Browning: The contracted research undertaken on BSE for my Department has been placed in the Library, as requested by the hon. Member for Blaenau Gwent.

Mr. Rooker: To ask the Minister of Agriculture, Fisheries and Food what recent reports his Department has received of strains of BSE in lambs. [10765]

Mrs. Browning: There have been no reports of BSE strains being found in lambs. Scrapie, a transmissible spongiform encephalopathy of sheep, became a notifiable disease on 1 January 1993.

Mr. John Townend: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about bovine spongiform encephalopathy. [10143]

Mr. Douglas Hogg *[pursuant to his reply 17 December 1996, c. 574]:* A further report on bovine spongiform encephalopathy was placed in the Library of the House today.

The report gives an update on new variant Creutzfeldt-Jakob disease cases and explains the new measures taken on cattle identification and animal feed. Reference is made to the five point plan agreed in Florence for the resumption of exports and explains that all the preconditions, with the exception of the accelerated slaughter programme, have been complied with. It also details the sustained improvement in the handling of specified bovine material in slaughterhouses. The report also announces the occurrence of transmissible spongiform encephalopathy in a domestic cat after the extension of the specified bovine offal ban in September 1990.

The number of clinically suspect cases of BSE reported in Great Britain has continued to fall, and at 31 October 1996 was 36.1 per cent. less than at the same time in 1995 and 63.3 per cent. less than the same time in 1994. A continued improvement is expected for the future.

Ministerial Visits

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food if he will list for each of the Ministers in his Department how many official ministerial visits they have undertaken since 1 January; and how many of these have been abroad. [9382]

Mr. Douglas Hogg: I can confirm that I and my officials have undertaken a total of 288 official ministerial visits during 1996. Of these, 57 have been abroad.

Anonymous Individuals (Financial Assistance)

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food (1) what was the largest amount of public money paid by way of grants and other financial assistance by his Department to a private individual in each year since 1990; [9435]

(2) if he will list the grants and other financial assistance which are paid to private individuals whose identity is kept confidential. [9436]

Mr. Boswell: MAFF's financial database does not record the legal status of payees. The information requested in respect of private individuals is therefore not readily available and could not be produced without disproportionate cost.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to make public the names of private individuals in receipt of grants and other financial assistance from his Department above a given level. [9434]

Mr. Boswell: The registration of the system holding these data, under the Data Protection Act 1984, does not allow for the publication of information concerning individuals. I have no plans to change the position.

Live Fish Imports

Sir Cranley Onslow: To ask the Minister of Agriculture, Fisheries and Food what recent representations his Department has received about the enforcement of the provisions of the Import of Live Fish (England and Wales) Act 1980; and if he will make a statement. [9413]

Mr. Baldry: I have received representations from the Environment Agency and other bodies about introductions of non-native fish, and I am concerned that existing controls have not been entirely successful in preventing the introduction and spread of such fish into inland waters in England and Wales. I intend, therefore, to consult interested organisations on the possibility of making an order under the Import of Live Fish (England and Wales) Act 1980 to provide greater safeguards against the introduction and spread of non-native fish.

Cattle Cull

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what representations he has received urging him to implement the selective cull. [9439]

Mr. Baldry: My colleagues and I have received many such representations, mainly from farmers and their representative organisations. The Government announced on 16 December that the selective cull would go ahead in the new year, and the necessary legislation was made and laid later that week.

Mrs. Helen Jackson: To ask the Minister of Agriculture, Fisheries and Food how many, and what percentage of the cattle slaughtered under the over-30-month scheme have been disposed of; where they are stored; and in how many sites. [10340]

Mr. Baldry: The information requested, as at 5 January, is as follows:

	Numbers	*Percentage*
Slaughtered	1,139,799	100.00
Incinerated	43,641	3.83
Rendered	848,798	74.47
In cold storage	247,361	21.70

The meat and bonemeal from animals slaughtered and rendered is stored in 11 dry warehouses in England, Scotland and Northern Ireland, and the tallow is stored at two sites in England. The material in cold storage is stored in 41 depots throughout the United Kingdom.

French Fishing Vessels

Mr. Christopher Gill: To ask the Minister of Agriculture, Fisheries and Food, what classes of French fishing vessel, are prohibited from fishing within the French 12 mile limit. [9573]

Mr. Baldry: It is for the French authorities to decide whether to conserve stocks and limit catches by restricting the classes of vessel permitted to fish within their 12 mile limits provided such restrictions apply solely to French fishermen, are compatible with Community law and are in conformity with the common fisheries policy.

Public Bodies

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food how much has been spent to date on the prior options review of the Veterinary Laboratories Agency; and from which budget these sums were paid. [10122]

Mr. Boswell: The report of the review of the Veterinary Laboratories Agency was produced between March and June 1996 by officials from this Department, assisted by an independent member of the review team. The cost of the review amounted to about £20,000 and was met by the Department.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food how much has been spent to date on the prior options review of Horticulture Research International; and from which budget these sums were paid. [10066]

Mr. Boswell: The report of the review on Horticulture Research International was produced between October 1995 and March 1996 by officials from this Department, assisted by an independent member of the review team. The cost of the review amounted to about £17,000 and was met by the Department.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food how much has been spent to date on converting the Directorate of Fisheries Research into a next steps agency; and from which budget these sums were paid. [10070]

Mr. Boswell: The costs of converting the Directorate of Fisheries Research to an Agency, which will be named CEFAS—the Centre for Environment, Fisheries and Aquaculture Science—have so far amounted to £373,000, all of which has been met by the Department. This total includes the costs of the prior options review conducted in 1995–96; additional temporary posts and consultancy work to provide for direct set-up costs within 1996–97; and the work of the agency steering group activities involved in overseeing preparations.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food how much has been spent to date on the prior options review of the Central Science Laboratory; and from which budget these sums were paid. [10054]

Mr. Boswell: The report of the review on the Central Science Laboratory was produced between October 1995 and March 1996 by officials from this Department, assisted by an independent member of the review team and an external accountant. A further study linked to the review was conducted by external consultants between August and October 1996. The total cost including official costs was about £130,000. All these costs were met by the Ministry.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food how much has been spent to date on preparing for the privatisation of ADAS; and from which budget these sums were paid. [10062]

Mr. Boswell: The cost of preparing for the privatisation of ADAS, excluding internal costs in ADAS itself and in MAFF and the Welsh Office, has been £422,713, excluding VAT, to date. The sums are being paid out of a budget specifically established for this purpose.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Veterinary Laboratories Agency as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10124]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of Horticulture Research International as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10068]

(3) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Directorate of Fisheries Research as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10072]

(4) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Central Science Laboratory as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10055]

(5) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of ADAS as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee. [10063]

Mr. Boswell: The numbers of employees from the relevant establishments who represent UK interests in each category of committee are as follows:

Organisation	*United Kingdom committees*	*European committees*	*International committees*
ADAS	81	14	17
CSL	65	37(12)	28(10)
DFR	42(6)	6(2)	95(55)
HRI	15	10	19(1)
VLA	14	15(5)	7(3)

The figures in brackets indicate the numbers of staff leading UK teams, as appropriate.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of ADAS; [10064]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Central Science Laboratory; [10056]

(3) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Veterinary Laboratories Agency; [10125]

(4) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of Horticulture Research International; [10069]

(5) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Directorate for Fisheries Research. [10073]

Mr. Boswell: The numbers of employees from the relevant establishments who chair committees in each category are as follows:

Organisation	*United Kingdom committees*	*European committees*	*International committees*
ADAS	4	2	1
CSL	5	6	5
DFR	6	1	14
HRI	2	4	7
VLA	0	1	2

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the future costs of the prior options review of the Veterinary Laboratories Agency; and from which budget these sums will be paid. [10123]

Mr. Boswell: The review itself has been completed. Any implementation costs will depend on decisions which have not yet been taken.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the future costs of the prior options review of Horticulture Research International; and from which budget these sums will be paid. [10067]

Mr. Boswell: The review itself has been completed. Any implementation costs will depend on decisions which have not yet been taken.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the future costs of converting the Directorate of Fisheries Research into a next steps agency; and from which budget these sums will be paid. [10071]

Mr. Boswell: In my answer earlier today I gave the costs which will be incurred up to the launch of the CEFAS agency. Thereafter, any further costs will be contained within the ongoing running costs of the agency, as part of its day-to-day operation.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the future costs of the prior options review of the Central Science Laboratory; and from which budget these sums will be paid. [10057]

Mr. Boswell: My right hon. Friend announced the outcome of the prior options review of the Central Science Laboratory on 9 December. It is not possible at present to estimate future implementation costs.

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the future costs of privatising ADAS; and from which budget these sums will be paid. [10065]

Mr. Boswell: The future cost of privatisation of ADAS, excluding internal MAFF costs, is estimated to be £930,000 excluding VAT. The sums will be paid out of a budget specifically established for this purpose.

Consultants

Mr. Milburn: To ask the Minister of Agriculture, Fisheries and Food what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10172]

Mr. Boswell: This information is not held centrally and could be provided only at disproportionate cost.

Mr. Milburn: To ask the Minister of Agriculture, Fisheries and Food if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10173]

Mr. Boswell: The Department produced and implemented an action plan in response to the multi-departmental scrutiny on the Government's use of external consultants and its recommendations. Accordingly, the Department issued new guidance on the employment of external consultants, and revised its procedures for authorising the use of external consultants and for improving information within the Department on consultancy expenditure. Analogous arrangements exist in departmental agencies.

Gelatin

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the amount of gelatin used in *(a)* human food, *(b)* animal feed and *(c)* cosmetic, medical or pharmaceutical products since 20 March. [10413]

Mrs. Browning: We estimate that the quantity of gelatin manufactured in the UK from bovine raw materials which is suitable for food, feed, cosmetic, medical and pharmaceutical uses may amount to approximately 7,000 tonnes. Further details are not available.

Southall Horse Market

Mr. Harry Greenway: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the recent visit to Southall horse market by his officials. [10652]

Mrs. Browning: The last visit was on 11 December and suitable welfare standards were observed.

Beef Labelling

Mr. Lidington: To ask the Minister of Agriculture, Fisheries and Food what consultations he has had with representatives of Muslim and Jewish butchers about the draft EC regulation on beef labelling, document 10495/96; and if he will make a statement. [10527]

Mrs. Browning: Representatives from the Board of Deputies of British Jews and the Union of Muslim Organisations of the UK and Eire together with other interested organisations were invited to, and attended, a consultation meeting held by the Ministry on 28 October 1996 to discuss the Commission's proposals for Council regulations on beef labelling.

Mr. Lidington: To ask the Minister of Agriculture, Fisheries and Food what progress he has made in renegotiating the terms of the draft EC regulation on the labelling of beef and beef products since 13 November. [10529]

Mrs. Browning: Since 13 November 1996, the draft proposals have been considered twice at Council working group and by the Special Committee on Agriculture and the Council. Further discussions are not expected to take place until the end of this month at the earliest.

Mr. Lidington: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of the EC regulation on the labelling of beef and beef products, document 10495/96, as currently drafted on the labelling of meat as kosher and halal; and if he will make a statement. [10528]

Mrs. Browning: The proposal as drafted provides for information on methods of slaughter to be included on beef labels providing that those using such labels can verify that information, to the satisfaction of the relevant competent authority.

Farmers (Negative Equity)

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of farmers with negative equity; and if he will make a statement. [10546]

Mr. Boswell: No information is available on the equity position of farmers, but the results of the farm business survey indicates that in 1995–96 less than 1 per cent. of full-time farm businesses in England were in a negative equity position.

Departmental Prosecutions

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what factors underlay the delay in replying to the question from the hon. Member for Clwyd, South-West relating to prosecutions by his Department. [10756]

Mr. Boswell: The delay in question was due entirely to an administrative oversight, which is regretted.

Poultry Feed Antibiotics

Mr. Rooker: To ask the Minister of Agriculture, Fisheries and Food what research into the effects of poultry feed antibiotics on human drug resistance he has evaluated in formulating voting intentions in the Council of Ministers. [10764]

Mrs. Browning: The Government take very seriously the possibility of the development of antibiotic resistance in humans and animals as a result of the use of antibiotics in animal feed. This is carefully examined as part of the safety assessment of applications for authorisations for antimicrobial products, and is kept under review by the independent scientific Veterinary Products Committee, which advises the Government on the safety, quality and efficacy of veterinary medicines. In considering the use of antibiotics, the committee has consistently followed the principles established in the report of the joint committee on the use of antibiotics in animal husbandry and veterinary medicine—the Swann report—of 1969. The VPC's policy has been that new antibiotics should not necessarily be precluded from therapeutic use in animals but that their prophylactic use should be discouraged. The committee considers each case on its merits against this background.

In 1995 Germany and Denmark took unilateral action to ban the use of avoparcin in animal feed because of an alleged link between its use and the development of bacterial resistance to vancomycin in human medicine. The EU Commission's Scientific Committee on Animal Nutrition—SCAN—evaluated data submitted by

Germany and Denmark, including research which suggested the possibility of transfer of resistance between animals and man. SCAN concluded that the evidence presented did not establish a risk to human or animal health or to the environment. The VPC examined SCAN's report and supported its conclusions.

Bone Meal

Mr. Rooker: To ask the Minister of Agriculture, Fisheries and Food if he will list the current permissible uses of bonemeal in the United Kingdom; and if he will indicate those areas where bonemeal has been banned in the last five years. [10770]

Mrs. Browning: The permitted uses for mammalian meat and bone meal are landfill, incineration and, provided the MBM is not derived from BSE suspects, specified bovine material, or animals slaughtered under the over-30-month scheme—non-agricultural fertilisers and pet food. Controls on the use of MBM have been progressively tightened in the light of experience and the latest available advice from the Spongiform Encephalopathy Advisory Committee, the Government's independent advisor on BSE issues. The controls introduced in the last five years are:

1994—prohibition of all mammalian protein, including MBM, in ruminant feed;

March 1996—prohibition on the feeding of MBM to all farmed livestock;

April 1996–prohibition on the use of MBM as agricultural fertiliser; and

August 1996–the banning, except in very tightly defined and controlled circumstances, of MBM from premises where livestock feed is produced, stored, or used.

Animal Feeds

Mr. Spearing: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 18 December, *Official Report*, columns *648–49*, concerning the actions of the Agriculture Council of the European Community, which members of the Commission proposed to ban the use of specified risk materials in the manufacture of animal feeds; if he will list the materials and animals concerned; and what was the policy of Her Majesty's Government towards the proposal. [10819]

Mr. Douglas Hogg: The proposal in question was by the Commission for a Council decision on the exclusion from human and animal feed of specified risk material as regards transmissible spongiform encephalopathies.

For the substance of the proposal—reference number SEC(96) 2300 of 10 December 1996—I refer the hon. Member for Newham, South to the related explanatory memorandum submitted on 6 December 1996 which was deposited in the Library of the House. At the Agriculture Council discussions on 16 and 17 December the United Kingdom Government were one of five to support this proposal.

Countryside Stewardship Scheme

Sir Robert Hicks: To ask the Minister of Agriculture, Fisheries and Food, what is the average length of time his Department takes to process and approve applications for the countryside stewardship scheme; and if he will make a statement. [8694]

Mr. Boswell *[pursuant to his reply, 17 December 1996, c. 576]:* The average length of time to process agreements in 1996 is likely to be about six months. This is longer than had been expected, owing in part to receipt of more applications than anticipated. It is the Ministry's intention to reduce the processing time for 1997.

HEALTH

Dental Services (Sunderland)

Mr. Etherington: To ask the Secretary of State for Health what is the registration rate of children aged *(a)* under four years, *(b)* five to 10 years and *(c)* 11 to 19 years with general dental practitioners in the Sunderland health authority area. [4415]

Mr. Malone: The information requested is contained in the table.

General dental service: Percentage of child patients registered with general dental practitioners at 31 October 1996 by age group of the population at 30 June 1995—Sunderland health authority

Percentage

	4 years and under	*5 to 10*	*11 to 17*
Registration rate	37	81	75

Excludes patients registered with salaried dentists. Patients aged 18 and over are treated as adults and registered into continuing care.

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health how many national health service dentists routinely use amalgam in fillings; and how many use materials developed since the introduction of amalgam. [5572]

Mr. Malone: The information requested is contained in the table.

General dental service: estimated number of dentists[1] receiving payment for at least one amalgam and non-amalgam filling in a quarter[2]

England

	Number of dentists[3]
At least one amalgam	[4]13,675
At least one filling in a material other than amalgam	[4]13,016

[1] Figures include dentists who claimed in respect of adult and child treatments. However, the majority of child treatments are currently carried out under capitation arrangements. Fillings paid for under capitation arrangements are not reported and are not included in the analysis.

[2] This information is taken from the payment schedule data of one quarter (September–November 1996).

[3] The information presented relates to the number of dentists who made claims for fillings. Dentists claim payment at the end of a course of treatment. These figures thus show the number of dentists who finished courses of treatment in which they performed fillings.

[4] These figures rely on data from a 5 per cent. sample and are therefore estimates.

A total of 15,249 dentists received a schedule of payment in the period September to November 1996.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 6 December, *Official Report,* columns *820–21,* on the largest annual NHS payments to dentists, for how many hours work on NHS patients the dentist was paid in each of the years given. [9076]

Mr. Malone: Dentists are paid item of service fees and a fee for each patient registered with them. They are not paid by the hour.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 6 December, *Official Report,* columns *820–21,* on the largest annual NHS payments to dentists, how many patients were treated by the dentist in each of the years given. [9074]

Mr. Malone: The information requested is not held centrally.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 6 December, *Official Report,* columns *820–21,* on the largest annual NHS payments to dentists, if he will list the categories of treatment and the percentage of the total NHS fee income for each category earned by the dentist in each of the years given. [9073]

Mr. Malone: Gross fee payments are made up of the following categories of treatment:

Capitation payments: monthly fees received for each child under 18 registered to cover the cost of "routine" treatments;

Continuing care payments: small monthly fees received for each adult aged 18 and over registered;

Weighted entry payments: one-off payments made in respect of child patients with poor oral health to restore the child's teeth to a reasonable standard;

Adult item of service: payments made in respect of adult treatments;

Child item of service: payments made in respect of mainly advanced child treatment.

Gross fee earnings and the percentage of the total national health service gross fee income attributable to each category for the highest earning dentist of each year is in the following table.

Year	*Gross fee earnings*[1]	*Capitation per cent.*	*Continuing care per cent.*	*Weighted entry per cent.*	*Adult item of service per cent.*	*Child item of service per cent.*
1995–96	604,000	8.4	6.0	0.9	79.2	5.5
1994–95	617,000	0.0	0.0	0.0	2.9	97.1
1993–94	661,000	0.0	0.0	0.0	3.5	96.5
1992–93	486,000	0.0	0.0	0.0	4.0	96.0
1991–92	395,000	0.0	0.0	0.0	3.3	96.7

[1] These have been rounded to the nearest £1,000. Gross fee payments do not account for all NHS earnings.

Other payments such as maternity, seniority and long-term sickness payments are payable in addition to gross fees.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 6 December, *Official Report,* columns *820–21,* on the largest annual NHS payments to dentists, if he will list each category of payment which can contribute to NHS earnings. [9077]

Mr. Malone: The categories of payment are: item of service fees; continuing care and capitation payments; seniority payments; vocational training allowances; maternity payments; long-term sickness payments; postgraduate education allowances; and partial reimbursement of non-domestic rates. These are contained in the statement of dental remuneration. Copies of the latest statement of dental remuneration have been placed in the Library.

Sterilisation Reversals

Mr. Cousins: To ask the Secretary of State for Health what guidance he has issued on the availability of sterilisation reversals within the NHS; and what estimate he has made of how many *(a)* health authorities and *(b)* GP fundholders will commission such services for their NHS patients. [10284]

Mr. Horam: The priority given to sterilisation reversal operations generally is a matter for local decision in the light of health authorities' first-hand knowledge of local priorities and competing claims on resources.

No guidance has been issued specifically on the availability of sterilisation reversals on the NHS. However, information on family planning services generally is contained in "Guidelines for reviewing family planning services" (January 1992) copies of which are available in the Library.

Hospitals

Mr. Kirkwood: To ask the Secretary of State for Health how many community, GP or cottage hospitals delivering primary care were operating in each regional health authority area in (i) 1979 and (ii) the most recent year for which figures are available; and if he will make a statement. [9772]

Mr. Malone: The information requested is not available centrally.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Health (1) how many days of leave he plans to take during the Christmas adjournment; [9791]

(2) how many days leave he has taken in the Easter, Whitsun and summer adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9790]

Mr. Horam: I refer the hon. Member to the reply my hon. Friend the Chancellor of the Duchy gave him today.

Dental Services (Children)

Mr. Kirkwood: To ask the Secretary of State for Health how many children under 16 years of age were registered with a dentist, in each region, in each year since 1990; and if he will make a statement. [9837]

Mr. Malone: The data held centrally are for children aged 17 and under and by health authority and, prior to 1 April 1996, family health services authority. Tables containing this information have been placed in the Library.

Myalgic Encephalomyelitis

Sir Roger Sims: To ask the Secretary of State for Health what estimate he has made of expenditure in the year 1997–98 on research into ME, chronic fatigue syndrome, excluding psychiatric investigation; and if he will list the specific projects. [10263]

Mr. Horam: Information is not available centrally on expenditure in the national health service on research into chronic fatigue syndrome—myalgic encephalomyelitis. The Department is currently funding a research project through the national health service research and development programme called, "Should GPs manage chronic fatigue syndrome? A controlled trial" and expects to provide a further £6,032 during 1997–98. However, the main agency through which the Government support biomedical and clinical research is the Medical Research Council. It always welcomes high-quality applications and these are judged in open competition with other demands for funding, and awarded according to their scientific quality.

East Anglian Ambulance NHS Trust

Mr. Simon Hughes: To ask the Secretary of State for Health what representations his Department has received regarding the performance of the East Anglian Ambulance NHS trust over the last six months; and if he will make a statement. [9766]

Mr. Horam: A small number of representations have been received in the Department. The Anglia and Oxford Regional Office of the national health service executive is monitoring the trust's performance.

Doctors

Dr. Goodson-Wickes: To ask the Secretary of State for Health what statistics he collates on the number of doctors leaving the profession within five years of qualification. [10447]

Mr. Malone: Evidence of doctors leaving the profession is available from studies published in 1991 by Professor James Parkhouse. This gives the results of surveys of doctors who qualified in 1974, 1977, 1980 and 1983.

The Department has commissioned further cohort studies of doctors' careers by the medical careers research group at the Oxford unit of healthcare epidemiology. These will examine career patterns of doctors who qualified in 1988, 1993 and 1996. The studies, which collect data via questionnaires, will continue to look at wastage from the medical profession and the reasons why doctors leave the NHS.

Foreign Doctors

Dr. Goodson-Wickes: To ask the Secretary of State for Health what is the current number of non-British doctors employed by the NHS who are *(a)* citizens of EU countries and *(b)* citizens of non-EU countries. [10449]

Mr. Malone: The Department receives no information on citizenship of doctors.

Community Care

Sir Irvine Patnick: To ask the Secretary of State for Health if he will list the total amount of funding transferred from the health budget of each local health authority for community care purposes for 1996–97; and if he will make a statement. [10313]

Mr. Burns: This information is not held centrally.

Staff Shortfalls

Dr. Goodson-Wickes: To ask the Secretary of State for Health what is the current shortfall in the NHS of the number of practising *(a)* orthopaedic surgeons, *(b)* anaesthetists, *(c)* urologists, *(d)* paediatricians and *(e)* psychiatrists. [10448]

Mr. Malone: The information available relates to the number of vacancies for these specialties. These are shown in the table. However, data on vacant posts are difficult to interpret. The census is a snap shot of 30 September each year. Some vacancies will be wholly or partly filled by locums. For others, national health service trusts may find alternative ways to provide the service rather than re-advertising. The numbers give no indication of how long the post has been empty; some of these will be in the process of being filled.

Vacant posts in selected medical specialties
England at 30 September 1995

Whole time equivalent

	Number
Traumatic and orthopaedic surgery	90
Anaesthetics	160
Urology	30
Paediatrics	100
Psychiatry group	360

All figures are rounded to the nearest 10.
The available information relates to consultants, staff grade, senior registrar, registrar and senior house officers.

Raw Fish (Worms)

Mr. Gordon Prentice: To ask the Secretary of State for Health how many people in the United Kingdom have contracted worms from eating *(a)* sushi and *(b)* other raw fish in the last year for which figures are available. [10417]

Mr. Horam: There have been no cases of human infection due to fish roundworms reported in the United Kingdom since 1991.

NHS Budget

Mr. Alan W. Williams: To ask the Secretary of State for Health what has been the average annual cash increase at 1996 prices in the NHS budget from 1991–92 to 1996–97; and what percentage of the additional spending has been on bureaucracy. [10405]

Mr. Horam: Table 1 shows the average annual cash increase at 1996–97 prices in the national health service budget from 1991–92 to 1996–97; 1996–97 figures are forecasts.

Table 1: NHS total gross expenditure (£ million)

	Cash	*Cash at 1996–97 prices*
1991–92	26,788	30,695
1996–97	34,798	34,798
Increase over period	8,010	4,103
Average per year	1,602	821

Information on additional spending bureaucracy is not available.

Care Funding

Ms Coffey: To ask the Secretary of State for Health if he will list the bids for adult intensive and high dependency care funding for 1996–97. [10751]

Mr. Horam: The information requested has been placed in the Library.

Fluoridation

Mr. Etherington: To ask the Secretary of State for Health when he or his departmental officials last met representatives of *(a)* the British Dental Association and *(b)* the British Fluoridation Society; and what matters were discussed. [10656]

Mr. Malone: Meetings between Department of Health officials and the British Dental Association are held during the course of the year to discuss different aspects of dentistry, and with the British Fluoridation Society to discuss water fluoridation. The last meeting with the BFS was in March last year.

Mr. Etherington: To ask the Secretary of State for Health what representations he has received since 1992 regarding artificial fluoridation; and if he will make a statement. [10657]

Mr. Malone: I refer the hon. Member to the reply I gave him on 2 December 1996, at columns *547–48*.

Computers

Mr. Chris Smith: To ask the Secretary of State for Health when reimbursement from public funds was first given for computers in general practice. [10675]

Mr. Malone: The computer reimbursement scheme came into effect on 1 April 1990 but was retrospective to 1 April 1989. The first payments were made during the 1990–91 financial year.

Mr. Smith: To ask the Secretary of State for Health when national requirements for the accreditation of general practice computer systems first came into force. [10676]

Mr. Horam: The requirements for accreditation were released in April 1993 for implementation in general practice computer systems from April 1994. Copies of the latest version have been placed in the Library.

Mr. Smith: To ask the Secretary of State for Health what was the total amount reimbursed to general practitioners from public funds for purchase of computer systems in each of the last six years. [10674]

Mr. Malone: The total amounts directly reimbursed to general practitioners from public funds for the purchase of computer systems in each of the last six years is as follows:

	£ million
1990–91	19
1991–92	34
1992–93	40
1993–94	39
1994–95	45
1995–96	64

Source:

The annual financial returns of the Family Health Services Authorities.

Note:

[1] 1995–96 data are provisional.

Inter-country Adoption

Ms Coffey: To ask the Secretary of State for Health what information his Department disseminates about its procedures relating to the granting of health certificates for inter-country adoption home study reports. [10730]

Mr. Burns: Information on the provision of the Department's inter-country adoption certificate of approval has been disseminated to all statutory authorities and approved voluntary adoption agencies in the United Kingdom, to embassies, consulates and high commissions of appropriate countries appointed to the United Kingdom, to British posts abroad, to individual adopters and to individual social workers.

Ms Coffey: To ask the Secretary of State for Health what consideration he is giving to providing section 64 grants for a help and advice service to people wishing to adopt children from other countries. [10732]

Mr. Burns: In the current financial year £50,000 has been set aside from the section 64 general grant scheme to fund the overseas adoption helpline which provides information on inter-country adoption requirements to those interested. Section 64 funding has also been awarded to other organisations which provide information on adoption matters.

Ms Coffey: To ask the Secretary of State for Health if he will list the applications for section 64 grant to provide a help and advice service to people seeking to adopt children from other countries. [10731]

Mr. Burns: In the financial year 1996–97 funding was provided to the Bridge child care development service for the overseas adoption helpline which provided information on overseas adoption. No application was received for an exclusive overseas adoption information service for 1997–98.

Ms Coffey: To ask the Secretary of State for Health for which inter-country adoption home study reports his Departments' certificates have been *(a)* granted and *(b)* withheld. [10729]

Mr. Burns: The Department of Health introduced certificates in July 1992 confirming that the application to which it was attached met the statutory requirements of both the United Kingdom and the country to which the application was made. Certificates are provided for applications which have been approved by the statutory authorities in the United Kingdom. Certificates are not provided for privately commissioned home study reports.

Creutzfeldt-Jakob Disease

Mr. Llew Smith: To ask the Secretary of State for Health what mechanisms exist for the disposal of dissecting instruments used in autopsies conducted at the CJD surveillance unit in Edinburgh. [10628]

Mr. Horam: Autopsies on patients with suspected Creutzfeldt-Jakob disease conducted in Edinburgh by surveillance unit staff are carried out in a dedicated high-risk autopsy suite in the Edinburgh royal infirmary. This autopsy suite has both disposable and non-disposable instruments which are not used for general autopsy purposes. After a CJD autopsy, the disposable instruments are handled according to guidelines published in 1994 by the Advisory Committee on Dangerous Pathogens entitled, "Precautions for work with human and animal transmissible spongiform encephalopathies"—copies of which are available in the Library—and then incinerated. Non-disposable instruments are autoclaved in the high-risk autopsy suite at temperatures which are known to substantially inactivate the transmissible agents responsible for CJD. In the event of breakage, the non-disposable instruments would be disposed of according to the ACDP guidelines.

General Practitioners

Mr. Chris Smith: To ask the Secretary of State for Health if he will estimate the average time general practitioners spent on administration for each year for which figures are available since 1979. [10671]

Mr. Malone: The Health Departments and the General Medical Services Committee of the British Medical Association have jointly conducted surveys of general practitioners' workload in 1985–86, 1989–90 and 1992–93. Copies of the results are in the Library.

Hepatitis B

Mr. Chris Smith: To ask the Secretary of State for Health what was the estimated cost of treating hepatitis B in the NHS in the last year for which figures are available; and what is the estimated cost of universal hepatitis B immunisation per annum. [10679]

Mr. Horam: Information on the cost to the national health service of treating hepatitis B is not collected centrally. At manufacturers' current listed prices, the cost of hepatitis B vaccine for those born in any one year would be approximately £20 million. In addition, there would be vaccine administration costs which could vary depending upon the immunisation programme chosen.

Human Fertilisation and Embryology Act

Mrs. Ann Winterton: To ask the Secretary of State for Health in what form, for what purpose, and with what public consultation he plans to review the working of the Human Fertilisation and Embryology Act 1990; and if he will make a statement. [10523]

Mr. Horam: In the light of expressed concerns about whether the specific provision in schedule 3 of the Human Fertilisation and Embryology Act 1990 for consent to be in writing reflected current clinical and lay opinion, the Government announced on 5 December a review of that provision and the potential implications for the remainder of the 1990 Act. My right hon. Friend the Secretary of State for Health expects to announce shortly details of the review.

Hospitals

Mr. Chris Smith: To ask the Secretary of State for Health how many hospitals there are currently; and how many there were in 1979. [10689]

Mr. Horam: The number of national health service hospitals in England, as defined by section 128 of the NHS Act 1977, is not available centrally, nor has it ever been.

For the years 1979 to 1991, figures are available, based on a count of hospitals providing residential facilities. These were set out in the answer to a question from the hon. Member for Derby, South (Mrs. Beckett) on 16 May 1995, *Official Report,* columns *173–76.*

Challenge Funds

Ms Coffey: To ask the Secretary of State for Health if he will list the bids for 1996–97 challenge funds. [10733]

Mr. Burns: Details of the successful bids for the 1996–97 mental health challenge fund were given in the press release of 23 April 1996.

In addition the emergency pressures fund for 1996–97 received bids as listed.

Mental Health Services: Funding to meet pressures in 1996–97
Summary of bids

£000

Health authority	*Amount of bid*	*Amount awarded*
South and West		
Avon	150	120
Cornwall and Isles of Scilly	150	120
Gloucestershire	41	40
North and East Devon	45.5	45
Portsmouth	38.5	38
Southampton	150	120
Wiltshire	50	50
Total	625	533
Trent		
Leicestershire	150	130
Lincolnshire	150	130
Nottingham	100	75
Rotherham	70	70
South Humber	150	130
Total	620	535

Mental Health Services: Funding to meet pressures in 1996–97
Summary of bids

£000

Health authority	*Amount of bid*	*Amount awarded*
West Midlands		
Wolverhampton	350	200
Birmingham	1,047.65	250
Shropshire	250	100
South Staffordshire	338	100
Solihull	50	50
Total	3,010.212	700
Anglia and Oxford		
Northamptonshire	207	207
Total	207	207
North West		
Manchester	1,000	700
Total	1,000	700
Northern and Yorkshire		
Newcastle and N Tyneside	239.2	200
Leeds	305	250
Wakefield	75	75
County Durham	75	75
Total	694.2	600
South Thames		
Merton Sutton and Wandsworth	225.617	200
Croydon	87.383	75
East Kent	84	75
West Surrey	116.15	100
West Sussex	112	100
Lambeth Southwark and Lewisham	175	175
Total	800.15	725
North Thames		
Enfield and Haringey	238	225
North Essex	150	130
Redbridge and Waltham Forest	250	225
Barking and Havering	160	150
Brent and Harrow	176	150
Kensington Chelsea and Westminster	150	120
Total	1,124	1,000
Grand total	8,280.562	5,000

Social Services Spending

Mr. Thurnham: To ask the Secretary of State for Health, further to his speech to the social services conference in Edinburgh on 18 October, if he will list the average annual compound growth rate of spending on social services, in real terms, for the period since 1970–71, indicating the basis of his calculation; if he will list the real terms annual percentage increase in funding for personal social services, for each year from 1992–93 to 1997–98—projected; and in which years since 1979 that increase has been lower than the projected 1997–98 increase in real terms. [10514]

Mr. Burns: Net expenditure by social services departments was £80.6 million in 1970–71 and is budgeted to be £7,903.1 million in 1996–97, an average real terms growth of 10 per cent. per annum. The figures used in the speech to the social services conference additionally included expenditure on Department of Social Security benefits paid to people in residential care and nursing homes.

The real terms percentage increase in funding provided for personal social services for each year from 1992–93 to 1997–98 is set out as:

Year	*Real terms annual percentage increase*
1993–94	11.9
1994–95	12.6
1995–96	6.1
1996–97	5.2
1997–98	2.4

Since 1979 the annual real terms increase in net expenditure on personal social services was less than 2.4 per cent. in 1981–82, 1984–85 and 1985–86.

Aldehydes

Mr. Llew Smith: To ask the Secretary of State for Health what research his Department has *(a)* commissioned and *(b)* evaluated into the carcinogenic effects of aldehydes on humans. [10649]

Mr. Horam: None.

Staff Train Travel

Mr. Chris Smith: To ask the Secretary of State for Health what guidance his Department has issued to health authorities and trusts on the subject of first class train travel by staff when on business. [10672]

Mr. Malone: Section 23 of the General Whitley Council handbook deals with the reimbursement of travelling expenses including first class travel. Copies of this have been placed in the Library.

Contraception

Mr. Chris Smith: To ask the Secretary of State for Health if he will list *(a)* the average cost of a vasectomy and *(b)* the average yearly cost of providing contraceptive care to a patient. [10680]

Mr. Horam: Information on the cost of a vasectomy is not collected centrally. Provision of contraceptive care by the national health service costs an average of just over £40 per year per user of family planning services.

Health Authority Budgets

Mr. Chris Smith: To ask the Secretary of State for Health what was the NHS budget by health authority for *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97. [10688]

Mr. Horam: Comparison between 1996–97 and previous years is not meaningful as the abolition of regional health authorities on 31 March 1996 and the reorganisation of health authorities on 1 April 1996 have resulted in changes to health authority responsibilities, boundaries and funding.

Details of district health authorities' final cash limits for 1994–95 and 1995–96 were set out in the reply I gave to the hon. Member for Dulwich (Ms Jowell) on 11 November 1996, *Official Report*, column *39*.

For details of health authorities' 1996–97 cash limits I refer the hon. Member to the reply I gave to the hon. Member for Normanton (Mr O'Brien) on 3 December 1996, *Official Report*, column *638*.

General Allocations

Ms Coffey: To ask the Secretary of State for Health what funds have been returned to the general allocations for 1997–98 as a result of the death before 1 April 1996 of patients with *(a)* mental illness and *(b)* learning disabilities admitted before June 1970, in both hospital-based and community-based accommodation. [10735]

Mr. Horam: The 1997–98 general allocations to health authorities have been enhanced by £20 million as a result of the net reduction in the special allocation which funds the care of patients with mental illness admitted before 1 January 1971 and patients with learning disabilities admitted before 1 January 1970. Patient deaths is one of the factors in this net reduction but this element is not separately identified in the information held centrally.

NHS Supplies Management

Ms Jowell: To ask the Secretary of State for Health what response his Department has made to the Audit Commission's report, "Improving Supplies Management in National Health Service trusts"; and what decisions have been made by Her Majesty's Government in relation to potential savings outlined in the report. [10754]

Mr Horam: It will be for national health service trusts to respond to the specific recommendations made by their external auditors, who are appointed and regulated by the Audit Commission, following local audits based on the good practice recommendations in the report. The Department fully supports the report's emphasis on the importance of good supplies management and its relevance to quality patient care, and we particularly welcome the Audit Commission's call for senior trust management to take a more active interest in this area.

The potential savings quoted in the report were derived from a small sample of trusts. The examples quoted were historic and the figures therefore do not take account of improvements since made in this area.

Computer Records

Mr. Chris Smith: To ask the Secretary of State for Health who owns the *(a)* written and *(b)* computer records that general practitioners hold on patients. [10686]

Mr. Malone: Ownership of records on patients maintained by general practitioners in accordance with their terms of service, is vested in the health authority.

Continuing Care

Ms Coffey: To ask the Secretary of State for Health if he will list the bids for 1996–97 continuing care challenge funds. [10750]

Mr. Burns: Health authorities' bids for additional continuing care funding for 1996–97 are listed in the table. Details of allocations to health authorities were announced in a press release on 27 December 1996.

Health authority	*£ bid*
South Thames	
Merton, Sutton and Wandsworth	290,000
Lambeth, Southwark and Lewisham	876,000
East Surrey	217,721
West Sussex	216,000
East Sussex	75,000
West Surrey	267,783
West Kent	771,000
East Kent	310,000
Bromley	300,000
Kingston and Richmond	165,000
Bexley and Greenwich	116,000
Croydon	121,000
Trent	
North Derbyshire	275,975
South Derbyshire	466,000
Doncaster	40,000
Leicestershire	509,560
Lincolnshire	186,750
North Nottinghamshire	219,085
Nottingham	330,088
Rotherham	100,000
Sheffield	225,000
South Humber	185,000
West Midlands	
Herefordshire	50,605
Worcestershire	600,201
North Staffordshire	181,500
South Staffordshire	195,984
Birmingham	797,922
Coventry	100,100
Dudley	370,000
Sandwell	137,000
Shropshire	140,000
Solihull	100,000
Walsall	53,500
Warwickshire	175,000
Anglia and Oxford	
Buckinghamshire	120,000
Cambridge and Huntingdon	778,000
North West Anglia	396,500
Northamptonshire	278,425
Oxfordshire	190,500
Bedfordshire	60,000
South and West	
Avon	500,000
Cornwall	300,000
Dorset	170,000
Isle of Wight	33,098
North and East Devon	341,832
North and Mid-Hampshire	200,000
Portsmouth	309,100
Southampton	282,400
South and West Devon	646,025
Wiltshire	299,188
North West	
Liverpool	385,000
Sefton	790,000
Manchester	530,000
Wirral	600,000
Morecambe Bay	108,000
Bury and Rochdale	531,500
St. Helens and Knowsley	100,000

Health authority	*£ bid*
North West Lancashire	91,191
North Cheshire	309,688
West Pennine	85,595
Salford and Trafford	263,380
South Cheshire	137,280
Stockport	210,000
Wigan and Bolton	134,000
East Lancashire	133,595
Northern and Yorkshire	
Calderdale and Kirklees	162,350
North Cumbria	100,000
Newcastle and North Tyneside	320,000
Gateshead and South Tyneside	89,000
Sunderland	160,000
Tees	210,000
North Yorkshire	210,000
Bradford	100,000
Leeds	(min) 717,500
	(max) 1,185,500
Wakefield	649,500
North Thames	
East London and the City	647,100
Ealing, Hammersmith and Hounslow	541,150
Barking and Havering	508,000
Hillingdon	623,000
Redbridge and Waltham Forest	485,840
East and North Hertfordshire	53,500
Enfield and Haringey	347,100
Brent and Harrow	39,000
Kensington, Chelsea and Westminster	191,000
North Essex	36,800
Camden and Islington	123,500

Cancer Treatments

Mr. Jim Cunningham: To ask the Secretary of State for Health how much was spent on cancer treatments in each year since 1992 *(a)* nationally and *(b)* in the west midlands; and what was the percentage change from the previous year in each case. [10246]

Mr. Horam: The information requested is not available centrally. It is estimated that the care and treatment for cancer patients forms a substantial part of national health service work in primary and secondary care sectors of around 7 per cent. of NHS resources.

Drugs

Mr. Flynn: To ask the Secretary of State for Health what is his planned budget for the next three years to advertise the potential dangers of *(a)* aspirin, *(b)* coproxamol, *(c)* dothiepin and *(d)* paracetamol. [9846]

Mr. Malone: Aspirin, coproxamol, dothiepin and paracetamol are effective medicines, the indications and side-effects of which are documented in the authorised product information and publications such as the "British National Formulary". The main system for providing regular information to health professionals about important drug safety issues arising with medicines is a bulletin called "Current Problems in Pharmacovigilance", which is produced by the Committee on Safety of Medicines and the Medicines Control Agency. It is sent to all doctors, dentists, pharmacists, and coroners, by post approximately quarterly and is available on the Internet. The current annual budget for this bulletin is £260,240.

Mr. Flynn: To ask the Secretary of State for Health what proposals he has to assess the level of use of anti-psychotic drugs and drugs containing morphine in residential homes for the elderly. [9847]

Mr. Burns: None. The prescribing of any drug as part of the medical treatment received by a person living in residential care is the responsibility of that person's general practitioner. Medical and pharmaceutical advisers are available to help doctors prescribe most effectively for their patients.

Mr. Flynn: To ask the Secretary of State for Health if he will list the drugs that were available only on prescription in 1979 that are now available without prescription. [9848]

Mr. Malone: Since 1979 exemptions to prescription control have been made for the substances in the table, subject, in some cases, to conditions such as indication, maximum dose or route of administration.

Certain medicinal products now available containing these substances may not have been authorised in 1979.

Reclassification of medicines: POM to P switches

	Substance
1983	Loperamide
	Ibuprofen
1987	Hydrocortisone
1988	Astemizole
1989	Mebendazole
1991	Hyoscine butylbromide
1992	Carbenoxolone sodium
	Clotrimazole
	Econazole
	Econazole nitrate
	Isoconazole nitrate
	Miconazole
	Miconazole nitrate
1993	Acrivastine
	Cetirizine
	Ketoprofen
	Loratadine
	Terfenadine
	Aciclovir
1994	Beclomethasone dipropionate
	Cimetidine
	Famotidine
	Mebendazole
	Pseudoephedrine hydrochloride
	Sodium cromoglycate
	Tioconazole
	Diclofenac diethylammonium
	Felbinac
	Flunisolide
	Minoxidil
	Oxethazaine
	Piroxicam
	Ranitidine hydrochloride

Reclassification of medicines: POM to P switches

	Substance
1995	Fluconazole
	Hydroxyzine hydrochloride
	Ketoconazole
	Pyrantel embonate
	Budesonide
1996	Azelastine hydrochloride
	Nizatidine

Public Bodies

Mr. Ingram: To ask the Secretary of State for Health (1) how much has been spent to date on the prior options review of the National Institute for Biological Standards and Control; and from which budget these sums were paid; [10090]

(2) how much has been spent to date on the prior options review of the Public Health Laboratory Service; from which budget these sums were paid. [10082]

Mr. Horam: Work on this and similar reviews has principally involved staff in the Department of Health and several other Government Departments, and it is not possible to quantify the related costs. Expenditure on consultancy costs was £7,000.

Mr. Ingram: To ask the Secretary of State for Health how much has been spent to date on the prior options review of the National Radiological Protection Board; and from which budget these sums were paid. [10086]

Mr. Horam: Work on this and similar reviews has principally involved staff in the Department of Health and several other Government Departments, and it is not possible to quantify the related costs. Expenditure on consultancy costs was £26,614.

Mr. Ingram: To ask the Secretary of State for Health (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the National Institute for Biological Standards and Control as representative of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10092]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the National Institute for Biological Standards and Control. [10093]

Mr. Horam: Employees of the National Institute for Biological Standards and Control serve as the chair or vice-chair of the United Kingdom committee, three European committees and three international committees; serve as United Kingdom representatives on four European committees and one international committee; and lead a United Kingdom team on one European and one international committee.

Mr. Ingram: To ask the Secretary of State for Health (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Public Health Laboratory Service as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10084]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Public Health Laboratory Service. [10085]

Mr. Horam: No employees of the Public Health Laboratory service chair, or serve on United Kingdom, European or international committees as representatives of United Kingdom interests, or as leaders of a United Kingdom team.

Mr. Ingram: To ask the Secretary of State for Health (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the National Radiological Protection Board as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10088]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the National Radiological Protection Board. [10089]

Mr. Horam: Employees of the National Radiological Protection Board serve as the chair of four United Kingdom committees, one European committee and six international committees; serve as United Kingdom representatives on one European committee and four international committees; and lead a United Kingdom team on one European committee.

Mr. Ingram: To ask the Secretary of State for Health (1) what estimate he has made of the future costs of the prior options review of the National Institute for Biological Standards and Control; and from which budget these sums will be paid; [10091]

(2) what estimate he has made of the future costs of the prior options review of the Public Health Laboratory Service; and from which budget these sums will be paid; [10083]

(3) what estimate he has made of the future costs of the prior options review of the National Radiological Protection Board; and from which budget these will be paid. [10087]

Mr. Horam: The reviews were completed on 31 December 1996. Any implementation costs will depend on decisions which have not yet been taken.

NHS Expenditure

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) if he will estimate how much will be spent on accident and emergency departments in the financial year 1997–98 *(a)* nationally and *(b)* in the west midlands; and what will be the percentage change from the previous year; [10248]

(2) how much the Government plan to spend on intensive treatment units in the financial year 1997–98 *(a)* nationally and *(b)* in the west midlands; and what will be the percentage change from the previous year; [10249]

(3) what estimate he has made of expenditure on (i) non-surgical and (ii) surgical departments in financial year 1997–98 *(a)* nationally and *(b)* in the west midlands (1) in cash terms and (2) as a percentage change on the previous year; [10311]

(4) what estimate he has made of expenditure on (i) geriatric care and (ii) cancer treatments in financial year 1997–98 *(a)* nationally and *(b)* in the west midlands; (1) in cash terms and (2) as a percentage change on the previous year. [10312]

Mr. Horam: It is not possible to provide precise estimates of expenditure on specific services for future years. Health authorities' general allocations are not hypothecated and it is for individual health authorities and general practitioner fundholders to use their funds to respond to the health needs of their local populations; spending on specific services can be determined accurately only in retrospect once health authority and trust accounts have been completed.

Geriatric Care

Mr. Jim Cunningham: To ask the Secretary of State for Health how much was spent on geriatric care in each year since 1992 *(a)* nationally and *(b)* in the west midlands; and what was the percentage change from the previous year in each case. [10247]

Mr. Burns: The figures given are for the money spent on the specialty of geriatric care within the national health service—the definition of which is care which is led by a consultant geriatrician. The figures reflect the shift in expenditure from acute-based care which is defined under the term geriatric care towards care provided in community-based settings.

Total NHS expenditure on persons 65 and over is far higher than the expenditure on the narrow geriatric care definition and includes significant proportions of expenditure for the elderly mentally ill and other community services. In 1992–93 we estimate that spending on persons over 65 accounted for some £8,530 million rising to £9,190 million in 1994–95. This accounts for some 42 per cent. of hospital and community health services expenditure, even though people over 65 account for only 16 per cent. of the population.

NHS trust expenditure on geriatric care in England and west midlands region in each year since 1992 is as follows:

	England		*West Midlands*	
Financial year	*Spend £000*	*Percentage change from previous year*	*Spend £000*	*Percentage change from previous year*
1992–93	1,531,258	3.8	149,423	13.8
1993–94	1,493,311	–2.5	150,537	0.8
1994–95	1,422,867	–4.7	135,994	–9.7
1995–96	1,365,688	–4.0	122,564	–9.9

Notes:
1. 1995–96 information is provisional.
2. Expenditure on geriatric care is for the consultant specialty of geriatrics (in and out patient) and geriatric day care only.

Source:
1. The annual financial returns of NHS trusts.
2. The annual financial returns of the directly managed units of health authorities.
3. The annual financial returns of the special health authorities of the London postgraduate teaching hospitals.

"The House Party"

Mr. Brazier: To ask the Secretary of State for Health how much public money has been invested in the game "The House Party"; and what assessment he has made of the appropriateness of his Department funding such a project. [9883]

Mr. Horam: The Department of Health has neither seen nor funded "The House Party", nor had any involvement in its production.

Stroke

Mr. Gunnell: To ask the Secretary of State for Health what information her Department *(a)* collates centrally, *(b)* seeks from the regional offices, *(c)* seeks from health authorities and *(d)* seeks from each national health service trust in order to determine performance in relation to "The Health of the Nation" targets concerning (i) the incidence of stroke and (ii) acute treatment for those who have had strokes. [10250]

Mr. Horam: The relevant "Health of the Nation" targets concern mortality. This is monitored by death registration data from the Office for National Statistics at national, regional and health authority level and by the number of deaths from stroke in hospital at health authority level from the Department's common information core.

There is no single measure of the incidence of stroke.

Incidence of stroke can be estimated from the patient consultations with general practitioners for stroke, measured through the morbidity statistics from general practice and the weekly returns of the Royal College of General Practitioners. These estimates are collected from a sample of GPs in England and Wales and are present as total figures for England and Wales.

Hospital episodes where stroke is diagnosed can be identified from the department's hospital episode statistics system. The information can be aggregated to trust, health authority, regional and national level. However not all patients with stroke will be admitted to hospital.

Consultants

Mr. Milburn: To ask the Secretary of State for Health if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report on the Government's use of external consultants. [10161]

Mr. Horam: The Department's response to the Cabinet Office report on the use of external consultants is set out in the detailed action plan sent to the Cabinet Office in 1994. Copies will be placed in the Library.

All the actions stated in this plan have now been implemented.

Electroconvulsive Therapy

Mr. Gunnell: To ask the Secretary of State for Health if he will list those hospitals in which ECT treatment has been given to patients aged over 18 years without their specific consent since 1 April 1994 and the number of patients so treated in each hospital listed. [10254]

Mr. Burns: Information on the number of electroconvulsive therapy treatments given without specific consent is not available centrally.

Wheelchair Initiatives

Mr. Fatchett: To ask the Secretary of State for Health if he will make a statement on the progress towards the implementation of the wheelchair initiatives announced by his Department in February 1996. [9989]

Mr. Burns: Both initiatives are now under way. Wheelchair services are supplying, or are about to supply, a powered indoor/outdoor wheelchair to severely disabled people who meet their local eligibility criteria. We have recently issued guidance to the national health service on the detailed arrangements for the phased introduction of the voucher scheme.

Lambeth, Southwark and Lewisham Health Authority

Mr. Dowd: To ask the Secretary of State for Health (1) what estimate he has made of the effect of the projected reduction in the purchasing budget of the Lambeth, Southwark and Lewisham health authority on the number of *(a)* patient treatments and *(b)* operations in the current financial year; and if he will list them by category and hospital; [10433]

(2) what resources he plans to transfer to Lambeth, Southwark and Lewisham health authority in the current financial year. [10434]

Mr. Horam: The hospital and community health services general revenue allocation for Lambeth, Southwark and Lewisham health authority in 1996–97 is £390 million which represents a real terms increase of £2.5 million, and a cash increase of £12.8 million.

In addition, the health authority has received £4 million in short-term funding to support it during a period of major structural and strategic change and £1.4 million from the mental health challenge fund.

There has been no reduction to the purchasing budget of Lambeth, Southwark and Lewisham health authority. The integrated hospital and community health services revenue allocation for 1997–98 is £441 million, which represents a real terms increase of £9.4 million, and a cash increase of £18 million. This includes a general revenue allocation of £420.6 million which represents a real terms increase of £7.6 million, and a cash increase of £15.9 million.

Correspondence

Mr. Spearing: To ask the Secretary of State for Health on what date he received a letter from the forums of general practitioners of Hackney, Tower Hamlets and Newham and their local medical committee dated 5 November concerning local health provision; when he *(a)* acknowledged and *(b)* replied to it; and if he will place copies of the correspondence in the Library. [10709]

Mr. Malone: An advance copy of the forums' letter was received by the Department of Health on 6 November 1996, and the text of the open letter as signed by local general practitioners was received on 15 November. A copy of the letter was received from the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) on 26 November and acknowledged the same day. The Parliamentary Under-Secretary of State for Health replied to the hon. Member on 23 December. Copies of the correspondence will be placed in the Library.

Prostate Cancer

Sir Julian Critchley: To ask the Secretary of State for Health if he will make a statement on the work of his Department's standing group on health technology in respect of carcinoma of the prostate in relation to health technology assessment. [10760]

Mr. Horam: The Department of Health's standing group on health technology commissioned research on the detection, management and screening for carcinoma of the prostate which was recently reported. The findings have been referred to the Department's national screening committee for advice. I will consider the findings following receipt of this advice.

Hospital Staff

Sir Julian Critchley: To ask the Secretary of State for Health what is the national health services's policy towards staffing levels in hospitals with casualty and emergency departments over the Christmas and new year holiday periods. [10762]

Mr. Horam: National health service trusts should ensure that appropriate staff cover is maintained over holiday periods.

Primary Care

Mr. Chris Smith: To ask the Secretary of State for Health if the increase in NHS research and development spending related to primary care announced in his White Paper, "Primary Care: Delivering the Future" will be new funding. [10793]

Mr. Malone: Our aim is to double the existing proportion of national health service research and development directly related to primary care. The total level of NHS research and development spending is reviewed annually in the light of the needs and priorities of the NHS overall.

Health for All Targets

Mr. Bayley: To ask the Secretary of State for Health if he will place in the Library a paper listing in relation to each of the World Health Organisation's health for all targets *(a)* Government actions to attain the target, *(b)* the current deadline for meeting the target, *(c)* indicators used by his Department to monitor progress towards meeting the target and *(d)* current performance and target performance in terms of those indicators. [10797]

Mr. Malone: The World Health Organisation carries out regular evaluation exercises on progress towards the achievement of its health for all targets. I will place in the Library copies of the United Kingdom report sent to WHO as part of the second evaluation exercise carried out in 1994. We are currently taking part in the third evaluation exercise which is expected to be completed later this year.

Nurse Prescribing

Mr. Chris Smith: To ask the Secretary of State for Health what estimate his Department has made of the resources implications of nurse prescribing. [10792]

Mr. Malone: Indications from the evaluation suggest that the net revenue costs of nurse prescribing will be broadly neutral and that there will be clear benefits for patients.

Acute Beds

Mr. Kirkwood: To ask the Secretary of State for Health if he will list the percentage of NHS beds in the acute sector used for private patients in each health authority area in *(a)* 1979, *(b)* 1983, *(c)* 1987, *(d)* 1992 and *(e)* 1996; and if he will make a statement. [9872]

Mr. Horam: The information requested is not available.

NHS Executive

Ms Jowell: To ask the Secretary of State for Health how much was spent by the NHS executive in each of the last three years on *(a)* conference registration fees, *(b)* lease cars for senior management, *(c)* air travel, *(d)* hospitality and *(e)* business travel within the United Kingdom. [8485]

Mr. Malone *[holding answer 12 December 1996]:* Available information is given in the table. Information on conference registration fees is not collected separately. The 1995–96 figures take account of the transfer into the national health service executive of responsibilities, and 292 people, from other parts of the Department of Health during 1995–96.

NHS Executive

£000

	1993–94	*1994–95*	*1995–96*
Lease cars for senior management	68	34	22
Air travel (internal United Kingdom and overseas)	68	101	114
Hospitality (includes working lunches)	89	85	144
Business travel within the United Kingdom (excludes air travel)	995	1,430	1,781

Written Answers to Questions

Tuesday 14 January 1997

DUCHY OF LANCASTER

Civil Service Management Functions

Dr. Goodson-Wickes: To ask the Chancellor of the Duchy of Lancaster what delegations were made in 1996 under the Civil Service (Management Functions) Act 1992; to whom those delegations were made; and what were the main conditions attached to them. [11011]

Mr. Freeman: Since the last report to Parliament, *Official Report*, 11 January 1996, columns *285–86*, Ministers and statutory office holders in charge of Departments' have been given delegated authority—from 1 April 1996—under the Civil Service (Management Functions) Act 1992 to:

(a) prescribe the qualifications (so far as they relate to age, knowledge, ability, professional attainment, aptitude and potential) for the appointment of home civil servants (with the exception of the Fast Stream Development Programme) in their respective departments; and

(b) determine in respect of home civil servants in their respective departments the number and grading of posts outside the Senior Civil Service and the terms and conditions of employment in so far as they relate to the following:

i. classification of staff, with the exception of the Senior Civil Service;

ii. remuneration and allowances, with the exception of the Senior Civil Service;

iii. allowances for the Senior Civil Service in respect of service overseas;

iv. expenses;

v. holidays, hours of work and attendance;

vi. part-time and other working arrangements;

vii. performance and promotion;

viii. retirement age and redundancy;

ix. re-deployment of staff within and between departments.

In some cases, for staff appointed by statutory office holders, the Minister for the Civil Service was statutorily required to give consent to terms and conditions of service. For such staff, delegation has been effected by waiving that requirement, subject to the conditions attached to delegation.

The delegation was subject to the condition that recipients comply with the provisions of the civil service management code as amended from time to time. Copies of the civil service management code are available in the Libraries of both Houses. All previous delegations and authorisations made under the Civil Service (Management Functions) Act 1992 were revoked with effect from 1 April 1996.

Similar authorisations were also made to the Health and Safety Executive and the Advisory, Conciliation and Arbitration Service (other than in respect of qualifications for the appointment of staff where they already had such powers). These came into effect on 1 June and 11 June 1996 respectively and were also subject to the condition that they comply with the provisions of the civil service management code as amended from time to time. These authorisations replaced all previous authorisations made to HSE and ACAS under the Civil Service (Management Functions) Act 1992, which were revoked with effect from 1 June and 11 June respectively.

' The statutory office holders are:

Commissioners of Inland Revenue

Head of the Registry of Friendly Societies, being the Chief Registrar of Friendly Societies and the First Commissioner of the Building Societies Commission

Chief Charity Commissioner

Commissioners of Customs and Excise

Crown Estate Commissioners

Director General of Electricity Supply

Director General of Fair Trading

Director General of Gas Supply

Director General of National Lottery

Director of National Savings

Director of Passenger Rail Franchising

Director General of Telecommunications

Director General of Water Services

Director General of Public Prosecutions

Director of The Serious Fraud Office Government Actuary

Her Majesty's Chief Inspector of Schools in England

Her Majesty's Chief Inspector of Schools in Wales

International Rail Regulator

Public Works Loan Commissioners

Parliamentary Commissioner for Administration and Health Service Commissioners

Rail Regulator

Registrar General for Scotland.

Government Information

Dr. Goodson-Wickes: To ask the Chancellor of the Duchy of Lancaster what progress has been made in the revision of the code of practice on access to Government information. [11012]

Mr. Freeman: The revised code of practice on access to Government information and its associated guidance on interpretation have today been published. The changes made to both documents include a number which result from recommendations made in recent reports by the Public Service Committee and the Select Committee on the Parliamentary Commissioner for Administration. I am grateful to both Committees for their helpful contributions and believe that the revised code and guidance are improved as a result.

I have also today published the revised "Departmental Evidence and Response to Select Committees" which now includes the code of practice on access to Government information as the clear, recognised minimum standard for providing information to Parliament in evidence given to Select Committees.

In so far as the requirements of these documents differ from those in their earlier versions, Government Departments have been asked to ensure implementation from 1 February.

These revised documents represent a further development of this Government's policy of openness.

I am placing copies of all three documents in the Library of the House. In addition, I have already recently placed in the Library draft versions of all these documents highlighting the changes between the original and revised documents.

HOME DEPARTMENT

Pools Industry

Mr. Elletson: To ask the Secretary of State for the Home Department if he will make a statement on the outcome of the consultation on further deregulation of the pools industry. [11055]

Mr. Kirkhope: On 16 August last, I issued a consultation paper with proposals for further deregulation of the pools industry. The consultation period ended on 31 October 1996.

I have carefully considered the views expressed in response to our consultation document and am now in a position to report our conclusions and the way forward.

As a first step, I laid yesterday the draft Deregulation (Football Pools) Order to facilitate midweek football pools competitions. The order removes the requirement that football pools competitions retailed through premises must be based on forecasts of matches played on weekends and public holidays. The draft order is now subject to the scrutiny of the Deregulation Committees in both Houses.

I also yesterday relaxed the rules on rollover of prizes in pool competitions. When rollover was first introduced in November 1994, rollover in the pools had to follow rollover in the national lottery. This restriction has now been removed. Rollover will now be subject only to the requirement that the top prize must not be rolled more than three weeks in succession and subject to an overall annual limit of nine rollovers in each series of pool competitions. I have placed a copy of the direction in the Library.

In addition, I am considering proposals to allow the payment of football pools winnings in retail outlets and plan to bring forward a further deregulation order as soon as possible.

I have also reached conclusions on the wider proposals contained in the consultation document. The following proposals were put forward for consideration:

- relaxation of the restrictions on the types of sporting events for which pools competitions can be retailed through shops and other premises; and, as a consequence, reduction of the minimum age for participation in all pools competitions from 18 to 16 (16 is already the minimum age for participation in football pools competitions);
- removal of the restrictions on the timing of those events;
- allow payment of small pools winning in all premises;
- remove the requirement for promoters to notify their weekly profits and expenses percentage in advance to the local authority accountant.

Concerns were expressed by the bookmakers, the racing bodies and a range of organisations at the impact of allowing unlimited competitions on horseracing and sporting events to be retailed through premises, particularly if this were to include payment of winnings in public houses. It was considered this could change the pools into a harder form of gambling with frequent opportunities to participate and chase losses.

I have taken careful account of these views in deciding the extent to which further deregulation is appropriate.

I have decided that it would not be appropriate to bring forward a measure to allow the retailing of pool competitions on horseraces in premises. In addition, competitions on events other than football should not be allowed in liquor licensed premises or clubs.

Any further proposals to allow retailing of competitions on other sporting events would require further consultation with interested parties.

I have discussed the way forward with the pools companies and interested parties and I am satisfied that this package of measures will help the industry to compete without undermining the regulatory framework or changing the nature of the pools as a soft form of gambling.

ENVIRONMENT

Holiday Caravan Parks

Sir Robert Hicks: To ask the Secretary of State for the Environment if he will introduce planning policy guidance notes to encourage the development of the holiday caravan park industry. [10468]

Sir Paul Beresford: PPG21 already provides guidance on the improvement and extension of holiday caravan parks, together with more general guidance about the location and development of tourist accommodation and facilities.

Sir Robert Hicks: To ask the Secretary of State for the Environment (1) what assessment he has made of the extent to which local authorities are *(a)* extending the season for holiday caravan parks and *(b)* removing the distinction between touring caravans and tents in response to planning policy guidance 21; [10467]

(2) what assessment he has made of the implementation of PPG21 by local authorities in respect of allowing improvements of, and extensions to, holiday caravan parks. [10466]

Sir Paul Beresford: I am aware of concerns expressed by the British Holiday Homes and Parks Association, put to me in a recent meeting. I am currently considering these.

Sir Robert Hicks: To ask the Secretary of State for the Environment if he will promote the provision of necessary staff residential accommodation within holiday caravan parks in planning policy guidance. [10469]

Sir Paul Beresford: Development proposals for on-site residential accommodation for site managers are considered within the framework of Government policy as set out in planning policy guidance notes. PPG7—"The Countryside and the Rural Economy"—restricts the provision of new dwellings in the open countryside in order to protect the rural landscapes and the character of

the countryside but does provide scope for local planning authorities to grant permission for dwellings in exceptional circumstances for rural activities other than agriculture and forestry.

Private Finance Initiative

Mr. Allason: To ask the Secretary of State for the Environment if the transitional funding allocated to future unitary local authorities includes the cost of staff dedicated to supporting and researching PFI projects. [10408]

Sir Paul Beresford: Staff supporting and researching PFI are not unique to future unitary local authorities and all sensible authorities will be giving serious consideration to PFI possibilities. The cost of staff dedicated to supporting and researching PFI projects is treated as an on-going cost and not eligible for transitional funding under the local government reorganisation costs scheme. Through the scheme, resources are made available to meet the one-off indirect costs of reorganisation.

Wild Mushrooms

Mr. Dafis: To ask the Secretary of State for the Environment what assessment he has made of the existing law on the picking of wild mushrooms for financial reward. [9116]

Mr. Clappison: Wild mushrooms are not currently shown to be adversely affected by picking. We are therefore content that the current level of legislative protection is adequate.

Road Signs (Corporate Logos)

Mr. Dafis: To ask the Secretary of State for the Environment what is his policy on the display of commercial corporate logos on road signs. [9117]

Sir Paul Beresford: Whether or not to allow advertising on street signs in their areas is a matter for individual local authorities to decide. For road traffic signs, my right hon. Friend the Secretary of State for Transport has no plans to allow corporate commercial logos.

Waste Water Treatment Directive

Mr. Dafis: To ask the Secretary of State for the Environment if the United Kingdom Government will meet the deadlines set by the EU urban waste water treatment directive for actions to be taken by *(a)* 1998, *(b)* 2000 and *(c)* 2005. [9118]

Mr. Clappison: The article 17 report to the European Commission on the implementation programme for the urban waste water treatment directive prepared in November 1994 gave no reason to think that the deadlines in the directive will not be met. An updated report is to be prepared shortly. The directive provides for the Commission to grant a limited extension of time in certain circumstances, but no application has yet been made by the UK.

Algal Bloom

Mr. Dafis: To ask the Secretary of State for the Environment if he will review the areas designated as high natural dispersion areas to take account of recent reports of algal bloom problems off the United Kingdom coast. [9119]

Mr. Clappison: The Environment Agency is currently reviewing the areas designated as high natural dispersion areas under the Urban Waste Water Treatment (England and Wales) Regulations 1994 (SI 1994 No. 2841) and is expected to make recommendations to the Secretary of State in the summer.

Town and Country Planning

Lady Olga Maitland: To ask the Secretary of State for the Environment what plans he has to improve the town and country planning system. [11190]

Mr. Gummer: I am publishing today two consultation papers setting out proposals for changes to existing procedures to make the planning system more efficient and effective. Copies have been placed in the Library. First, I propose to restructure the procedures under which local authorities prepare and adopt district-wide local and unitary development plans including:

- the adoption of more statutory time limits;
- revised consultation and deposit arrangements;
- the replacement of the right for objections to be heard at an inquiry with a right for objections to be considered (initially by written representation);
- replacing the inquiry, in whole or in part, with an examination in public process;
- reducing the scope for the authority to ignore the Inspector's recommendations; and simplified adoption procedures.

Secondly, with regard to appeals against the refusal of planning permission and call-in by the Secretary of State, I propose:

- that the Secretary of State should decide the method by which appeals are determined, instead of the parties;
- to streamline the written representations procedure;
- to introduce a negotiation/mediation process to resolve disputes;
- a new procedure for cases to be called in for a particular aspect of a development to be considered, without having to examine the entire proposal; and
- the costs regime to be refined to deter tactical delays.

It is taking too long for local authorities to get district-wide local plans and UDPs in place. Last March, consultation papers were issued on minor improvements to the procedures. These changes are now being implemented. However, I also indicated that I was prepared to consider further changes if these were wanted by users of the system. Discussions were held with a broad range of organisations—representative of developers, conservation groups, local authorities and professional bodies. The consensus was in support of the plan-led system, which is delivering greater certainty for developers and local people. However, most felt that further changes are required to improve efficiency. A report, which summarises the ideas put forward, is also being published today, alongside the consultation paper.

The need for reform of the procedures is underlined by the most recent figures for progress in the adoption of plans. When the preparation of these plans was made mandatory in 1991 it was agreed with the local authorities to adopt a target to achieve "substantially complete"

coverage by the end of 1996. The monitoring return of the position in September indicates that only 43 per cent. of plans will have achieved the target, although it is anticipated that the bulk of the rest will be completed in the next two years. Figures for the overall position and a list of all local authorities, showing the stage reached in their plan preparation, are being made available today. Copies have been placed in the Library. In some cases there are legitimate reasons why plan preparation has been delayed. However, it is for the individual authorities to explain their position.

Some of the changes proposed in the consultation paper would require primary legislation. In the meantime, I urge local authorities whose plans are not yet in place to give this matter a higher priority. I am also considering whether further measures might be taken to encourage the more rapid adoption of plans. These include the revocation of out of date plans and clarification, in the forthcoming revised planning policy guidance 1, that there are only very limited circumstances in which it is appropriate to refuse planing permission on grounds of prematurity in relation to the emerging plan.

I am also concerned about the time it is taking to deal with appeals against the refusal of planning permission. While a number of improvements have been made to the planning appeals procedures, with 80 per cent. of cases now being dealt with by written representations and a further 12 per cent. by informal hearing, there are a number of other options for change which deserve the fullest consideration. The consultation paper sets out proposals which seek to increase the effectiveness of the system whilst maintaining the balance between the rights of the individual and the wider interests of the community. Meanwhile, more planning inspector—PINS—resources will be made available for handling appeals. At present, PINS aim to provide an inspector for local plans inquiries within 26 weeks in 100 per cent. of cases. However, some local authorities withdraw at a late stage. In future, the PINS target will be 80 per cent. to allow for slippage. This will release experienced staff to handle appeals without inhibiting progress on local plans.

NATIONAL HERITAGE

Historic Royal Palaces Agency

Dr. John Cunningham: To ask the Secretary of State for National Heritage what meetings her Department has held regarding proposals to privatise the Historic Royal Palaces agency. [10532]

Mrs. Virginia Bottomley: None. The royal palaces are owned by the sovereign in right of the Crown. The Government have no plans to change this position. Discussions have been held, and will continue, on whether there are options, other than agency status, which could offer improvements for the management of the historic royal palaces.

Sportsmark

Dame Jill Knight: To ask the Secretary of State for National Heritage if she will make a statement on progress on the Government's sportsmark and sportsmark gold award scheme. [10961]

Mr. Sproat: The sportsmark and sportsmark gold award scheme was launched in secondary schools in October 1996. The scheme recognises schools which provide a quality physical education and sports programme. It is a key element of the Government's strategy, as set out in the sports policy statement, "Sport: Raising the Game", to put sport back at the heart of weekly life in all schools. The sportsmark gold award recognises those schools which show exceptional achievement, highly innovative schemes or outstanding progress in meeting their sporting aims.

The closing date for applications for the sportsmark and sportsmark gold awards was 13 December 1996 and 604 applications have been received by the English Sports Council. Of that number, 471 are for the sportsmark award and 133 for the sportsmark gold award. The assessment of these applications is now underway, and the first awards will be announced in April.

Primary schools are currently being consulted on a similar scheme which we aim to launch in October with the first awards being made in April 1998.

AGRICULTURE, FISHERIES AND FOOD

EU Fisheries Council

Mr. Porter: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Fisheries Council held in Brussels on 19 and 20 December. [11025]

Mr. Baldry: I represented the United Kingdom at the meeting of the Fisheries Council in Brussels on 19 and 20 December, together with my hon Friend the Under-Secretary of State for Scotland and my noble Friend the Under-Secretary of State for Northern Ireland.

The Council agreed by qualified majority, with Belgium and Sweden voting against, the total allowable catches and quotas to apply in 1997 in Community waters.The agreement fulfilled the Government's objective of securing the best possible deal for British fishermen consistent with the scientific advice and the conservation of stocks for the future. In the final package the total UK quotas agreed for the stocks of most importance to our fishermen were some 23,000 tonnes higher in cod equivalent terms than the quotas being discussed at the start of the negotiations. This increase is worth approximately £16 million to the industry and leaves our total quotas in cod equivalent terms for these stocks just one half of 1 per cent. below the 1996 level.

I invoked the Hague preference on all the stocks where it was necessary to do so. Quota swaps were agreed immediately after the Council to mitigate the impact arising from use of the Hague preference by the Republic of Ireland, in particular on stocks of importance to the Northern Ireland industry.

The Council agreed unanimously to access and quota arrangements for 1997 with neighbouring non-member states. The United Kingdom has large cod and haddock quotas at north Norway and these were increased by 16 per cent. and 13 per cent. respectively. We have retained our quotas in Faroese, Greenland and Iceland waters at the same levels as in 1996. The Council also agreed unanimously to the allocation of the Community's 1997 quotas in the waters covered by the North-West

Atlantic Fisheries Organisation, together with technical conservation and control measures applicable to those waters, and to the allocation of the Community's 1979 redfish quota in the waters covered by the North Atlantic Fisheries Commission, together with management measures for those waters.

The Council continued its discussion of objectives for the next series of multi-annual guidance programmes—MAGP IV. I reiterated the need for the quota hopper problem to be resolved before I could contemplate any further reductions in the capacity or effort of the UK fleet. Other member states continued to have substantive concerns on various aspects of the proposals, though there was a broad consensus that the Presidency compromise tabled in November remained the most promising basis for progress. The Council concluded that further work should be pursued as a matter of urgency with a view to reaching decisions by 30 April 1997.

The Council agreed by qualified majority, with Denmark, Netherlands, Spain and Sweden voting against, a presidency compromise on the introduction of satellite monitoring arrangements. These will apply from 30 June 1998 for particularly sensitive fisheries, for example industrial fisheries, and from 1 January 2000 for other vessels of over 24 m overall length. All vessels which operate exclusively within 12 miles of the coast and those which never spend more than 24 hours at sea will be exempt. Where there is a reciprocal access agreement with third countries, satellite monitoring will apply only to Community vessels fishing in those third country waters if the third countries' vessels carry satellite monitoring equipment in Community waters. There was also agreement that concerns about skippers' liability in the event of genuine equipment failures will be addressed in the detailed implementing rules and that the Council and Commission will explore ways of reducing the regulatory burden on the fishing industry, with a Commission report to be submitted by 31 March 1997. The compromise met all the UK's main negotiating objectives and will usefully reinforce existing control measures to ensure compliance with rules intended to conserve fish stocks.

The Council welcomed the progress that had been made in removing many of the problems from the Commission's proposal for new technical conservation measures but noted that further detailed work was necessary before the proposal would be ready for agreement. So far as industrial fisheries are concerned, I called for the introduction of a precautionary TAC for sandeels in the North sea and I proposed that a new research programme into the effects of the sandeel fishery off the east coast of Scotland be used to monitor the effects of the fishery on sandeels and other fauna so that any necessary remedial action can be considered urgently.

The Commission introduced its report on the operation of the CFP over the last three years and issues to be addressed for the future. The Council welcomed the report as contributing to the debate leading up to the review of the Common fisheries policy in 2002.

The Council agreed by qualified majority, with Denmark voting against, a 10,000 tonne increase in the 1996 autonomous tariff quota for cod imported for salting and drying.

My hon. Friend the Under-Secretary of State for Scotland reminded the Council of the problems of the salmon market, including the extended period of low prices, the prospects for continuing weakness in the early months of 1997 and the loss of jobs now being experienced. He pressed the Commissioner to reconsider her earlier decision not to introduce a further set of minimum import prices for salmon. The Commissioner, however, said that she still saw no case for minimum import prices, on the basis that the continental market showed no sign of instability, that minimum import prices had proved effective earlier in 1996 and that she was unwilling to intervene while investigations were proceeding into the industry's complaints about dumping and unfair subsidies.

Live Animal Transport (West Sussex Meeting)

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what recommendations resulted from the meeting in March 1995 between Dr. Venturini, Ministry officials and officials from West Sussex county council. [8878]

Mrs Browning *[holding answer 13 December 1966]:* None. However, a meeting earlier in March between Ministry officials and the French authorities led to arrangements being put in hand to ensure that the number of calves on each voyage did not exceed the capacity of the lairage in the port of Dieppe.

Live Animal Imports

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many consignments of sheep were imported into the United Kingdom (i) in November and (ii) in December to date; how many sheep were included in each consignment; what was the place of departure on the continent for each consignment; and what was the total time for each journey. [9661]

Mrs. Browning *[holding answer on 17 December 1996]:* No consignments of sheep were imported from the continent during November. In December two consignments were imported through Dover and 2 and 5 December. They originated from points of departure in south eastern France, and travelled via a lairage in Belgium. These consignments contained 299 and 285 animals respectively. We have no information on the total time for these journeys.

ATTORNEY-GENERAL

Public Interest Immunity

Mr. McNamara: To ask the Attorney-General, pursuant to his oral statement on 18 December, *Official Report*, columns 949–50, if he will indicate how the law relating to PII certificates in Great Britain will differ from that in Northern Ireland. [10821]

The Attorney-General: The law on public interest immunity has been developed by the courts in each of the jurisdictions of the United Kingdom. This will continue to be the case in both civil and criminal proceedings,

including proceedings in coroners' courts. Practice differs as between the different jurisdictions but in all cases where public interest immunity is claimed, the final decision on disclosure is taken by the court, which will order documents to be disclosed where the public interest in the administration of justice in the proceedings requires it.

PRIME MINISTER

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 14 January. [9230]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 14 January. [9228]

The Deputy Prime Minister: I have been asked to reply.

My right hon. Friend the Prime Minister is returning from an official visit to India, Pakistan and Bangladesh.

TRADE AND INDUSTRY

Staff

Mr. Hain: To ask the President of the Board of Trade how many *(a)* permanent and *(b)* non-permanent staff there have been in (i) his Department and (ii) executive agencies of his Department in each year since 1992. [9631]

Mr. John M. Taylor: Details of the numbers of permanent and casual staff employed by the Department and its agencies are available from the staff numbers table, pages 120 and 121, of the Department's expenditure plans report, Cm 3205, a copy of which is available in the Library of the House. The staff numbers for the Insolvency Service executive agency are not shown separately in the report but are included with the numbers for the gross control area of the Department.

The information for the Insolvency Service is as follows:

Year	*CS FTEs*	*Casuals*
1990–91	1,439	25
1991–92	1,509	79
1992–93	1,551	160
1993–94	1,614	229
1994–95	1,573	289
1995–96	1,413	176

Mid-Kent Water

Mr. Matthew Taylor: To ask the President of the Board of Trade when he expects to make a decision on the proposed takeover of Mid Kent Water by General Utilities and SAUR Water Services. [9952]

Mr. Harvey: To ask the President of the Board of Trade when he plans to make a decision on the takeover proposal for Mid Kent Water by General Utilities and SAUR Water Services. [10344]

Mr. John M. Taylor: My right hon. Friend the President of the Board of Trade is currently considering the Monopolies and Mergers Commission's report. It will be published as quickly as practicable.

Child Labour

Mr. Parry: To ask the President of the Board of Trade if he will make a statement about the recent meeting of the World Trade Organisation with particular reference to child labour. [10302]

Mr. Nelson: The recent World Trade Organisation ministerial conference in Singapore agreed that the International Labour Organisation was the competent body set up to deal with internationally recognised core labour standards, including those related to child labour. Ministers agreed that economic growth and development fostered by trade and further trade liberalisation contributed to the promotion of these standards.

Research Councils (Equal Initiative)

Mr. Ingram: To ask the President of the Board of Trade what has been the impact of the equal initiative on the overall research council budgets. [9888]

Mr. Ian Taylor *[holding answer 13 January 1997]:* The equal initiative has had no impact on the overall Research Council budgets, but it is influencing councils' prioritisation. Government funding for research is to support excellence and to refocus and reorientate effort into areas relevant to the well-being of the nation in order to get the best value for every pound invested. Foresight is an important input into the councils' priority setting and equal is an excellent example of Foresight in action. Examples of projects supported that are relevant to equal include: research into ways of detecting and preventing Alzheimer's disease, the influence of diet on health, medical engineering, robotics, and research into the design and utility of technologies for maintaining personal independence.

Mr. Ingram: To ask the President of the Board of Trade if he will place in the Library copies of the instructions from the Office of Science and Technology to the research councils on the implementation of the equal initiative. [9887]

Mr. Taylor *[holding answer 13 January 1996]:* No specific instructions have been issued to the research councils on the implementation of the equal initiative. However, equal is an integration of a very large number of individual priorities identified by the technology foresight sector panels. Research councils already support a number of activities relevant to the equal initiative and we are in the process of developing a more well-defined research agenda involving the research councils, other Government Departments, charities and industry. I addressed a seminar on 25 November 1996 which contributed to refining this process.

Energy Consumption

Mr. Meacher: To ask the President of the Board of Trade how much energy was consumed in generating each unit of gross domestic product, on a standard basis, in 1980, 1990 and 1996 in *(a)* the UK, *(b)* Germany, *(c)* France, *(d)* Italy, *(e)* the United States of America, *(f)* Japan and *(g)* Sweden. [10759]

Mr. Page *[holding answer 13 January 1997]:* The available figures for total primary energy supply per unit of gross domestic product are as follows:

Total primary energy supply/gross domestic product[1]
(tonnes oil equivalent/thousand 1990 US dollars)

	1980	*1990*	*1995*
UK	0.27	0.22	0.21
Germany	0.27	0.22	0.19
France	0.20	0.19	0.19
Italy	0.16	0.14	0.14
USA	0.43	0.35	0.33
Japan	0.18	0.15	0.16
Sweden	0.22	0.21	0.22

[1] Source: International Energy Agency.

Consultants

Mr. Milburn: To ask the President of the Board of Trade if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report "The Government's Use of External Consultants". [10183]

Mr. John M. Taylor *[holding answer 13 January 1997]:* My Department has implemented 28 of the 34 recommendations in the Cabinet Office report, "The Government's Use of External Consultants".

Recommendations 14 and 15 were rejected on the grounds that business opportunities for small and medium-sized enterprises would be reduced.

It was not possible to implement recommendation 10, 21 and 34 due to a decision to replace the proposed national consultancy database with regional lists serving the needs of local industry.

Action on recommendation 19 was for the Treasury.

I have asked the chief executives of the Patent Office and the Radiocommunications Agency to reply separately to the question, as they have produced independent action plans.

Letter from Jim Norton to Mr. Alan Milburn, dated 14 January 1997:

I am writing to you in response to your Parliamentary Question to the President of the Board of Trade about actions taken on the recommendations contained in the Cabinet Office report. The Government's Use of External Consultants. This letter relates to the action taken by the Radiocommunications Agency.

The Agency has implemented most of the recommendations of this report (where they were not already part of RA policy) in line with its policy of shadowing DTI policy on procurement, including the use of consultants. Two recommendations were rejected, numbers 14 and 15, which related to limiting the numbers of firms invited to tender, on the grounds that these would reduce effective competition, possibly excluding small and medium enterprises, and introducing excessive bureaucratic procedures. In addition a number of the action points stemming from the recommendations were for Treasury or DTI to take forward.

Letter from P. R. S. Hartnack to Mr. Alan Milburn, dated 14 January 1997:

I am replying for the Patent Office to your Parliamentary Question to the President of the Board of Trade about the Cabinet Office's recommendations on the use of consultants.

The Patent Office reconsidered its approach to the use of external consultants in response to the Cabinet Office report. It found that in practice it already followed the recommendations either through its close observation of the guidance in the Department of Trade and Industry Procurement Manual or through the mechanisms it had in place for the preparation of its Corporate Plan and Estimates. To reinforce the message of the Report the main recommendations were incorporated in a statement of the Patent Office's strategic approach to the use of external consultants which was circulated to senior managers across the Office. The Patent Office has its own Procurement Section which is staffed by trained officers and which oversees and advises on all procurement activities including the use of external consultants.

Trade and the Environment

Mr. Dafis: To ask the President of the Board of Trade if he will make a statement on the discussions at the World Trade Organisation meeting in Singapore on the relationship between trade and the environment. [10796]

Mr. Nelson *[holding answer 13 January 1997]:* There was no substantive discussion at the World Trade Organisation ministerial conference in Singapore on the relationship between trade and the environment. In the conference declaration, Ministers reaffirmed the importance of the work of the Trade and Environment Committee and confirmed that it should be established on a permanent basis to carry that work forward.

Arms Sales

Mr. Fatchett: To ask the President of the Board of Trade if he will set out the procedures followed by his Department to ensure that the subsequent use of defence equipment is consistent with the Government's policy on arms sales and with export licences. [9988]

Mr. Nelson *[holding answer 13 January 1997]:* My Department does not operate as a matter of routine any procedures to check the actual end use of defence equipment exported from the UK under licence. Any information received by my Department that gave reason to believe that exported goods had gone to an end-use for which a licence would not have been issued, would be passed to the commissioners of HM Customs and Excise, who are responsible for enforcement of export controls. It would then be for the Commissioners of HM Customs and Excise to determine on the basis of the information available what, if any, further investigation was appropriate.

FOREIGN AND COMMONWEALTH AFFAIRS

Chartered Aircraft

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what aircraft he has chartered in each of the last 12 months; which airlines he has chartered them from; and what was the *(a)* purpose, *(b)* destination and *(c)* cost in each case. [9869]

Sir Nicholas Bonsor: The following aircraft have been chartered in the last 12 months by the Department on the Secretary of State's behalf.

Date	*Destination/Purpose*	*Airline company*	*Cost £*
28 May to 2 June	Bilateral visit to USA (Washington) Canada (Ottawa, Toronto) and Iceland (Reykjavik) and attendance at NAC/NACC Meeting Germany (Berlin)	Air London Falcon 900B Intercontinental Executive Jet LHR/Edinburgh Washington/Ottawa/ Toronto/Reykjavik/RAF Northolt/Berlin LHR	98,860
1 to 3 July	Bilateral visit to Saudi Arabia (Riyadh, Jeddah) Jordan (Amman)	Air London Boeing 727 100 series LHR/Jeddah/Aquaba/LHR	109,570

Hong Kong

Mr. Garnier: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements have been made for the transfer of outstanding business from the Judicial Committee of the Privy Council to the Hong Kong Special Administrative Region Court of Final Appeal on 1 July 1997. [11006]

Mr. Hanley: The jurisdiction of the Judicial Committee of the Privy Council will automatically lapse with Britain's administration of Hong Kong as from 1 July 1997.

The Judicial Committee will make every effort to ensure that outstanding Hong Kong business is dealt with before 1 July. It is nevertheless clear that there will come a point after which it will become unlikely for practical purposes that the committee will be able to accept new business with a reasonable expectation of being able to dispose of it before the handover. That point is likely to be 1 March. Hong Kong's court of final appeal ordinance provides that any appeal in respect of which the Judicial Committee of the Privy Council or the Hong Kong Court of Appeal has granted conditional, final or special leave to appeal to the committee and the appeal has not finally been disposed of on or before 30 June 1997 shall proceed in the court of final appeal.

TREASURY

Publicity

Mr. Donohoe: To ask the Chancellor of the Exchequer what promotional and public information campaigns his Department is *(a)* currently running and *(b)* planning to run during the next six months; and for each campaign (i) how much it will cost (1) in total and (2) to his Department, (ii) what agencies or bodies are undertaking the work and (iii) what is its planned duration. [7417]

Mrs. Angela Knight: The Treasury is not currently running, or planning to run, any such promotional and public information campaigns.

Mr. Donohoe: To ask the Chancellor of the Exchequer how much his Department has spent on promotional or public information campaigns in each of the last five years; and how much he estimates will be spent on these campaigns during the (i) current and (ii) next financial year. [7546]

Mrs. Knight: The Treasury has not run promotional or public information campaigns in the last five years except in the sale of shares of BT2, BT3 and GENCO2. The costs of these campaigns are as follows: BT2 (1991) £14.7 million, BT3 (1993) £12 million and GENCO2 (1995) £8 million. These campaigns have now concluded.

Manufactured Imports

Mr. Milburn: To ask the Chancellor of the Exchequer for each year since 1979 what proportion of United Kingdom demand for manufactured goods was met through imports. [7828]

Mrs. Angela Knight *[holding answer 6 December 1996]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Alan Milburn, dated 14 January 1997:

The Chancellor of the Exchequer has asked me to reply as the Director of the Office for National Statistics to your recent question on what proportion of United Kingdom demand for manufactured goods was met through imports, for each year since 1979.

The table below shows the import penetration ratios for the years 1979 to 1995, with the exception of the years 1989 to 1992 where figures are not available. Latest revised data are shown together with the Standard Industrial Classification (SIC) on which data are based. From 1993 data were collected according to a SIC 1992 classification which changed the definition of manufacturing. The 1993–1995 data have been grouped to a SIC(80) basis to produce a series which is broadly comparable over the period.

Year	*SIC*	*Percentage*
1979	1980	26.9
1980	1980	26.2
1981	1980	27.8
1982	1980	29.0
1983	1980	31.1
1984	1980	33.4
1985	1980	34.3
1986	1980	34.3
1987	1980	35.2
1988	1980	35.6
1993	1992	43.0
1994	1992	47.0
1995	1992	45.0

Staff

Mr. Hain: To ask the Chancellor of the Exchequer how many *(a)* permanent and *(b)* non-permanent staff there have been in (i) his Department and (ii) executive agencies of his Department in each year since 1992. [9628]

Mrs. Angela Knight *[holding answer 18 December 1996]:* The information requested is contained in civil service staff in post summary tables, copies of which are available in the Library.

Unemployment

Mr. Frank Field: To ask the Chancellor of the Exchequer, pursuant to the answer to the hon. Member for

Dagenham (Ms Church) of 25 November, *Official Report*, column 72, on the number of people in Great Britain who have experienced at least one spell of unemployment since 1992, if he will list *(a)* how many have had more than one spell of unemployment, *(b)* how many are still unemployed and *(c)* how many are currently in work. [9667]

Mrs. Angela Knight *[holding answer 18th December 1996]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr Frank Field, dated 14 January 1997:

The Chancellor of the Exchequer has asked me to reply as the Director of the Office for National Statistics to your recent question on how many claimants have experienced at least one spell of unemployment in Great Britain since 1992, and of these claimants how many have experienced more than one spell of unemployment, how many are still unemployed and how many have found work.

Since 1 January 1992, an estimated 10,451,600 claimants in Great Britain have experienced at least one spell of claimant unemployment and of these claimants 5,090,260 have experienced more than one spell. As at 14 November 1996, 1,775,250 claimants in Great Britain were claiming unemployment-related benefits although only about a half of these would have been unemployed for more than three months. These figures exclude clerically operated claims which numbered 23,000 in November 1996.

Information on the destinations of leavers from the claimant count is only available from January 1995 and is therefore not available for the period requested. However, in November 1996 an estimated 68 per cent. of claimants with a known destination left the claimant count because they had found work.

Tax Evasion

Mr. Milburn: To ask the Chancellor of the Exchequer how many full-time equivalents staff were employed by *(a)* Inland Revenue and *(b)* HM Customs and Excise on tax evasion investigations in each year from 1990–91. [9984]

Mr. Jack *[holding answer 13 January 1997]:* Approximate figures as shown in the table.

Year	*Inland Revenue*	*Customs and Excise*
1990–91	3,200	560
1991–92	3,400	570
1992–93	3,500	590
1993–94	3,800	630
1994–95	4,400	730
1995–96	4,300	730

The basis on which the Inland Revenue figures were compiled changed from 1994–95 so as to include staff engaged on all employer compliance work.

Mr. Milburn: To ask the Chancellor of the Exchequer how many cases of evasion of payments of taxes administered by HM Customs and Excise have been discovered in each year since 1990; and what has been the yield. [9985]

Mr. Oppenheim *[holding answer 13 January 1997]:* The following table shows the number of cases involving evasion of value added tax in each year since 1990. The figures represent the number of criminal cases reported to headquarters for consideration of criminal proceedings, plus the number of cases in which civil evasion penalties were imposed, together with the estimated tax evaded.

Fiscal year	*Total number of criminal and civil cases*	*Tax arrears £ million*
1990–91	1,070	37.7
1991–92	1,178	34.2
1992–93	1,135	40.2
1993–94	1,048	55.6
1994–95	931	92.8
1995–96	989	51.0

In addition to the tax arrears, penalties in excess of £10 million were levied each year.

There have been no reported cases of evasion of insurance premium tax or the new landfill tax.

Value Added Tax

Ms Armstrong: To ask the Chancellor of the Exchequer if he will estimate the increase in tax revenue resulting from the increase in the standard rate of value added tax from 15 per cent. to 17.5 per cent. in each year from 1991–92 to 1999–2000. [10700]

Mr. Oppenheim *[holding answer 13 January 1997]:* The estimated increase in net VAT receipts in each year is as follows:

	£ billion
1991–92	4.3
1992–93	5.3
1993–94	5.6
1994–95	5.9
1995–96	6.0
1996–97	6.6
1997–98	7.1
1998–99	8
1999–2000	8

These estimates derive from an arithmetical calculation of the relevant share of VAT receipts and make no allowance for any changes in spending patterns resulting from the change in the standard rate of VAT.

Information Technology

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what arrangements have been made in the United Kingdom to appoint a national supervisory authority to monitor the data protection provisions of the convention concerning the use of information technology for customs purposes that was agreed at the Cannes European Council in June 1995. [11024]

Mr. Oppenheim: With her agreement, the Government are appointing the Data Protection Registrar to be the designated national supervisory authority within the United Kingdom for the purposes of the convention concerning the use of information technology for customs purposes.

OVERSEAS DEVELOPMENT ADMINISTRATION

Indonesia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will place in the Library the legal advice referred to in paragraph 31, page 9 of the National Audit Office report, "Aid to Indonesia", which satisfied the Government that all the projects referred to were within the terms of the Overseas Development and Co-operation Act 1980; [10716]

(2) if he will place in the Library a copy of the legal advice received by his Department in relation to the regional physical planning programme for transmigration, the national overview of land resources and the regional physical map improvement and training projects in Indonesia to the effect that *(a)* the projects were not unlawful under the terms of the Overseas Development and Co-operation Act 1980 and *(b)* the projects were not unlawful under international law. [10720]

Dr. Liam Fox: I will write to the hon. Member.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what United Kingdom goods were purchased by the Indonesian authorities in relation to the national police management training project. [10705]

Dr. Fox: Goods purchased in connection with the project were limited to training materials, such as books, and were funded by the ODA from the project budget.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to paragraph 36 of the National Audit Office report, "Aid to Indonesia", if he will place in the Library the legal advice to the effect that he does not recognise the primacy of international law. [10713]

Dr. Fox: The reference in paragraph 36 of the report to non-recognition of the primacy of international law was incorrectly attributed to legal advice given to the Overseas Development Administration. No such advice was given. Unfortunately, this was overlooked when the draft text was checked for factual accuracy.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of *(a)* the project completion reports in relation to (i) the radio studios rehabilitation project and (ii) the regional physical map improvement and training project in Indonesia and *(b)* the project monitoring reports in relation to the regional physical map improvement and training project in Indonesia. [10710]

Dr. Fox: Copies of the project completion reports for the radio studios rehabilitation and regional physical map improvement projects were placed in the Libraries of both Houses in November and October 1995 respectively. I will write to the hon. Member about the request for disclosure of internal project monitoring reports.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the developmental benefits of the radio studios rehabilitation project in Indonesia; what assessment he has made of the independence of Radio Republic Indonesia from the Indonesian Government; and what proportion of the output of Radio Republic Indonesia is educational. [10718]

Dr. Fox: The developmental benefits of the project were seen to be the improvement of broadcasting standards and the enhancement of a primary means of communication and education, particularly for rural communities, in a country whose population is very widely dispersed.

The benefits of the project were not considered to be dependent upon the status of Radio Republic Indonesia, which is a state-owned corporation reporting to the directorate general of radio, television and film in the Ministry of Information.

The most recent data—March 1996—indicate that educational programmes account for 17 per cent. of broadcasting time, with news and information and culture and entertainment account for 25 and 43 per cent. respectively. Specific target groups include schools, farmers and women. There is also an open university service.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of the project monitoring reports in relation to the police management training projects in Indonesia. [10704]

Dr. Fox: I will write to the hon. Member.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library *(a)* the evidence available to his Department on the observance of human rights in Indonesia, referred to in the National Audit Office report, "Aid to Indonesia," which prompted his Department to decide to continue to provide aid to Indonesia, *(b)* the advice given by the embassy in Jakarta, referred to in the report, relating to the human rights situation in Indonesia and *(c)* a copy of the project memorandum agreed with Indonesia. [10714]

Dr. Fox: The Overseas Development Administration receives continuing information and advice from the embassy in Jakarta, from the diplomatic wing of the Foreign and Commonwealth Office and from external sources about the human rights situation in Indonesia. I will write to the hon. Member about the request for disclosure of internal correspondence.

Subject to the agreement of the Indonesian Government, which is being sought, I will place in the Library copies of the project memoranda relating to the national police management training project.

Mr. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons his Department excluded *(a)* references to human rights from the project memorandum agreed with Indonesia regarding the national police management training project and

(b) human rights issues in the proposed training programme; and at what level within his Department that decision was taken. [10753]

Dr. Fox: Although human rights issues were not referred to specifically in the project memorandum or included in the training programme, one of the wider objectives of the project was to promote the concept of a community-based approach to policing, as practised in the United Kingdom, which emphasises the need for police and community to work together and respect for the rights of the individual.

Approval for the project was given by the head of the Overseas Development Administration's eastern Asia department, prior approval in principle having been obtained from Ministers.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons his Department decided not to support the third phase of the national police management training project in Indonesia. [10712]

Dr. Fox: When the case for a further phase of assistance was considered in mid-1994, the view was taken, in view of the substantial assistance already provided to the police, that a one-year extension of the second phase, to 31 March 1996, would be sufficient to consolidate the assistance already provided and to secure the anticipated benefits of the project.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of the audience surveys used by his Department to appraise and evaluate the shortwave radio transmitters project and the radio studios rehabilitation project in Indonesia. [10721]

Dr. Fox: None was conducted. The appraisals concentrated on technical competencies, broadcasting standards, programme content and the likely size and types of audience. Given the diverse and widely-dispersed nature of radio audiences, it is unlikely that worthwhile audience surveys could have been conducted in the time available for appraisal.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs on what dates his Department decided to *(a)* change the emphasis of phase 1 of the national police management training project in Indonesia from the training at Bramshill police college to in-country training in Indonesia, *(b)* let the contract for in-country training to a consultancy firm comprising former Bramshill staff; and what was the name of the consultancy firm. [10706]

Dr. Fox: The change of approach to delivery of police management training was explored at a meeting of officials in November 1985. The decision to proceed with a programme of in-country training was taken in August 1986 and a contract was awarded, initially to Bramshill staff college, in June 1987. A new contract was awarded in 1989 to consultants Johnston and Ladd International when one of the two consultants, both of whom had been closely involved in the development of the Bramshill programme, retired from the police service.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the National Audit Office report, "Aid to Indonesia", what are the strategic plans produced by the Indonesian police forces internal consultancy unit developed under the national police management training project; and if the 45 regional commanders expected to implement the plans include the regional commander for East Timor. [10711]

Dr. Fox: The strategic plans have been produced by the Indonesian police authorities on the basis of training provided under the national police management training project. The plans deal with levels of service to the public and with development of standards required to achieve them. It is not certain whether plans have yet been produced for all of the 45 regional commands, including the command covering East Timor, but we understand that the intention is to do so.

Crown Agents

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will name each person seconded to the Crown Agents in each year since 1979 indicating the company involved. [10669]

Dr. Liam Fox: For particular projects, Crown Agents make use of staff seconded from Government Departments such as HM Customs and Excise and, less often, from firms in the private sector. However, I am advised by the Crown Agents that information is not available in a form to answer the hon. Lady's general question. If there is a specific question about particular projects or firms, the Crown Agents will do their best to answer it.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs which performance targets the managing director of the Crown Agents met in 1995; what performance related bonus he received; and what factors underlay the payment or non-payment of performance-related pay. [10668]

Dr. Fox: In 1995, the managing director of the Crown Agents was eligible for a performance-related salary bonus based on criteria related to levels of profitability, cost control and the ratio of costs to fee income for the year. In the event, no bonus was payable for 1995; the main factor underlying this was a lower than budgeted profit.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs who represents the Crown Agents in *(a)* Iran, *(b)* the Gulf States and *(c)* Oman; what criteria were used in their selection; and what services they offer. [10670]

Dr. Fox: The Crown Agents' local agents in the countries named are listed in its report and accounts for 1995, copies of which are in the Library. The Crown Agents have since also appointed Transgulf Shipping as an agent in the United Arab Emirates. The representative services provided include inspection, shipping, freight forwarding, cargo handling and courier services in relation to Crown Agents' services in the region. The firms concerned were selected by Crown Agents on the basis of their capabilities in the relevant services.

Street Children

Mr. Donald Anderson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give a progress report on actions taken since the oral answer of

the then Minister, the right hon. Member for Banbury (Mr. Baldry), 27 February 1995, *Official Report*, column 689, on financial support over a five-year period to the consortium of non-governmental organisations working on behalf of street children in developing countries. [10500]

Mr. Alison: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in implementing the plans announced on 27 February 1995, to provide Government funding over a period of five years for the non-governmental organisations' consortium on street children. [10701]

Dr. Liam Fox: The statement to which the hon. Member for Swansea, East (Mr. Anderson) refers was an unfortunate error. The director of the Consortium for Street Children UK has already been informed of this. We cannot make multi-year commitments, nor can we provide the consortium with core support. However, we remain happy to consider specific project proposals. Since February 1995 we have provided a total of £46,700.

TRANSPORT

Bus Subsidies

Mr. Hinchliffe: To ask the Secretary of State for Transport what estimate he has made of the total subsidy provided by passenger transport authorities to private bus operators in *(a)* England and *(b)* West Yorkshire in the last year for which figures are available. [10258]

Mr. Watts: The provisional estimate for 1995–96 of subsidy of local bus services by passenger transport authorities in England, excluding the cost of concessionary fares schemes, is £105 million. The statistics collected do not distinguish between support given to services run by private operators and those run by the relatively small number of operators which remain in the public sector. The figures for 1995–96 for West Yorkshire is approximately £22 million.

SCOTLAND

Skye Bridge Toll

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what assessment he has made of the advantages of using Portree sheriff court for the purposes of hearing Skye bridge toll non-payment cases; and if he will make a statement. [10840]

Lord James Douglas-Hamilton: The prosecution of offences is a matter for my noble and learned friend the Lord Advocate. Persons charged with the non-payment of tolls on the Skye bridge commit an offence within the jurisdiction of Dingwall sheriff court. These offences are therefore prosecuted in that court. Section 4 of the Criminal Procedure (Scotland) Act 1995 provides that where an offence is alleged to have been committed in one district in a sheriffdom, it is competent to try that offence in a sheriff court in any other district in that sheriffdom.

The Lord Advocate informs me that there are no plans to try non-payment offences in Portree sheriff court or any other sheriff court in the sheriffdom of Grampian, Highland and Islands other than Dingwall sheriff court. The procurator fiscal at Dingwall and regional procurator fiscal at Aberdeen are keeping the matter under review, and, if it were considered that the efficient administration of justice would be better served by prosecuting some of these cases in any other court or courts in the sheriffdom in addition to Dingwall sheriff court then the regional procurator fiscal would discuss this possibility with the procurators fiscal in the other districts and with the sheriff principal.

Mr. Kennedy: To ask the Secretary of State for Scotland (1) if he will estimate the additional cost per week of extending sitting days at Dingwall sheriff court from three to five for the purposes of accommodating the extra demands of Skye bridge toll non-payment cases; and if he will make a statement; [10842]

(2) what estimate he has made of the impact upon progress on other court cases of the Skye bridge toll non-payment hearings at Dingwall sheriff court; and if he will make a statement. [10843]

Lord James Douglas-Hamilton: The marginal cost of providing additional sitting days at Dingwall sheriff court is expenditure on temporary shrieval assistance, amounting to some £600 for two additional sitting days. At present, there has been no appreciable impact on progress of other business at the court. The position will be kept under review by the regional procurator fiscal and regional sheriff clerk in consultation with the sheriff principal.

Scottish Office Pensions Agency

Mr. Stewart: To ask the Secretary of State for Scotland if he will make a statement about the forthcoming prior options review of the Scottish Office Pensions Agency [11026]

Mr. Michael Forsyth: In accordance with the Government's policy on periodic reviews of executive agencies my Department will commence this month a thorough review of the Scottish Office Pensions Agency. The remit for this review will be as follows:

To carry out prior options review of the Scottish Office Pensions Agency in accordance with Cabinet Office—OPS—guidance and the agreed timetable, by

(a) re-examining the status options considered before the agency was created, in the light of experience and of any changes in internal or external circumstances;

(b) testing rigorously whether the agency function is required at all, and the scope for privatising, contracting out (which could include market testing), transferring functions to another body, continuation of agency status or returning the functions to the Scottish Office;

(c) consulting widely amongst the key players in the agency (management and staff), the Scottish Office, HM Treasury and the Cabinet Office, as well as customers and other interested bodies and other suppliers of similar services;

(d) assessing each option in terms of practicability and value for money; and

(e) making recommendations accordingly to the Secretary of State for Scotland.

In order to help ensure that all options are considered fully, comments from interested parties will be welcome. Comments should be sent by 17 February 1997 to the following address. The results of the review will be published in the early summer.

J. S. B. Martin
The Scottish Office Education and Industry Department
Room 3B-02
Victoria Quay
Edinburgh
EH6 6QQ.

Judicial Training

Mr. Stewart: To ask the Secretary of State for Scotland if he will make a statement on the organisation of training for the judiciary. [11027]

Mr. Michael Forsyth: I have decided to establish a judicial studies committee to promote training for the judiciary both in the supreme court and in the sheriff court. The right hon. Lord Ross, who has recently retired as Lord Justice Clerk, has agreed to chair this committee which will comprise members from:

The supreme courts

sheriffs principal

Sheriffs' Association

Temporary Sheriffs' Association

Scottish courts administration

together with a lay person or persons with experience in training techniques.

The committee will be supported by a director of judicial studies who will be a serving sheriff undertaking this work on a part-time basis. The remit of the director will be to initiate and promote appropriate developments under the supervision of the judicial studies committee.

The committee will be able to build on the foundation of induction and other training already provided by the Sheriffs' Association. But the speed and scale of change in many areas of the law in recent years, the increasing impact of information technology, and the greater emphasis across the professions on continuing development for their members all point to the need for more sustained and co-ordinated effort in the training field. In the past, there has been little or no formal training for supreme court judges, and the new committee will also consider their needs, which in some respect will be the same as those of the shrieval bench.

I believe that, by focusing effort in this way, the knowledge base and practical skills of the Scottish judiciary will, over time, be significantly enhanced, in ways which will both benefit court users and enhance public confidence in the justice system.

These proposals derive in part from work undertaken by a group established in 1994 under the chairmanship of the right hon. Lord Cameron of Lochbroom, for whose contribution I am most grateful.

I am consulting the Lord Advocate, the Lord President of the Court of Session, the sheriffs principal and the sheriffs' associations about the membership of the committee with a view to it starting work as soon as possible.

Research Institutes

Mr. Ingram: To ask the Secretary of State for Scotland (1) how much has been spent to date on the prior options review of the Scottish Crop Research Institute; and from which budget these sums were paid; [10010]

(2) how much has been spent to date on the prior options review of the Macaulay Land Use Research Institute; and from which budget these sums were paid; [10018]

(3) how much has been spent to date on the prior options review of the Rowett Research Institute; and from which budget these sums were paid; [10078]

(4) how much has been spent to date on the prior options review of the Hannah Research Institute; and from which budget these sums were paid; [10114]

(5) how much has been spent to date on the prior options review of the Scottish Agricultural Science Agency; and from which budget these sums were paid. [10014]

Mr. Raymond S. Robertson *[holding answer 13 January 1997]:* Work on the prior options reviews of the five Scottish agricultural and biological research institutes and of the Scottish Agricultural Science Agency was undertaken mainly by Scottish Office staff. The cost to my Department of each review was approximately £20,000. This excludes the cost of other Government Department and research council input on the interdepartmental steering committees which oversaw the reviews of the institutes and of other public sector research establishments in the same groupings.

Mr. Ingram: To ask the Secretary of State for Scotland (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Scottish Crop Research Institute as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10012]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Macaulay Land Use Research Institute as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10020]

(3) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Hannah Research Agency as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10116]

(4) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Rowett Research Institute as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee; [10080]

(5) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Moredun Research Agency as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee. [10120]

Mr. Robertson *[holding answer 13 January 1997]:* Based on records provided by the Scottish agricultural and biological research institutes—SABRIs—the number of committees on which employees of the SABRIs represent UK interests is set out in the table. The records do not identify which employees are leading the respective UK teams.

Organisation	*United Kingdom*	*European*	*International*
Scottish Crop Research Institute	2	3	14
Macaulay Land Use Research Institute	7	3	8
Hannah Research Institute	1	1	1
Rowett Research Institute	7	2	9
Moredun Research Institute	2	0	1

Mr. Ingram: To ask the Secretary of State for Scotland how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Scottish Agricultural Science Agency as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee. [10016]

Mr. Robertson *[holding answer 13 January 1997]:* The information is as follows:

	United Kingdom	*European*	*International*
Representative	18	13	5
Leader	—	2	3

Mr. Ingram: To ask the Secretary of State for Scotland how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Fisheries Research Services as representatives of United Kingdom interests; and how many of these employees are leading the United Kingdom team on their committee. [10024]

Mr. Robertson *[holding answer 13 January 1997]:* The information is as follows:

	United Kingdom	*European*	*International*
Representative	35	6	73
Leader	—	2	35

Mr. Ingram: To ask the Secretary of State for Scotland (1) what estimate he has made of the future costs of the prior options review of the Scottish Crop Research Institute; and from which budget these sums will be paid; [10011]

(2) what estimate he has made of the future costs for the prior options review of the Macaulay Land Use Research Institute; and from which budget these sums will be paid; [10019]

(3) what estimate he has made of the future costs of the prior options review of the Hannah Research Institute; and from which budget these sums will be paid; [10115]

(4) what estimate he has made of the future costs of the prior options review of the Rowett Research Institute; and from which budget these sums were paid; [10079]

(5) what estimate he has made of the future costs of the prior options review of the Moredun Research Institute; and from which budget these sums will be paid; [10119]

(6) what estimate he has made of the future costs of the prior options review of the Scottish Agricultural Science Agency; and from which budget these sums will be paid. [10015]

Mr. Robertson *[holding answer 13 January 1997]:* Prior options reviews of the five Scottish agricultural and biological research institutes and of the Scottish Agricultural Science Agency have been completed. The Government are considering the follow-up to the reviews, but at this stage no future costs have been identified.

Mr. Ingram: To ask the Secretary of State for Scotland (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Scottish Crop Research Institute; [10013]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Macaulay Land Use Research Institute; [10021]

(3) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Hannah Research Agency; [10117]

(4) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Rowett Research Institute; [10081]

(5) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Moredun Research Agency. [10121]

Mr. Robertson *[holding answer 13 January 1997]:* Based on records provided by the Scottish agricultural and biological research institutes the information is set out in the table.

Organisation	*United Kingdom*	*European*	*International*
Scottish Crop Research Institute	2	1	3
Macaulay Land Use Research Institute	0	0	1
Hannah Research Institute	0	0	0
Rowett Research Institute	4	2	1
Moredun Research Institute	1	0	0

Mr. Ingram: To ask the Secretary of State for Scotland how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Scottish Agricultural Science Agency. [10017]

Mr. Robertson *[holding answer 13 January 1997]:* The information is as follows:

United Kingdom: 3

European: 1

International: 1

Mr. Ingram: To ask the Secretary of State for Scotland how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of Fisheries Research Services. [10025]

Mr. Robertson *[holding answer 13 January 1997]:* The information is as follows:

United Kingdom: 5

European: —

International: 11

Consultants

Mr. Milburn: To ask the Secretary of State for Scotland what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10186]

Lord James Douglas-Hamilton *[holding answer 13 January 1997]:* I have made no such estimate; this is a matter for the bodies themselves.

Mr. Milburn: To ask the Secretary of State for Scotland if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report, "The Government's Use of External Consultants". [10187]

Lord James Douglas Hamilton *[holding answer 13 January 1997]:* The Scottish Office has implemented an action plan to meet all the recommendations in the report. A copy is available on request.

Yester House and Yester Chapel

Mr. Home Robertson: To ask the Secretary of State for Scotland what grants have been made from public funds for the repair and maintenance of Yester house and Yester chapel; what public access conditions apply to those grants; and what steps he is taking to ensure that those conditions are fulfilled. [10299]

Lord James Douglas-Hamilton *[holding answer 13 January 1997]:* Between 1977 and 1982 grant of £203,690 was awarded under the historic buildings repair grant scheme in respect of Yester house. The condition of grant giving a public right of access to Yester house ceased to have effect following a change of ownership in 1986.

Between 1990 and 1995 grant of £161,700 under the same scheme was awarded for repairs to Yester chapel. This building, although in the grounds of Yester house, is in entirely separate ownership. A condition of the grant to the chapel's trustees was that there should be public access by appointment. It is for the chapel's trustees in the first instance to ensure that all conditions under which they accepted grant are fulfilled.

Royal Victoria Infirmary NHS Trust

Mr. Chisholm: To ask the Secretary of State for Scotland if he will list for the Royal Victoria Infirmary NHS trust staffing levels on *(a)* 1 April 1993, *(b)* 1 April 1994, *(c)* 1 April 1995, *(d)* 1 April 1996 and *(e)* 30 November 1996 for (i) building engineering and maintenance, (ii) ground maintenance, (iii) capital project management, (iv) catering, (v) cleaning, (vi) fire detection and control equipment, (vii) laundry, (viii) medical and industrial gases, (ix) portering, (x) telecommunications management, (xi) transport and (xii) waste management. [10703]

Lord James Douglas-Hamilton *[holding answer 13 January 1997]:* The information requested is not available centrally. I have asked the chief executive of Victoria Infirmary NHS Trust in Glasgow, who is in a position to provide the detailed figures requested, to reply to the hon. Gentleman direct.

SOCIAL SECURITY

Benefit Fraud

Mr. Battle: To ask the Secretary of State for Social Security what information on the savings accruing to public funds from his Department's anti-fraud measures was collected between his predecessor's statement of 6 May 1981, *Official Report*, column *79*, and 1986–87. [8085]

Mr. Heald: The information is not readily available and could be obtained only at disproportionate cost.

Benefit Claimants

Mr. Kevin Hughes: To ask the Secretary of State for Social Security what has been the number of new benefits claimants in each month since April 1992. [9031]

Mr. Burt: The available information has been placed in the Library.

Disability Living Allowance

Ms Hodge: To ask the Secretary of State for Social Security (1) if he will estimate the cost to his Department's budget of awarding the mobility component of the disability living allowance to those aged over 65 years; [9600]

(2) how many people he estimates would be able to claim the mobility component of the disability living allowance if it were awarded to those over 65 years. [9597]

Mr. Andrew Mitchell: It is estimated that an extra 2.3 million people would receive the mobility component of disability living allowance if it were to be awarded to disabled people over the age of 65, at an estimated additional cost of £3.9 billion for 1996–97.

Notes:

1. Estimates are for the full year 1996–97 and are in 1996–97 prices.

2. Figures are based on disability living allowance (DLA) caseload statistics and the disability survey 1985 and are rounded to the nearest 100,000 people and £0.1 billion.

3. All figures are subject to error.

4. Estimates do not take into account changes to the payment of the DLA mobility component to people in hospital which took effect in July 1996, or the effect on other social security benefits.

Ms Hodge: To ask the Secretary of State for Social Security how many claimants there are in the current year and there were in each of the previous four years for *(a)* disability living allowance and *(b)* attendance allowance. [9598]

Mr. Mitchell: The information is in the table:

Recipients for disability living allowance and attendance allowance

(Thousands)

Year	*Disability living allowance*[1,2]	*Attendance allowance*
1992	[3]1,019	[4,5]1,059
1993	1,248	[4,5]890
1994	1,400	[4,5]962
1995	1,589	[4,5]1,046
1996	1,768	[1,2]1,194

Source:
Analytical Services Division.
Notes:
[1] Based on 5 per cent. data.
[2] Figures relate to 31 August.
[3] Disability living allowance was introduced in April 1992 for people under age 65. The 1992 figure includes beneficiaries who transferred to disability living allowance in April 1992 from mobility allowance and attendance allowance.
[4] Figures based on a 100 per cent. count of statistical records adjusted to reflect the extent to which they overstate the number of live cases.
[5] Figures as at 31 March 1996.

Ms Hodge: To ask the Secretary of State for Social Security what was the total cost to his Department in awarding the mobility component of the disability living allowance for *(a)* last year and *(b)* each of the previous years since its introduction. [9596]

Mr. Mitchell: The information is set out in the table:

£ million

Year	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Higher rate mobility component	1,167	1,547	1,679	1,977
Lower rate mobility component	52	108	137	183
Total mobility component	1,219	1,655	1,816	2,160

Source:
The 1995–96 figure is based on disability living allowance (DLA) expenditure in the appropriation accounts published this month. The breakdown for the earlier three years conforms with total DLA expenditure shown in the departmental report 1996.
Note:
All figures are estimated.

Attendance Allowances

Ms Hodge: To ask the Secretary of State for Social Security what has been the total cost to his Department for paying attendance allowance in the current year and in each of the previous four years. [9599]

Mr. Andrew Mitchell: The information is set out in the table:

Total expenditure of attendance allowance

Year	*£ million*
1992–93[1]	1,553
1993–94[1]	1,795
1994–95[1]	1,963
1995–96[2]	2,218
1996–97[3]	2,421

Notes:
[1] Source: March 1996 social security departmental report and earlier equivalents.
[2] Source: 1995–96 appropriation accounts, vote 1.
[3] Estimated expenditure, may change prior to the publication of the March 1997 departmental report.
[4] Figures are rounded to the nearest million.

Ministerial Visits

Mr. Donohoe: To ask the Secretary of State for Social Security if he will list for each of the Ministers in his Department how many official ministerial visits they have undertaken since 1 January; and how many of these have been abroad. [9388]

Mr. Burt: The information is set out in the table:

	Number of domestic ministerial visits	*Number of ministerial visits abroad*
Peter Lilley	13	2
Alistair Burt	84	1
The Lord MacKay of Ardbrecknish	15	1
Andrew Mitchell	12	2
Roger Evans	19	0
Oliver Heald	31	0

Housing Benefit

Mr. Nigel Jones: To ask the Secretary of State for Social Security what methodology his Department is using to monitor the effects of the housing benefit changes for single people implemented on 7 October; what initial report he has received; and if he will make a statement. [9417]

Mr. Roger Evans: The Department has asked a representative sample of local authorities to provide it with data specifically related to claims made by single claimants under the age of 25 years, on a quarterly basis. Information relating to the October to December quarter will be processed and analysed when received, and will be published in the usual way. This data together with data from other sources, for example, the rent officers statistics, will be used to assess the impact of the changes.

Incapacity Benefit

Mr. Thurnham: To ask the Secretary of State for Social Security if he will meet the chief executive of the Benefits Agency to discuss the time taken to assess the incapacity benefit claim by Mrs. Jean Cavanagh of 71 Thorns road, Astley Bridge, Bolton; and if he will make a statement. [9750]

Mr. Burt: My right hon. Friend the Secretary of State has no plans to meet the chief executive of the Benefits Agency. He is aware of the delays that have occurred in this case and the chief executive will write to the hon. Gentleman separately.

I can now confirm that a decision has been made and that Mrs. Cavanagh has been advised of that decision.

Child Support

Ms Lynne: To ask the Secretary of State for Social Security what is the target time for handling departure applications from the time of the initial inquiry to the revised maintenance level being implemented; and what proportion of departure applications he estimates will meet this target in 1997. [9953]

Mr. Andrew Mitchell: Consideration is being given to the nature and value of target times for activity on departures in the light of live running of the new scheme.

Mr. Simon Coombs: To ask the Secretary of State for Social Security if he will extend the provision enabling child support liability orders to be entered on the register of county court judgments. [10960]

Mr. Mitchell: Since 20 May 1996, the Child Support Agency has had the power to enter liability orders made in magistrates courts in the register of county court judgments. To date, only new orders have been entered. From today however, the agency will also be able to enter liability orders made before 20 May. Those absent parents affected by the change will be given an opportunity to reach an agreement to repay arrears of child support before the liability order is registered.

Overseas Pensions

Mr. Winnick: To ask the Secretary of State for Social Security in what circumstances his Department acts on behalf of those individuals living in the United Kingdom who are known to have served in Nazi armies in respect of overseas pensions; and if he will make a statement. [9954]

Mr. Heald: The Department of Social Security will act for any citizen from any member state of the European economic area in accordance with the law. This includes application of EC regulations on social security for migrant workers—regulations 1408/71 and 572/72—where the person concerned has been insured in two or more states of the European economic area. The scope of these regulations includes contributory old-age, survivors and invalidity pensions. It does not, however, extend to war pensions.

Jobseeker's Allowance

Mr. Hinchliffe: To ask the Secretary of State for Social Security if a person unable to claim incapacity benefit as a result of the all-work test will be able to claim the jobseeker's allowance for the first 13 weeks without pursuing employment opportunities away from their recognised past employment; and if he will make a statement. [10257]

Mr. Roger Evans: A person claiming jobseeker's allowance after being found capable of work under the all-work test is subject to the same conditions of entitlement as other jobseekers. A person may restrict his availability to his usual occupation for a "permitted period" of up to 13 weeks. Whether he has a usual occupation is a question of fact which may have to be determined by an independent adjudication officer. If he is no longer capable of carrying out that previous occupation, this is likely to have a bearing on whether he is regarded as having a usual occupation for jobseeker's allowance.

Someone who has physical or mental difficulties can restrict his availability in any way, provided that his restrictions are reasonable in the light of those difficulties.

HEALTH

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to his answer of 6 December, *Official Report*, columns *820–21*, on the largest annual NHS payments to dentists, in which town is the dental practice listed in each of the years given. [9075]

Mr. Malone: In 1995–96 the highest earning dentist practices were listed in Norfolk and Essex. In 1991–92, 1992–93, 1993–94 and 1994–95 the highest earning dentists' practices were listed in London.

Practice Nurses

Mr. Simon Hughes: To ask the Secretary of State for Health how many general medical services practice nurses there were *(a)* in each family health services authority and *(b)* in each region in each year from 1985 to 1996. [9767]

Mr. Malone: The available information will be placed in the Library.

I regret that my previous reply on 15 July 1996 at column *391* for Bolton family health services authority in 1995 was incorrect in respect of practice nurse data. I am placing the correct information in the Library.

NHS Trusts

Mr. Bayley: To ask the Secretary of State for Health, pursuant to his answer of 25 November, *Official Report*, column *114*, how many and what percentage of national health service trusts in England failed at the end of the 1995–96 financial year *(a)* to break even, *(b)* to achieve their target rate of return on relevant net assets, *(c)* to stay within their external financing limit and *(d)* to meet one or more of these targets. [10805]

Mr. Horam: The information requested has been placed in the Library.

Chlorofluorocarbons

Mr. Gordon Prentice: To ask the Secretary of State for Health when he plans to introduce measures to phase out the use of CFCs in aerosols for medical use. [10410]

Mr. Clappison: I have been asked to reply.

CFCs may continue to be produced for use in the manufacture of metered dose inhalers—MDIs—under essential use exemption under the Montreal protocol, and EC regulation 3093/94 by which the protocol is implemented in the EU. Decision VIII/8 bis of the eighth meeting of the parties to the Montreal protocol in November 1996 noted that a transition is occurring from

the use of CFC-based MDIs to non-CFC treatments for asthma and chronic obstructive pulmonary diseases, and encouraged developed countries to take measures to ensure a smooth and efficient transition, and protect the health and safety of patients. The Government have accordingly begun to prepare a transition strategy which will assist the orderly phase-out of CFCs in the application as suitable non-CFC-based treatments become available.

DEFENCE

Equipment Contracts (Gloucestershire)

2. **Mr. Clifton-Brown:** To ask the Secretary of State for Defence if he will make a statement on the impact on jobs in Gloucestershire as a consequence of defence contracts awarded in each of the past five years. [8971]

Mr. Arbuthnot: We do not maintain estimates of defence-related jobs on a county basis. However, the south-west as a whole is one of the two regions with the highest proportion of those in work whose jobs are directly related to my Department's equipment contracts.

Cadet Forces

13. **Sir Colin Shepherd:** To ask the Secretary of State for Defence if he will make a statement on the role of the services cadet forces. [8983]

Mr. Soames: The cadet forces continue to play a vital role in the nation's voluntary youth movement.

Helicopters (Unauthorised Use)

14. **Mr. Gordon Prentice:** To ask the Secretary of State for Defence what steps he is taking to prevent the unauthorised use of helicopters by naval personnel. [8984]

Mr. Soames: I am not aware of any cases of unauthorised use of helicopters by naval personnel. All flights by Royal Navy aircraft are governed by strict authorising procedures.

Departmental Land Disposal (Hampshire)

15. **Mr. Hunter:** To ask the Secretary of State for Defence what representations he has recently *(a)* received from and *(b)* made to Hampshire county council regarding the disposal of land in Hampshire that is surplus to his Department's requirements. [8985]

Mr. Soames: My Department maintains close liaison with Hampshire county council and other local authorities in the county on matters concerning the defence estate. Regular meetings are held, at which both general and particular issues, including the disposal of surplus sites, are discussed.

Anglo-American Defence Arrangements

16. **Mr. Evennett:** To ask the Secretary of State for Defence when he last met the US Secretary for Defence to discuss Anglo-American defence arrangements; and if he will make a statement. [8986]

Mr. Portillo: I meet Dr. Perry on a regular basis; we last met during the meetings of NATO Defence Ministers in Brussels on 17 and 18 December. I look forward to working closely with his successor, Senator Cohen, when he takes up his appointment.

Departmental Budget

17. **Mr. Brian David Jenkins:** To ask the Secretary of State for Defence if he will calculate the change in his Department's budget as a percentage of gross domestic product between April 1990 and April 1997 under current plans. [8987]

Mr. Terry Davis: To ask the Secretary of State for Defence if he will estimate the change in his Department's budget as a percentage of gross domestic product between April 1990 and April 1997 under current plans. [8974]

Mr. Soames: Under our latest spending plans and forecasts of GDP, the defence budget will account for approximately 2.8 per cent. in 1997–98, compared with 4 per cent. in 1990–91.

Eurofighter

18. **Mr. Merchant:** To ask the Secretary of State for Defence what discussions he has had on progress on Eurofighter with his German counterpart. [8988]

Mr. Arbuthnot: My right hon. Friend the Secretary of State for Defence met his German opposite number in November, when Herr Rühe confirmed that Germany expected to make a decision on the production investment and production phases of Eurofighter early in 1997. I met my German opposite number most recently on 5 December 1996, when he reaffirmed Germany's commitment to the programme.

Racial Harassment

19. **Mrs. Fyfe:** To ask the Secretary of State for Defence how many cases of racial harassment have been reported in each of the armed services; and of these how many have resulted in disciplinary action being taken in the last year for which figures are available. [8989]

Mr. Soames: A total of 38 cases of alleged racial harassment in the Army were reported between 1992 and 6 December 1996, the last date for which figures are available. Of these, 25 were found to be unsubstantiated, and seven are still under investigation. Of the six cases substantiated, four have resulted in disciplinary action being taken.

In the corresponding period, the Royal Air Force has dealt with seven cases of alleged racial harassment. Of these, four were found to be unsubstantiated and one was withdrawn. Disciplinary action was taken in the other two cases.

The naval service has kept records of such cases for the last 12 months. In this time, five cases have been raised. Of these, one has been found to be unsubstantiated, another is under investigation and one involved disciplinary action. A further case was resolved without

resort to disciplinary action. The remaining case relates to incidents in 1991–92, and is subject to a claim for damages at the High Court.

Racial abuse or discrimination is not tolerated in the armed forces. All complaints about racial discrimination are investigated and, where appropriate, action is taken against the offenders.

West Indies Guard Ship

20. **Mr. Luff:** To ask the Secretary of State for Defence what tasks are performed by the West Indies guard ship and its accompanying Royal Fleet Auxiliary vessel; and if he will make a statement. [8990]

Mr. Soames: The West Indies guard ship and her accompanying Royal Fleet Auxiliary tanker provide support to our dependent territories and other UK interests in the region. They carry out a broad range of tasks, including disaster relief, support for international operations, goodwill visits, and training for Caribbean forces. They also make a significant contribution to the international fight against drug trafficking.

Overseas Service

21. **Mr. Bernard Jenkin:** To ask the Secretary of State for Defence in how many countries overseas United Kingdom armed forces are currently serving; and if he will make a statement on the global role of the United Kingdom armed forces. [8991]

Mr. Soames: British service personnel are currently providing a UK military presence either on operations or at permanent bases in 18 countries outside the United Kingdom.

Our armed forces are deployed around the globe to protect the interests of the United Kingdom and our dependent territories; to contribute to operations under international auspices, in particular those of NATO, the United Nations and the Organisation for Security and Co-operation in Europe; and to promote and sustain international peace and stability.

Royal Navy (Upgrades)

22. **Dr. Spink:** To ask the Secretary of State for Defence what upgrades are planned in Royal Navy fighting capabilities. [8992]

Mr. Arbuthnot: To maintain the Royal Navy as one of the world's most modern, able fighting forces, the capabilities afforded by its equipment are kept under regular review. A number of key projects are planned to enter service during the next decade, including six further type 23 frigates; two further Trident class SSBNs—strategic submarine ballistic nuclear; seven further single role minehunters; the landing platform helicopter, HMS Ocean; the two landing platform docks (replacement), HMS Albion and HMS Bulwark; the EH101 Merlin anti-submarine warfare helicopter; the batch 2 Trafalgar class submarine to succeed the Swiftsure class; the Tomahawk land attack missile; and the common new generation frigate, which will replace the air defence capabilities of our type 42 destroyers. In addition, improvements are planned to a range of weapons and equipment fitted to RN submarines and surface ships to ensure that they maintain their operational capability into the next century.

Organophosphate Pesticides

23. **Mr. Ainger:** To ask the Secretary of State for Defence if the current instructions given to Her Majesty's forces about the care of organophosphate pesticides have changed since January 1991; and if he will make a statement. [8993]

Mr. Soames: Instructions regarding the storage and use of organophosphate pesticides are included on the safety data sheets for pesticides which accompany every delivery of service stock. The instructions have therefore changed since 1991 in line with changes in the inventory of the UK armed forces.

Mr. Llew Smith: To ask the Secretary of State for Defence if he will list each of the toxic delousing powders or sprays used by British forces during Operation Granby indicating in each case *(a)* on whom and in what form it was used and *(b)* if it was licensed for use in the United Kingdom. [10641]

Mr. Soames *[holding answer 13 January 1997]:* I refer the hon. Member to paragraphs 2.C.8 and 3.E.10 to 3.E.17 of the report of the organophosphate pesticide investigation team D/OPPIT/3 dated 6 December 1996, a copy of which is in the Library of the House.

Ex-Service Affairs Unit

24. **Mr. Pope:** To ask the Secretary of State for Defence what representations he has received in connection with the Royal British Legion campaign to establish an ex-service affairs unit. [8994]

Mr. Soames: My Department has recently received a number of letters expressing support for the Royal British Legion's campaign for the establishment of an ex-service affairs unit. Replies have been sent to all these letters, explaining that the Government continue to believe that provision for former service men and women is best integrated with that for the population as a whole.

Hong Kong

25. **Sir Fergus Montgomery:** To ask the Secretary of State for Defence if he will make a statement on the impact of the withdrawal from Hong Kong on the role of the Royal Navy. [8995]

Mr. Soames: The UK's wider interest in security in the region will not diminish when the sovereignty of Hong Kong is transferred to China on 30 June. The Royal Navy will continue to deploy to the far east, as it has done traditionally. In addition to our continuing commitment to the five powers defence arrangements, we shall continue our programme of bilateral defence contracts with our friends in the region.

Defence Industry (Employment)

26. **Mr. Hoyle:** To ask the Secretary of State for Defence what is his Department's estimate of the number of *(a)* direct and *(b)* indirect jobs in the United Kingdom defence industry; and what was this number in 1990. [8996]

29. **Mr. George:** To ask the Secretary of State for Defence what is his Department's estimate of the number of *(a)* direct and *(b)* indirect jobs in the United Kingdom defence industry; and what was the number in 1990. [8999]

Mr. Arbuthnot: Estimates of UK employment dependent both directly and indirectly on defence expenditure and equipment exports in recent years appear in table 1.10 of "UK Defence Statistics 1996", a copy of which is in the Library of the House.

Peacekeeping

27. **Mr. Peter Atkinson:** To ask the Secretary of State for Defence what assessment he has made of the advantages of earmarking troops solely for peacekeeping tasks. [8997]

Mr. Soames: Requests for British personnel to participate in peacekeeping are considered case by case in the light of other commitments. Contributions to peacekeeping operations can potentially be drawn from any part of the armed forces, subject to availability. We believe that this approach is preferable to earmarking personnel or formations. The inherent uncertainty of where and how operations will arise makes it very difficult to determine in advance which capabilities will be required. This results in the risk of a mismatch between requirements and earmarked forces. The United Nation's standby force arrangements, which identify capabilities in a large number of member states, provide a more practical and flexible method of identifying forces.

Ministerial Responsibilities

28. **Mr. Olner:** To ask the Secretary of State for Defence which Minister is responsible for recruitment to the armed forces. [8998]

Mr. Soames: My right hon. Friend the Secretary of State for Defence has overall responsibility for all defence matters.

Executive Agencies

Mr. Sheerman: To ask the Secretary of State for Defence what steps he is taking to encourage senior service personnel to co-operate fully with Government executive agencies. [8979]

Mr. Soames: Senior officers in Her Majesty's forces are expected at all times to co-operate fully with Government executive agencies.

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence if he will place in the Library a copy of the letter sent to invite Gulf war veterans who believe themselves to be suffering from illness originating from their service in the Gulf to present themselves for examination. [9673]

Mr. Soames: Gulf veterans who inquire about attending the medical assessment programme are sent a factsheet giving information about the programme, how to register, and travel and accommodation arrangements. In addition, since the wider use of organophosphate pesticides came to light, we have written to a number of veterans who have previously attended the programme, and who exhibit a range of symptoms which may relate to OP pesticide exposure, inviting them to return for further assessment. Copies of this letter and the factsheet have been placed in the Library of the House.

Relocation Assistance

Mr. Key: To ask the Secretary of State for Defence if he will list, by name, the companies that provide domestic furniture and personal effects removal services for armed forces personnel and the areas to which their contracts apply, including overseas moves, family moves under the service contract system and moves of single personnel. [9783]

Mr. Soames: This is a matter for the chief executive of the Defence Transport and Movements Executive. I have asked the chief executive to write to the hon. Member.

Letter from M. G. R. Hodson to Mr. Robert Key, dated 14 January 1997:

I am replying to your Question to the Secretary of State for Defence, which asks for the names of the companies which provide removal services for Armed Forces Personnel, as this matter falls within my area of responsibility as Chief Executive of the Defence Transport and Movements Executive Agency.

The annexe gives details of those companies concerned. Please see my remarks in the answer to your other Question on removal contracts, regarding single personnel.

The following companies provide overseas removal services on a tri-Service basis, for families and single personnel to and from the areas specified:

Area 1. (Berkshire, Buckinghamshire, Hampshire, Kent, Oxfordshire, East Sussex, Bedfordshire, Essex, Hertfordshire, London, Surrey, West Sussex)

Pickfords

Bournes

F and N

Whites and Co.

R and Y Tyres

Baxters

Area 2. (Cornwall, Dorset, Somerset/Avon, Devon, Gloucester, Wiltshire)

Pickfords

F and N

Whites and Co.

Cantay

Area 3. (Cambridgeshire, Leicestershire, Nottinghamshire, North Hampshire, Derbyshire, Lincolnshire, Norfolk, Suffolk)

F and N

Pickfords

Pearsons Ltd.

Whites and Co.

Kidds

R and Y Tyres

Area 4. (Cheshire, Dyfed, South Glamorgan, Gwent, Hereford, Powys, Staffordshire, Worcester, Clwyd, Mid Glamorgan, West Glamorgan, Gwynedd, West Midlands, Shropshire, Warwickshire)

F and N

Fleet

Whites and Co.

Pearsons Ltd.

Area 5. (Cleveland, Durham, Lancashire, Merseyside, Tyne and Wear, South Yorkshire, Cumbria, Humberside, Greater Manchester, Northumberland, North Yorkshire, West Yorkshire)

Selles

Pickfords

Pearsons Ltd.

F and N

Kidds

Whites and Co.

Area 6. (Scotland)

Pickfords

Pearsons Ltd.

Whites and Co.

Area 7. (Northern Ireland)

Whittles Movers

Area 8. (Belgium, Germany, Netherlands)

Whites and Co.

Stubbs

Pearsons Ltd.

F and N

Castles

RRT

Hendricks

Rest of World

Norway—White and Co.

Italy—Pickfords

Portugal/Spain—Gauntlett Removals

Canada—AMJ Campbell

USA—Ambassador Relocations

Cyprus—Orbit Removals

France—Baxters Removals

Denmark—Bournes Removals

Hong Kong—Allied Pickfords

Hong Kong—TCI

Hong Kong—Baltrans

Hong Kong—Fourwinds

Eastern Europe—Allied Pickfords

The following companies provide internal UK removal services for the army, and for families only, to and from the headquarter areas specified:

HQ London

Alton International

HR Shipping Services

Britannia Movers International

HQ Scotland

County Removals

Britannia Movers International

HQ 2 division

Britannia Movers International

The Pantechnicon Group

Pearsons Ltd.

Whittle Movers

County Removals

W. Southerington and Son

HR Shipping Services

HQ 3 division

Britannia Movers International

HR Shipping Services

The Pantechnicon Group

Whites and Co.

Whittlers Movers

M. J. Christopher and Son

F. R. Hackworthy and Sons

HQ 4 division

Alton International

Baxters International

Britannia Movers International

HR Shipping Services

The Pantechnicon Group

Pickfords

Whites and Co.

Whittlers Movers

Hoults

Doree Bonner International

HQ 5 division

Britannia Movers International

The Pantechnicon Group

Premier Removals

White and Co.

HQ Northern Ireland

Whittle Movers

The following companies provide internal removal services for RAF and RN families to and from the areas specified:

Area 1 (South East)

Alton International

Baxters International

HR Shipping Services

Pickfords

Whittles Movers

Area 2 (Wales and South West)

M. J. Christophers and Son

F. R. Hackworthy and Sons

HR Shipping Services

The Pantechnicon Group

Area 3 (North)

County Removals

W. Southerington and Sons

Whites and Co.

Area 4 (Scotland)

County Removals

Ian Reid Removals Ltd.

White and Co.

Mr. Key: To ask the Secretary of State for Defence if he will list the total value of current contracts, by area, in respect of assistance to Army personnel who are posted from one location to another, broken down into overseas moves, family moves and single personnel moves. [9781]

Mr. Soames: This is a matter for the chief executive of the Defence Transport and Movements Executive . I have asked the chief executive to write to the hon. Member.

Letter from M. G. R. Hodson to Mr. Robert Key, dated 14 January 1997:

I am replying to your Question to the Secretary of State for Defence, which asks for the value in respect of assistance to army personnel who are posted, as this matter falls within my area of responsibility as Chief Executive of the Defence Transport and Movements Executive Agency.

The management information that is produced does not enable me to provide you with the details in exactly the categories you require. I have, therefore, broken down what information we do have, as far as is possible, but we are limited in what detail we can provide.

For overseas moves of army personnel, both families and single, between the UK and some 80 countries worldwide, the total value of the current contracts is approximately £17 million per annum.

For families moves for army personnel within the UK, the total value of the contracts is some £7 million per annum.

For internal UK, the movement of the personal effects of single personnel takes place outside the main Unaccompanied Baggage arrangements. Their effects are moved by both in-house Service transport and commercial transportation as if they were normal Army freight. The management information is not available to distinguish such moves or their cost from the movement of other types of freight.

Mr. Key: To ask the Secretary of State for Defence what arrangements he makes to assist Royal Navy and Royal Air Force personnel with removal costs when they are posted from one location to another. [9782]

Mr. Soames: When married RN and RAF personnel—and in the UK only, single personnel who meet certain conditions—are posted in the UK or to/from specified countries in north-west Europe, arrangements can be made to remove their furniture and effects at public expense where the circumstances of the move qualify. The removals are effected by a service which is based on the efficient use of removals companies contractually engaged by MOD via competitive tender. Service personnel should not need to meet any of the costs.

Range Facilities

Dr. John Cunnighnam: To ask the Secretary of State for Defence what has been *(a)* the income and *(b)* the operating costs of the Eskmeals range in each of the last five financial years. [10155]

Mr. Arbuthnot: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Dr. John Cunningham, dated 14 January 1997:

I have been asked to reply to your question about the income and operating costs of the Defence Evaluation and Research Agency (DERA) range at Eskmeals in each of the last five financial years, since as Chief Executive of DERA this is a matter for which I am responsible.

The income and operating costs of the Eskmeals range in 1995/96, together with the latest forecast for the current year is given in the Table below. Information on a comparable basis prior to the inclusion of Eskmeals in the Trading Agency in 1995 is not available.

£000

	1995–96	*1996–97 forecast*
Income	5,365	4,355
Operating costs	(8,450)	(5,504)
Over/(under) recovery	(3,085)	(1,149)

1. Operating costs for 1995–96 include exceptional costs of £987,000.
2. Eskmeals budgeted for a loss of £1.329 million in 1995–96.

I hope this is helpful.

Dr. Cunningham: To ask the Secretary of State for Defence for how many days in each of the last five years the ranges at *(a)* Eskmeals and *(b)* Shoeburyness have been used for testing purposes. [10154]

Mr. Arbuthnot: This is a matter for the chief executive of the Defence Evaluation and Research Agency. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Dr. John Cunningham, dated 14 January 1997:

I have been asked to reply to your question about the number of days in each of the last five years the Defence Evaluation and Research Agency (DERA) ranges at Shoeburyness and Eskmeals have been used for testing, since as Chief Executive of DERA this is a matter for which I am responsible.

The ranges at both Eskmeals and Shoeburyness have been in continuous use for testing purposes over the last five years. Each has a number of firing points or batteries and other test facilities and trials typically involve several days of preparation. The number of days in which firing took place somewhere on the ranges is as follows:

	Days
Eskmeals	
1992	237
1993	241
1994	206
1995	215
1996	228
Shoeburyness	
1992	240
1993	243
1994	245
1995	246
1996	225

I hope this is helpful.

Dr. Cunningham: To ask the Secretary of State for Defence (1) what is the projected income of the Eskmeals range in the current year and for the next three years; [10156]

(2) what is the projected income of the Shoeburyness range in *(a)* the current year and *(b)* the next three years. [10157]

Mr. Arbuthnot: This is a matter for the chief executive of the Defence Evaluation and Research Agency. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Dr. John Cunningham, dated 14 January 1997:

I have been asked to reply to your questions about the projected income of the Defence Evaluation and Research Agency (DERA) ranges at Eskmeals and Shoeburyness, since as Chief Executive of DERA this is a matter for which I am responsible. I will reply to both questions in this letter.

The projected income of the Eskmeals range for the current financial year is £4.4 million and that of the Shoeburyness range is £18.4 million. The budget for 1997/98 has still to be finalised and projections by range for future years are not available. The latest planning figure for total income across all of the DTEO Land Ranges (including Eskmeals, Kirkcudbright, Pendine and Shoeburyness) for each of the next three years is as follows:

1997/98: £29 million

1998/99: £27 million

1999/00: £22 million.

The equivalent figure for the current year is £32 million (against a budget of £44 million).

I hope this is helpful.

Dr. Cunningham: To ask the Secretary of State for Defence what was *(a)* the income and *(b)* the operating costs of the Shoeburyness range in each of the last five financial years. [10144]

Mr. Arbuthnot: This is a matter for the chief executive of the Defence Evaluation and Research Agency. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Dr. John Cunningham, dated 14 January 1997:

I have been asked to reply to your question about the income and operating costs of the Defence Evaluation and Research Agency (DERA) range at Shoeburyness in each of the last five financial years, since as Chief Executive of DERA this is a matter for which I am responsible.

The income and operating costs of the Shoeburyness range in 1995/96, together with the latest forecast for the current year is given in the Table below. Information on a comparable basis prior to the inclusion of Shoeburyness in the Trading Agency in 1995 is not available.

£000s

	1995–96	*1996–97 forecast*
Income	25,603	18,447
Operating costs	(26,108)	(22,582)
Over/under recovery	(505)	(4,135)

I hope this is helpful.

Nuclear Submarines

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the arrangements for decommissioning nuclear submarines; and if he will make a statement. [9866]

Mr. Arbuthnot: This is a matter for the chief executive of the Ships Support Agency. I have asked the chief executive to write to the hon. Member.

Letter from R. V. Babington to Mr. Harry Cohen, dated 14 January 1997:

I am replying to your question to the Secretary of State for Defence about the arrangements for decommissiong nuclear submarines as this matter falls within my area of responsibility as Chief Executive of the Ships Support Agency.

When a nuclear powered submarine is decommissioned it is defuelled and any non-essential or re-usable equipment is removed. This leaves only a residual amount of intermediate and low level waste within the vessel. The hull is then stored afloat at the location where it was decommissioned pending final disposal of the low level waste to BNFL Drigg, and the intermediate level waste to the deep repository to be developed by NIREX.

Ex-service Personnel

Mr. Menzies Campbell: To ask the Secretary of State for Defence what studies his Department has conducted into the time taken for service men and women leaving the armed forces to obtain employment; and if he will make a statement. [10452]

Mr. Soames: My Department has conducted a post-exit survey of service leavers since 1992 designed to evaluate the effectiveness of its resettlement services. The survey includes data on the employment status of respondents three months after discharge. Previously a copy of the then current survey was placed in the Library of the House, 12 May 1994, *Official Report*, column *200*. Three thousand five hundred returns to date indicate that 81 per cent. of service leavers are employed or otherwise engaged in their chosen activity within three months of leaving. Other service studies support these statistics. In the longer term, York university's centre for defence economics study into the "Transition from Service to Civilian Employment", financed in part by my Department, is providing a research base tracking service leavers through initial returns upon discharge and subsequently at the six months and two year points.

Mr. Campbell: To ask the Secretary of State for Defence what help his Department offers to ex-service men and women looking for employment after leaving the armed forces; and if he will make a statement. [10443]

Mr. Soames: Resettlement advice is available to all service personnel throughout their service. A comprehensive programme of career and specialist briefings, training courses and elements of outplacement is also available to eligible personnel during their final two years. Training may be undertaken either in-house—two main resettlement centres and nine regional centres—or externally. External training, for which a grant is available, may be through commercial providers or educational/training institutions. Service leavers may also undertake familiarisation attachments or spend time with companies to gain work experience or on-the-job training. A separate marketing campaign promotes the personal qualities and skills of service leavers who, in their last six months of service, may register with the services employment network which provides practical help with job finding; and, after discharge, can remain on the register for 12 months. The two service charities, the Officers Association and the Regular Forces Employment Association, which are grant funded by my Department, also play a major role in job finding support for service leavers up to normal retirement age.

Meniere's Disease (Compensation)

Mr. William O'Brien: To ask the Secretary of State for Defence if he will make a statement on his policy in respect of payment of compensation to ex-service men who are identified as suffering from Meniere's disease; how many claims have been made in the last 12 months; and how many were successful. [10145]

Mr. Soames: My Department's policy on paying compensation to ex-service men who have Meniere's disease is no different from that which applies if a claim is received in respect of any other illness. Former Ministry of Defence employees are entitled to, and receive, compensation if the Ministry of Defence is legally liable for their illness or vicariously liable for any medical negligence. Information on the number of claims for hearing loss specifically relating to Meniere's disease made in the last 12 months, and how many were successful, could be provided only at disproportionate cost.

Naval Vessel Tendering

Mr. Davidson: To ask the Secretary of State for Defence what is the Government's policy in respect of ensuring competition in tendering for large naval vessels among United Kingdom shipyards. [10647]

Mr. Arbuthnot: The Government remain committed to their policy of achieving best value for money for the defence budget, and aims to meet UK requirements through competition and open procurement from the UK shipbuilding industry. We believe that scope for competition exists for large naval vessels.

Project Horizon

Mr. Spellar: To ask the Secretary of State for Defence if he will make a statement on current progress on Project Horizon. [10872]

Mr. Arbuthnot: The next major milestone will be the start of the detailed design and construction of one first-of-class ship for each of the three nations involved in its production. This is currently planned to start in mid-1998, with agreed in-service dates of 2004. These dates do, however, depend on concluding a number of international contractual negotiations, including those on the ships' principal anti-air missile system.

Royal Navy (Alcohol)

Mr. Harry Greenway: To ask the Secretary of State for Defence if he will make a statement on the occasions on which *(a)* rum and *(b)* other alcohol is provided free to members of the Royal Navy. [9229]

Mr. Soames: The issue of alcohol at public expense to members of the Royal Navy is governed by regulations and occurs when:

(1) the order 'Splice the Main Brace' is given by Her Majesty The Queen or members of the Royal Family, or by the Admiralty Board, on special occasions of celebration or national rejoicing; or

(2) in very exceptional circumstances such as occasions of particularly arduous service or exposure, with the approval of a senior commander and, usually, of a Medical Officer.

Consultants

Mr. Milburn: To ask the Secretary of State for Defence what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10168]

Mr. Arbuthnot *[holding answer 13 January 1997]:* Over the last five years, the total amount spent on external consultants by my Department's non-departmental public bodies, as listed in "Public Bodies", was as follows:

Financial year	*Total amount spent* £
1991–92	9,000
1992–93	1,200
1993–94	29,340
1994–95	33,120
1995–96	34,706

RAF Stanmore Park

Mr. Dykes: To ask the Secretary of State for Defence if he will make a statement on his latest estimates of *(a)* civilian redundancies and *(b)* military early retirement numbers at RAF Stanmore Park. [10533]

Mr. Soames: The majority of MOD civilian staff affected by the closure of RAF Stanmore Park on 1 April 1997 have been found alternative employment and every effort is being made to find posts for the remainder. It is possible that one civilian may have to leave on redundancy terms by April 1997. There are a further three civilian posts which are required until October 1998. Negotiations are proceeding to see if the occupants of these three posts can be transferred to service posts which are being civilianised. By April 1997, a total of 13 Royal Air Force personnel serving at RAF Stanmore Park are expected to have left the service on premature voluntary retirement during the current financial year.

NORTHERN IRELAND

Cancer Services

Dr. Hendron: To ask the Secretary of State for Northern Ireland what measures he has taken to recruit additional consultant oncologists and support staff. [9752]

Mr. Moss: It is for health and social services boards, working closely with trusts, to identify and recruit the additional consultant oncologists and support staff needed to improve cancer services.

Dr. Hendron: To ask the Secretary of State for Northern Ireland what plans he has to provide additional funding for the recruitment of additional consultant oncologists. [9753]

Mr. Moss: It is for helath and social services boards, working closely with trusts, to identify the funding required for the recruitment of additional consultant oncologists. I will consider sympathetically any proposals from the boards for additional funds to pump-prime the development of cancer services.

Dr. Hendron: To ask the Secretary of State for Northern Ireland what is the planned time scale for the option appraisal exercise which is to examine future delivery of cancer services. [9754]

Mr. Moss: The option appraisal is expected to get under way shortly and is likely to take at least six months.

Dr. Hendron: To ask the Secretary of State for Northern Ireland who will represent Green Park Healthcare trust on the option appraisal exercise for the future delivery of cancer services. [9755]

Mr. Moss: The Green Park Healthcare trust will determine the two people whom it wishes to represent it on the project board that will be established to control the option appraisal process.

Dr. Hendron: To ask the Secretary of State for Northern Ireland what are the terms of reference of the group conducting the option appraisal exercise for the future delivery of cancer services. [9756]

Mr. Moss: The terms of reference for the option appraisal exercise have not yet been finalised.

Zoonotic Diseases

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many zoonotic disease conditions were reported in each of the past five years at the veterinary laboratories at *(a)* Omagh and *(b)* Stormont. [10837]

Mr. Ancram: The information requested is provided in the table, which lists the zoonotic disease conditions reported at the veterinary sciences division's Omagh and Stormont laboratories in each of the years requested.

Year	*Ringworm*		*Mange*		*Cryptosporidia*		*Trichinella*	
	Omagh	*Stormont*	*Omagh*	*Stormont*	*Omagh*	*Stormont*	*Omagh*	*Stormont*
1992	12	4	2	5	53	84	n/a	21,227
1993	17	4	3	7	47	88	n/a	8,397
1994	20	3	3	10	124	112	n/a	1,113
1995	12	2	1	0	112	60	n/a	32
1996	10	n/a	0	n/a	149	n/a	n/a	n/a

Year	*Enzootic abortion*		*Orf*		*Campylobacter*	
	Omagh	*Stormont*	*Omagh*	*Stormont*	*Omagh*	*Stormont*
1992	1	0	3	0	22	95
1993	15	33	n/a	0	18	138
1994	46	28	3	3	52	[1]n/a
1995	68	[2]101	2	2	39	243
1996	71	57	0	0	17	361

[1] Provisional figure.
[2] Includes a number of survey samples.
n/a = not available.
The above table shows the most common positive diagnoses of the more common zoonotic conditions 1992–96. A number of less frequent conditions e.g. anthrax, psittacosis, brucellosis have been omitted. In most cases there have been only single occurrences during the period.

Year	*Louping ill*		*Salmonellae*		*Leptospirae*[1]		*M. bovis*	
	Omagh	*Stormont*	*Omagh*	*Stormont*	*Omagh*	*Stormont*	*Omagh*	*Stormont*
1992	n/a	3	109	369	146	254	n/a	1,798
1993	n/a	2	92	204	143	236	n/a	2,300
1994	n/a	2	145	700	137	262	229	1,688
1995	n/a	3	300	[2]753	136	248	890	1,547
1996	n/a	1	386	1,201	136	273	809	1,477

[1] Fluorescent antibody tests carried out at Stormont.
[2] Provisional figure includes diagnostic and statutory samples.
n/a = not available.

Year	*M. johnei*		*Listeria*		*Toxoplasmosis*	
	Omagh	*Stormont*	*Omagh*	*Stormont*	*Omagh*	*Stormont*
1992	23	24	4	18	25	68
1993	21	16	5	20	18	41
1994	14	7	15	26	16	[1]n/a
1995	16	9	32	[1]60	60	300
1996	16	1	32	[1]60	32	445

[1] = Provisional figure.
n/a = not available.
The tables show the most common positive diagnoses of the more common zoonotic conditions 1992–96. A number of less frequent conditions e.g. anthrax, psittacosis, brucellosis have been omitted. In most cases there have been only single occurrences during the period.

Written Answers to Questions

Wednesday 15 January 1997

DUCHY OF LANCASTER

Departmental Nurseries

Mr. Allen: To ask the Deputy Prime Minister which Ministers of the Crown currently make use of the departmental nursery for their children. [10806]

The Deputy Prime Minister: I refer the hon. Member to the answer given on 4 November 1996, *Official Report*, column *333*.

Information on the parents who use departmental nurseries is not held centrally.

TRADE AND INDUSTRY

Research Institutes

Mr. Ingram: To ask the President of the Board of Trade (1) how much has been spent to date on the prior options review of the Roslin Institute; and from which budget these sums were paid; [10106]

(2) how much has been spent to date on the prior options review of the Institute of Grassland and Environmental Research; and from which budget these sums were paid; [10138]

(3) how much has been spent to date on the prior options review of the Institute of Arable Crops Research; and from which budget these sums were paid; [10042]

(4) how much has been spent to date on the prior options review of the Silsoe Research Institute; and from which budget these sums were paid; [10130]

(5) how much has been spent to date on the prior options review of the Babraham Institute; and from which budget these sums were paid; [10110]

(6) how much has been spent to date on the prior options review of the Institute of Food Research; and from which budget these sums were paid; [10046]

(7) how much has been spent to date on the prior options review of the Institute for Animal Health; and from which budget these sums were paid; [10102]

(8) how much has been spent to date on the prior options review of the John Innes Centre; and from which budget these sums were paid. [10134]

Mr. Ian Taylor *[holding answer 13 January 1997]*: Work on these reviews has principally involved existing staff in the Biotechnology and Biological Sciences Research Council which is funded from the science budget. BBSRC estimates the total staff and other incidental costs as £240,000. It is not possible to quantify the costs incurred by the several Government Departments involved in the prior options procedures without incurring disproportionate cost.

Fairtrade Foundation

Mr. Llew Smith: To ask the President of the Board of Trade what recent representations he has received from the Fairtrade Foundation; and if he will take steps to introduce products marketed by the foundation into the cafeterias in his Department. [10892]

Mr. Nelson: I have not received any representations recently from the Fairtrade Foundation. The foundation is free to compete with other suppliers to Halliday Catering Services, who hold the contract to run my Department's catering facilities.

Science Budget

Dr. Twinn: To ask the President of the Board of Trade if he will make a statement on the allocation of the science budget. [11469]

Mr. Lang: I have discussed the allocations with the director general of research councils and have decided that, subject to parliamentary approval of the supply estimates in due course, the science budget of £1,330.327 million should be allocated as follows:

Science budget allocations and planning assumptions

£ Million

	Allocation 1997–98	*Planning figures 1998–99*	*1999–2000*
BBSRC	183.300	185.445	184.193
ESRC	64.896	66.021	65.132
EPSRC	386.373	381.098	379.050
MRC	289.070	288.949	287.618
NERC	165.116	169.131	168.295
PPARC	191.850	194.289	194.094
International Sub.Reserve	8.800	13.000	13.000
CCLRC	1.450	1.450	1.000
Pensions	11.530	9.547	9.547
Royal Society	22.271	22.621	22.871
Royal Academy	3.370	3.436	3.486
OST Initiatives	2.302	2.381	2.381
Foresight Challenge	—	1.000	2.000
Total	1,330.327	1,338.367	1,332.667

These allocations will enable the research councils and other funded bodies to maintain the momentum in the key areas identified for national research and to carry forward the policies set out in the 1993 White Paper, "Realising Our Potential". An additional £17 million over three years has been allocated for urgent additional research into transmissible spongiform encephalopathies.

Further details are available in the paper, "Allocation of the Science Budget 1997–98", which I have placed in the Library of the House.

Telecommunications Council

Mr. Mark Robinson: To ask the President of the Board of Trade if he will make a statement on the outcome of the EC Telecommunications Council on 18 December 1996. [11408]

Mr. Page: I represented the UK at the Telecommunications Council held in Brussels on 18 December, arranged at short notice to discuss the postal services directive.

The Council reached political agreement on the further liberalisation of postal services. The UK supported the final compromise on the directive's further liberalisation proposals after successfully invoking the Ioannina agreement to secure improvements. Netherlands, Sweden and Finland voted against the agreement.

Under the agreement direct mail and cross-border mail will stay in the reserved area for the time being. The Commission will come forward with a proposal for further liberalisation by end 1998. The Council and the European Parliament will decide by 1.1.2000 on further liberalisation measures, in particular with a view to liberalisation of cross-border and direct mail as well as a further review of the price and weight limits, with effect from 1 January 2003. The directive will end in 2004 if no decisions have been made.

EDUCATION AND EMPLOYMENT

Pupil Costs

Mr. Keen: To ask the Secretary of State for Education and Employment if she will list *(a)* the actual unit cost per full-time equivalent student, *(b)* the equivalent figure at constant 1996–97 prices and *(c)* the consequent efficiency improvement for each of the years from 1989–90 to 1996–97 and the projected figures for the years 1997–98 to 1999–2000 assumed in the Budget for (i) higher education institutions, (ii) further education colleges, (iii) maintained secondary schools and (iv) assisted places in independent secondary schools. [8844]

Mr. Forth *[holding answer 19 December 1996]:* The relevant information is set out in the following text and tables. Figures for each education sector are, however, not directly comparable.

Participation in higher education has risen substantially. One in three young people now attend university full time, compared with only one in eight in 1979. The expansion in student numbers has been accompanied by substantial improvements in efficiency and continuing high quality as demonstrated by the Higher Education Funding Council for England's quality assessments. Participation is planned to continue at record levels in the future and planned expenditure on higher education will increase by £200 million over the next two years.

Higher education institutions

Financial year	*(a) public funding per full-time equivalent student* (£)	*(b) public funding per full-time equivalent student at 1996–97 prices* (£)	*(c) efficiency improvement* Per cent.
1989–90	5,350	7,050	—
1990–91	5,310	6,480	8.1
1991–92	5,350	6,130	5.4
1992–93	5,110	5,620	8.4
1993–94	5,010	5,360	4.5
1994–95	4,970	5,230	2.6
1995–96	4,970	5,100	2.4
1996–97	4,800	4,800	5.8
1997–98	4,860	4,760	0.8
1998–99	4,840	4,650	2.4
1999–00	4,720	4,450	4.3

Since the transfer of responsibility for the further education sector from local education authorities to the Further Education Funding Council on 1 April 1993, both expenditure on further education and the number of full-time equivalent student numbers have increased. Colleges have also made significant improvements in their efficiency. The Government will make available an extra £80 million over the next two years.

Further education colleges

Financial year	*(a) public funding per full-time equivalent student* (£)	*(b) public funding per full-time equivalent student at 1996–97 prices* (£)	*(c) efficiency improvement* Per cent.
1993–94	2,820	3,020	—
1994–95	2,810	2,950	2.4
1995–96	2,750	2,810	4.8
1996–97	2,650	2,650	6.2
1997–98	2,560	2,510	5.6
1998–99	2,490	2,390	4.9
1999–00	2,410	2,270	5.3

Comparable figures before 1993–94 are not available because of the transfer of responsibility for funding the further education sector from local education authorities to the FEFC from 1 April 1993.

LEAs are responsible for the allocation of resources to pre-primary, primary and secondary schools which they maintain. Since 1979 spending per pupil has increased in real terms by 48 per cent. For 1996–97 and 1997–98 total additional funds of £1.7 billion have been provided for maintained schools. Since spending depends upon decisions made by individual LEAs, the Government do not make projections for future years and does not set targets for efficiency gains.

LEA-maintained schools

Financial year	*(a) LEA-maintained NIE[1] per pupil (£)*	*(b) LEA-maintained NIE[1] per pupil at 1996–97 prices (£)*
1989–90	1,490	1,960
1990–91	1,620	1,980
1991–92	1,750	2,010
1992–93	1,860	2,040
1993–94	1,870	1,990
1994–95	1,890	1,990

[1] NIE—net institutional expenditure—represents the direct costs in schools of salaries and wages, premises and certain supplies and services, and from 1990–91 includes unspent balances held by schools under local management schemes.

LEA-maintained schools include pre-primary, primary and secondary schools. The figures have not been adjusted for any changes in the functions of LEAs, such as, for example, the transfer of sixth-form colleges to the new further education sector on 1 April 1993.

Spending on the assisted places scheme has increased since 1989–90. The amount of spending per assisted pupil depends upon a number of factors, including changes in approved fees and in parental incomes and contributions. Net expenditure per place has risen in real terms as the

scheme has included an increasing proportion of lower income families whose contributions are smaller. Forecasting the relevant factors is subject to a range of uncertainty, and the Department does not publish projections of spending per pupil. Similarly, for these reasons it is not possible to calculate efficiency changes.

Assisted places scheme

Financial year	*(a) spending per pupil (£)*	*(b) spending per pupil at 1996–97 prices (£)*
1989–90	2,280	3,000
1990–91	2,580	3,140
1991–92	2,960	3,390
1992–93	3,300	3,630
1993–94	3,490	3,740
1994–95	3,640	3,820
1995–96	3,770	3,860
1996–97	3,880	3,880

All tables use GDP deflators published December 1996. All figures have been rounded to the nearest £10.

Hampstead Garden Suburb Institute

Mr. John Marshall: To ask the Secretary of State for Education and Employment when she received the report by the inspector into the proposed compulsory purchase order in respect of the institute, London NW11, and when she expects to make a decision. [10807]

Mr. Robin Squire: The Department received the inspector's report on 4 November 1996. A decision on the inspector's recommendations will be made as soon as possible.

Assaults on Teachers

Mr. Thurnham: To ask the Secretary of State for Education and Employment what information she has collated concerning the number of assaults on teachers *(a)* by children and *(b)* by parents in the last five years. [10832]

Mr. Forth: This information is not collected centrally.

Ministerial Visits

Mr. Spearing: To ask the secretary of State for Education and Employment if she will name those schools to which she has made official visits in 1996, and to date in 1997, in which standards of space, heating and sanitary provisions *(a)* were represented to her as inadequate and *(b)* did not meet statutory standards; and what action she has taken or intends to take in each case. [10899]

Mrs. Gillan: My right hon. Friend the Secretary of State visits a large number of schools each year in the course of her official duties. Any matters of concern raised during such a visit, including standards of accommodation, are noted at the time and dealt with on an individual basis, usually through correspondence between officials in the Department and the school or local education authority involved.

The responsibility for ensuring that school premises comply with the standards laid down in the Education (School Premises) Regulations 1996 falls to the LEA for LEA-maintained schools, and the governing bodies of grant-maintained schools.

Teachers (Wiltshire)

Mr. Key: To ask the Secretary of State for Education and Employment how many teachers in Wiltshire local education authority schools in the year 1995–96 were granted early retirement *(a)* with and *(b)* without enhancement; and under which budget head the financial consequences for each school are recorded. [10334]

Mrs. Gillan: The number of teachers granted premature retirement in Wiltshire LEA schools in 1995–96 was 26 without enhancement and 36 with enhancement. Payments in respect of premature retirement compensation cannot normally be treated by LEAs as a charge on the budgets of individual schools. Nor, where they are so charged, need they be separately identified in the LEAs' statutory local management of schools financial statements or in any other statement or return collected by the Department.

Schools (Wiltshire)

Mr. Key: To ask the Secretary of State for Education and Employment if she will list for *(a)* Ridgeway school, Swindon, *(b)* Greendown school, Swindon, *(c)* Westwood St. Thomas school, Salisbury and *(d)* Malmesbury school, the (i) numbers on the roll, (ii) social needs budget, (iii) grants for education support and training, (iv) flat rate allowance, (v) age weighted pupil unit, (vi) devolved total 1 budget, (vii) amount retained by the local education authority from devolved 1 budget, (viii) devolved 2 budget total and (ix) total budget for each school for years April 1996 to March 1997. [10335]

Mr. Robin Squire: The information in the following table is taken from the local management of schools budget statement for 1996–97 published by Wiltshire local education authority under section 42 of the Education Reform Act 1988, now section 122 of the Education Act 1996. This statement does not contain, nor is it required to contain, the information requested at items (iii) and (vi) to (viii) of the question. The figures in the last line of the table represent the delegated budgets allocated to the schools and do not include GEST—grants for education, support and training—or other devolved funding.

	The Ridgeway School, Wroughton[1]	*Greendown Community School, Swindon*	*Westwood St. Thomas' School, Salisbury*	*Malmesbury School*
Number on roll	1,412	847	823	931
Amount allocated through social needs factor	£0	£13,856	£2,965	£0
Flat rate allowance	£170,950	£146,500	£170,950	£170,950
Amount allocated by age weighted pupil numbers	£2,482,875	£1,386,910	£1,659,525	£1,651,518
Budget share	£2,820,030	£1,653,823	£1,924,713	£1,997,945

[1] Incorporated as a grant-maintained school on 1 September 1996.

Office for Standards in Education Inspections

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many schools have been inspected by Ofsted; and how many teachers have been graded in each of categories one to seven since 1 April 1996. [10911]

Mr. Robin Squire: This is a matter for Her Majesty's Chief Inspector of Schools. I have asked Mr. Chris Woodhead to write to the hon. Member.

Investors in People

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what proportion of organisations with 200 or more employees are *(a)* recognised as and *(b)* committed to investors in people in each English region and in Wales. [11249]

Mr. Paice: The latest available data for Government Office regions in England are provided in the following table. Responsibility for Investors in People in Wales is a matter for my right hon. Friend the Secretary of State for Wales.

The percentages of organisations with 200 or more employees recognised as and committed to Investors in People, by Government Office region and nationally, are given against agreed baselines of organisations with 200 or more employees.

Region	*Percentage of employers recognised*	*Percentage of employers committed*	*Total percentage of employers covered*
North-east	18	40	58
North-west	14	59	73
Yorkshire and Humberside	13	48	61
Merseyside	24	50	74
West Midlands	18	55	73
East Midlands	15	62	77
Eastern Counties	12	58	70
South-west	23	53	76
South-east	18	71	89
London	9	50	59
Total England	15	55	70

The agreed baselines are the numbers of organisations of the relevant size eligible for separate Investors in People recognition as counted by English training and enterprise councils in spring 1996.

TRANSPORT

Heavy Goods Vehicles

Mr. Chidgey: To ask the Secretary of State for Transport if the road damage calculations quoted in the recent consultation document, "Lorry Weights", are based upon static conditions on a level surface; and what estimates have been made of road damage characteristics associated with typical dynamic conditions taking account of speed, uneven road surfaces and the variable quality of vehicle suspensions. [10906]

Mr. Watts: The dynamic effect of a given axle weight is dependent upon a number of factors including road surface, axle spacing, tyre and suspension type. The fourth power rule was derived from a series of dynamic tests in which different types of lorries were run repetitively over sections of road surface. The best approximation between road wear and lorry weight was found to be the fourth power of the static axle load.

Further work has been carried out in Germany and at the Transport Research Laboratory to take greater account of vehicle suspension and road types. But these effects are relatively small and static axle load remains the dominant factor. The TRL is currently participating in a European programme to determine the road wear effects of different tyre types.

Mr. Chidgey: To ask the Secretary of State for Transport what provisions there are to seek an extension of the derogation from EC directive 96/53 admitting 40-tonne lorries to Britain; and what plans he has to do so. [10904]

Mr. Watts: None. Under the terms of the original directive, 85/3/EEC now consolidated as 96/53/EEC, the United Kingdom would have been obliged to accept 40-tonne lorries on international journeys from July 1986. The Government negotiated a derogation from this requirement which expires on 1 January 1999.

Mr. Chidgey: To ask the Secretary of State for Transport what assessment he has had made of how much greater damage will be caused by the drive axles of 40-tonne lorries to road pavements when fully laden than is caused by 38-tonne lorries. [10905]

Mr. Watts: The 11.5 tonne axle weight of 40-tonne lorries would cause about 45 per cent. more road wear than the 10.5 tonne drive axle weight of 38-tonne vehicles, assuming in both cases that the axles are fully laden.

Jubilee Line Extension

Mr. Spearing: To ask the Secretary of State for Transport if he will list the estimated overall capital cost of the Jubilee line extension *(a)* at the time of Royal Assent to the Bill, *(b)* updated following the indexation of prices adopted by his Department for (i) 1996, (ii) 1997 and (iii) 1998; and if he will list the estimated deficit against the original estimate at 1997 prices, indicating from what source he expects this sum to be defrayed. [10877]

Mr. Bowis: At the time of Royal Assent the estimated overall cost of the Jubilee line extension was £2.1 billion in cash terms. The 1996 estimated outturn cost of the project was £2.6 billion in cash. That remains the estimated outturn cost. The difference between the two figures will come from London Transport's total resources, which include substantial amounts of Government grant. Additional grant has been made available specifically in respect of cost overruns related to delays arising from the new Austrian tunnelling method collapse on the Heathrow express project.

ENVIRONMENT

Noise Act 1996

Mr. Harry Greenway: To ask the Secretary of State for the Environment which local authorities have

indicated that they *(a)* will and *(b)* will not implement the Noise Act 1996 on 1 April 1997; how much expenditure will be incurred or saved in each case; and if he will make a statement. [10347]

Mr. Clappison: This information is not available centrally. However, my Department is commissioning research to establish the level and type of noise complaints service provided by local authorities in October 1996 and to track development of these services, including take-up of the new night noise offence in the Noise Act 1996.

Landfill

Mr. Martyn Jones: To ask the Secretary of State for the Environment if he will commission research into the biodegradation rates of domestic waste in landfill sites; and if he will make a statement. [10518]

Mr. Clappison: The Department's research programme into the management of solid wastes with particular emphasis on landfill disposal processes has now been largely transferred to the Environment Agency. The waste strategy policy on landfill set out in the White Paper, "Making Waste Work", is to promote landfill practices which will achieve stabilisation of landfill sites within one generation.

Current research is directed towards a bio-chemical—bio-reactor—engineering approach to landfill to reduce the time taken for a site to become stable. Research results inform guidance set out in the revised series of waste management papers on landfill. WMP 26B, "Landfill Design, Construction and Operational Practice", published in 1995, describes the issues and indicates practices to achieve accelerated stabilisation.

Building Research Establishment Conservation Support Unit

Mr. Llew Smith: To ask the Secretary of State for the Environment, pursuant to his answer of 12 December, *Official Report*, column *304*, for what reasons the recommendations and conclusions submitted by the consultant authors of the BRECSU reports 38 and 39 on ultra low energy homes were not published with the reports. [10659]

Mr. Clappison: Best practice publications, including reports 38 and 39 on low energy housing, take into account a range of inputs, including those from the participating consultants. They reflect generally accepted good practice taken from a number of sources and not just the recommendations and conclusions from individual consultant authors.

New Housing

Mr. Thurnham: To ask the Secretary of State for the Environment when he expects to publish the findings of his Department's consultation to extend part M of the Building Regulations to improve access to new housing. [10795]

Mr. Clappison *[holding answer 13 January 1997]:* Given the very high response to the consultation, work on the analysis of the responses is just being completed. In the light of comments made further work is to be undertaken on the compliance cost assessment, and action on this is in hand. The findings will be considered by the Building Regulations Advisory Committee, along with the analysis of the responses to the consultation, prior to officials making recommendations to Ministers. Given the uncertainty of the timing of the outstanding work, it is difficult to give a firm commitment, but I hope that it will be possible to make a statement in the early summer.

Mr. Thurnham: To ask the Secretary of State for the Environment how many of his officials are currently working on his Department's consultation to extend part M of the Building Regulations to improve access to new housing. [10794]

Mr. Clappison *[holding answer 13 January 1997]:* There is currently one official working directly on the analysis of the consultation.

Rented Housing

Mr. Rooker: To ask the Secretary of State for the Environment what proposals he has for improving *(a)* services to tenants and *(b)* quality of management of rented housing in 1997. [10767]

Mr. Clappison *[holding answer 13 January 1997]:* In the private rented sector, my right hon. Friend the Secretary of State for the Environment has approved two management codes for residential property to be published by the Royal Institution of Charted Surveyors. These cover service charge and rent only properties respectively and will come into force on 17 March. Copies are available in the Library.

The Government will shortly also be implementing most of its package on houses in multiple occupation, which is contained in the Housing Act 1996. These will significantly strengthen the existing powers available to local housing authorities to control standards in houses in multiple occupation. Later in 1997 we intend to publish a code of practice for landlords and local authorities, to be followed by the introduction of a duty on landlords to ensure that their properties are safe.

Later in the year the Housing Corporation will be producing a new social housing standard. This will require registered social landlords to meet certain key standards, including a number related to housing management and services to tenants. In addition, it is further developing the performance indicator system, under which information about RSLs' management and services is made available. It is also updating its tenants' guarantees to reflect these and other developments.

We expect compulsory competitive tendering of local authority housing management and increased involvement of tenants to improve the quality of services by making them more responsive and efficient. Provisions in the Housing Act 1996 will enable landlords in the social rented and private sectors to respond more effectively to the problem of anti-social behaviour.

Planning Application (Wallsend)

Mr. Byers: To ask the Secretary of State for the Environment if he will call in the decision taken by North Tyneside council to grant approval to planning application 96/02804/REM for the construction of 103 dwellings at the Victor Products site, Wallsend. [10910]

Sir Paul Beresford: No. Outline planning permission was granted by North Tyneside borough council for this development on 20 May 1996, and the current application—96/02804/REM—is for approval of reserved matters. The original application was advertised as a departure from the development plan, but the council considered that it should not be referred to the Secretary of State.

I am aware that there are local concerns about the proposal, particularly the density and character of the proposed housing, its impact on traffic and the need for local play facilities. I understand that council officers met local residents in November 1996 and are confident that the residents' concerns can be satisfactorily resolved.

Manchester Airport

Mr. Nigel Evans: To ask the Secretary of State for the Environment if planning permission will be granted for the proposed second runway at Manchester airport; and if he will make a statement. [11505]

Mr. Gummer: Together with my right hon. Friend the Secretary of State for Transport, I have decided to grant planning permission for a second runway at Manchester airport.

It is important to build on Manchester airport's success. It is already the 18th busiest airport in the world in terms of international traffic, with more passengers than Chicago. The second runway will cater for long-term customer demand. It will also create thousands more jobs and bring benefits for the whole of the north-west. This decision will be a boost for Manchester and the whole of the north-west.

A development of this scale will inevitably have impacts on the local environment, but the applicants have put together an impressive package of proposals to reduce these impacts and to seek the balance implicit in the concept of sustainable development.

Royal Commission on Environmental Pollution Report

Mr. Nigel Evans: To ask the Secretary of State for the Environment when the Government response to the 19th report of the royal commission on environmental pollution on the sustainable use of soil will be published. [11506]

Mr. Gummer: We have today published the Government response to the 19th report of the royal commission on environmental pollution, on the sustainable use of soil. Soil is a vital resource, and different activities can constrain its future use. It is necessary to seek to understand these effects more clearly in order to avoid causing unwitting damage. The commission's report provides a valuable contribution to this process.

We have accepted their main recommendations that we should produce a more explicit strategy for soil protection. We intend to publish this for public consultation in the spring. This will allow us to build on the many policies and action which are already contributing to the effective stewardship of soil. The soil strategy will draw together existing work, clarify our goals and identify clear commitments for future action. It will also address the overall monitoring framework for soils, including the issues of access to soil data and the better integration of existing data.

Our detailed responses to the 90 other recommendations, made by the royal commission, which cover all aspects of soil use, are also set out in the Government response. Among the most important recommendations accepted by the Government are:

implementing the new contaminated land regime as soon as is practicable—recommendation 2. The Department of the Environment is currently evaluation the responses to its consultation on statutory guidance.

reviewing legislation relating to the Environment Agencies once they have had time to establish themselves—recommendation 4. A study of existing legislation is planned in order to identify the scope for rationalisation.

considering further ways to encourage farmers to seek advice on erosion control—recommendation 18. The Ministry of Agriculture, Fisheries and Food, for example, is planning to issue an advisory booklet to complement the soil code in 1997.

pursuing action to reduce nitrogen oxide emissions—recommendation 41.

Among other measures, the Government are contributing to the European Union acidification strategy planned for mid-1997.

Copies of the Government response are being placed in the Library of the House.

Water Directives

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what estimate he has made of the costs in each of the next five years to the water companies of the proposed revision to European Union directives on *(a)* bathing water and *(b)* drinking water; and if he will take steps to ensure that these costs are not passed on to customers. [10202]

Mr. Clappison *[holding answer 13 January 1997]:* The capital cost of implementing the European Commission's proposals for a revision of the bathing water and drinking water directives in the UK has been estimated to be in the range of £1.6 billion to £4.2 billion and £2.2 billion to £3.5 billion respectively, with the majority of the expenditure in the case of the proposed drinking water directive being spread over 15 years from its adoption. Estimates for the next five years would depend on the precise terms of what is adopted and when.

The effect of new quality obligations on customers' bills is a matter for the director general of Water Services in regulating charges. Under section 2 (2) (b) of the Water Industry Act 1991 the director general has a duty to ensure that companies can finance their functions. When new quality obligations are placed on companies, the director general will need to make sufficient allowance in price limits for companies to comply.

Housing (Newcastle)

Mr. Cousins: To ask the Secretary of State for the Environment (1) how many houses were *(a)* started, *(b)* under construction and *(c)* completed in the city of Newcastle upon Tyne in the half-years commencing in April and October from 1993 to 1996; [10290]

(2) how many houses were completed in the city of Newcastle upon Tyne from 1 January 1988 to the latest available quarter. [10291]

Mr. Clappison *[holding answer 13 January 1997]:* The table shows figures as reported to the Department by Newcastle upon Tyne borough council and the National House Building Council.

Housebuilding: all dwellings: Newcastle on Tyne

	Number of dwellings		
	Started	*Under construction at end of period*	*Completed*
1988			
Q1	165	470	98
Q2	241	647	64
Q3	80	636	91
Q4	208	686	158
1989			
Q1	115	709	92
Q2	142	762	89
Q3	224	870	116
Q4	85	805	150
1990			
Q1	90	713	182
Q2	103	696	120
Q3	95	653	138
Q4	119	672	100
1991			
Q1	51	658	65
Q2	70	654	74
Q3	80	726	8
Q4	100	734	92
1992			
Q1	33	711	56
Q2	152	591	272
Q3	155	725	21
Q4	122	590	257
1993			
Q1	138	637	91
Q2	165	578	224
Q3	85	596	67
Q4	138	642	92
1994			
Q1	136	716	62
Q2	185	683	218
Q3	166	707	142
Q4	91	700	98
1995			
Q1	102	614	188
Q2	78	542	150
Q3	41	393	190
Q4	36	267	162
1996			
Q1	65	251	81
Q2	68	244	75
Q3	35	198	81

Anglian Water (Pollution)

Mrs. Helen Jackson: To ask the Secretary of State for the Environment if he will list (i) the location, (ii) the number of fish killed and (iii) the loss of amenity value for each category 1 and category 2 pollution incident caused by Anglian Water in 1995–96. [10199]

Mr. Clappison *[holding answer 13 January 1997]:* Details of category 1 and 2 water pollution incidents attributed by the Environment Agency to sewers, pumping stations, water treatment works or sewage treatment works operated by Anglian Water Services Ltd. in 1995 are available in the Libraries of the House. Pollution incident data for 1996 is still being compiled. Information on any loss of amenity value is not recorded.

Water Company Returns

Mrs. Helen Jackson: To ask the Secretary of State for the Environment if he will list the items in the water companies' July returns to Office of Water Services which are not being made publicly available. [10203]

Mr. Clappison *[holding answer 13 January 1997]:* A list of the information excluded from the July returns public documentation is given in appendix B of Ofwat's "A guide to the 1996 July returns for the water industry in England and Wales", a copy of which has been placed in the Library of the House.

Pollution Incident Categories

Mrs. Helen Jackson: To ask the Secretary of State for the Environment if he will list the National River Authority's and the Environment Agency's definitions of pollution incident categories for categories 1, 2, 3 and 4. [10198]

Mr. Clappison *[holding answer 13 January 1997]:* The Environment Agency's definition of pollution incidents is as follows:

Category 1

A major incident involving one or more of the following:

(a) potential or actual persistent effect on water quality or aquatic life;

(b) closure of potable water; industrial or agricultural abstraction necessary;

(c) extensive fish kill;

(d) excessive breaches of consent conditions;

(e) instigation of extensive remedial measures;

(f) significant adverse effect on amenity value;

(g) significant adverse effect on site of conservation importance.

Category 2

A significant incident which involves one or more of the following:

(a) notification of abstractor necessary;

(b) significant fish kill;

(c) readily observable effect on invertebrate life;

(d) water unfit for stock watering;

(e) bed of watercourse contaminated;

(f) amenity value to downstream users reduced by odour or appearance.

Category 3

A minor incident resulting in localised environmental impact only. Some of the following may apply:

(a) notification of abstractors not necessary;

(b) fish kill of fewer than 10 fish (species of no particular importance to the affected water);

(c) no readily observable effect on invertebrate life;

(d) water not unfit for stock watering;

(e) bed of watercourse only locally contaminated;

(f) minimal environmental impact and amenity value only marginally affected.

Category 4

A reported pollution incident which on investigation proves to be unsubstantiated in that no evidence can be found of a pollution incident having occurred.

Water Pressure

Mrs. Helen Jackson: To ask the Secretary of State for the Environment in how many households the water pressure in the communication pipe fell below 7m static head for more than one hour on two occasions in any period of 28 days in *(a)* 1991–92, *(b)* 1992–93, *(c)* 1993–94, *(d)* 1994–95 and *(e)* 1995–96; and in how many households this occurred more than once in (i) 1991–92, (ii) 1992–93, (iii) 1993–94, (iv) 1994–95 and (v) 1995–96. [10201]

Mr. Clappison *[holding answer 13 January 1997]:* The information requested is not available. Information on inadequate water pressure for the years 1991–92 to 1995–96, measured against the Director General of Water Services' service indicator, DG2, is available for each year for which information is requested in Ofwat's annual "Report on levels of service for the water industry in England and Wales", copies of which are in the Library. DG2 uses a reference level of 10m static head with a flow of 9 litres per minute to measure the adequacy of pressure. This should be sufficient to fill a one gallon—4.5 litre—container in 30 seconds from a ground floor kitchen tap.

Minke Whales

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what representations he has made to the Norwegian Government expressing the United Kingdom's opposition to Norway's draft proposal to downlist the north-east and central Atlantic minke whales at the next convention on international trade in endangered species meeting. [10465]

Mr. Clappison: The position of the UK and other EU member states in such matters requires a collective decision. Following a letter to Norway from the then Irish Presidency, my Department wrote to the Norwegian Government last month confirming that the UK would oppose the transfer of any species of cetaceans to appendix II of the convention on international trade in endangered species of wild fauna and flora while the moratorium on commercial whaling agreed by the International Whaling Commission remains.

Endangered Species (Import and Export Act 1976)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment (1) what special training and qualifications in the identification of threatened animals and plants are required for those persons responsible for policing the Endangered Species (Import and Export) Act 1976; [10412]

(2) how many successful prosecutions have been brought under the Endangered Species (Import and Export) Act 1976. [10411]

Mr. Clappison: The Act originally implemented the convention on international trade in endangered species of wild fauna and flora in the UK. In 1984 it was largely superseded by EC legislation, which implemented the convention throughout the Community.

There is no comprehensive record of convictions for CITES offences. However, we are aware that since 1990, 40 successful cases have been brought under the CITES enforcement regulations, 13 people have been successfully prosecuted under Customs legislation and a further six people have been prosecuted under the Endangered Species (Import and Export) Act.

Training is primarily a matter for the enforcement authorities. HM Customs and Excise include CITES in their basic training and the police advise their forces that wildlife issues should be included in their initial training. Customs officers at ports and airports have access to comprehensive written guidance on CITES and the species it covers. Each of the 14 Customs zones has designated a CITES liaison and intelligence officer, and every police force now has at least one designated police wildlife liaison officer. These officers are a source of information and advice.

Both Customs and the police can call upon experts for assistance in species identification and other specialist matters, including from my Department's wildlife inspectorate, non-governmental organisations and universities.

Industrial Pollution

Mr. Flynn: To ask the Secretary of State for the Environment if he will estimate how many *(a)* sites and *(b)* hectares are currently contaminated by industrial pollution; and if he will make a statement. [10427]

Mr. Clappison *[holding answer 13 January 1997]:* The basis for an adequate estimate of the extent of land affected by industrial pollution does not exist. We are preparing to bring into force part IIA of the Environmental Protection Act 1990—inserted into that Act by section 57 of the Environment Act 1995—which will give local authorities a specific duty to cause their areas to be inspected to identify land which meets the statutory definition of contaminated land.

SOCIAL SECURITY

Child Support Agency

Mr. Pawsey: To ask the Secretary of State for Social Security how many members of staff were taken on as *(a)* full-time, *(b)* short-contract, *(c)* part-time, *(d)* casual employees and *(e)* outside contractors by the CSA during the period 31 October 1995 to 31 October 1996. [9559]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for its chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. James Pawsey, dated 14 January 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about staff taken on by the Child Support Agency.

During the period from 31 October 1995 to 31 October 1996, the Agency employed a total of 229 fixed term contract staff; of this number 198 were recruited as full time staff and 31 as part time staff. During the same period, 780 casual staff were recruited, of whom 735 were full time and 45 were part time.

The Agency does not directly employ any outside contractors.

I hope this is helpful.

Mr. Pawsey: To ask the Secretary of State for Social Security how many members of the CSA's staff are *(a)* full-time, *(b)* short-contract, *(c)* part-time, *(d)* casual employees and *(e)* outside contractors; and how many ceased working for, or being contracted to, the CSA during the period 31 October 1995 to 31 October 1996. [9560]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. James Pawsey, dated 14 January 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency staffing.

At the 31 October 1996, the Agency employed a total of 6986 full time staff, of whom 178 were fixed term contracts and 510 were casual employees. The number of part time staff was 1395, of whom 22 were fixed term contracts and 36 casual employees.

The number of permanently employed staff who ceased working for the Agency for any reason in the 12 months to 31 October 1996 was 434. The number of fixed term contract staff and casual staff who's contract came to an end during this period was 834.

The Agency does not directly employ any outside contractors.

I hope this is helpful.

Mr. Pawsey: To ask the Secretary of State for Social Security how many members of the staff of the CSA were dismissed or had their contracts terminated for disciplinary infringements during the period 31 October 1995 to 31 October 1996. [9558]

Mr. Mitchell: The administration of the Child Support Agency is a matter for its chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. James Pawsey, dated 14 January 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency staffing.

The number of Child Support Agency staff dismissed for disciplinary infringements during the period 31 October 1995 to 31 October 1996 is 17.

This does not include any staff dismissed within the Belfast Child Support Agency Centre, as staffing issues at this Centre are the responsibility of the Northern Ireland Child Support Agency.

I hope this is helpful.

Mr. Pawsey: To ask the Secretary of State for Social Security how many letters of inquiry or complaint from hon. Members were received by the Child Support Agency during each month between January and October. [9557]

Mr. Mitchell: The administration of the Child Support Agency is a matter for its chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. James Pawsey, dated 14 January 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about letters from honourable Members to the Child Support Agency.

The number of letters received by the Chief Executive of the Agency and the Child Support Agency Centre managers for each month between January 1996 and October 1996 are shown in the attached table.

I hope this is helpful.

Total number of MPs letters received by the chief executive and by child support agency centre managers each month in the period January 1996 to October 1996

Month	*Chief executive correspondence*	*CSAC manager correspondence*
January	715	682
February	896	754
March	801	752
April	686	736
May	899	741
June	753	587
July	738	696
August	584	564
September	780	649
October	697	704

Partners' Working Hours Rule

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his current estimate of *(a)* the cost and *(b)* the numbers gaining from the abolition of the hours rule for partners of income support and jobseeker's allowance claimants. [10213]

Mr. Roger Evans: The cost of abolishing the hours rule for partners of income support and income-based jobseekers' allowance claimants is estimated to be in the range of £200 million to £300 million per annum, with between 70,000 and 90,000 gainers. This is at 1997–98 levels of benefits and incomes, assumes families claim the benefit which is of most reward to them, and takes no account of possible behavioural changes.

Child Care Disregard

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his estimate of the cost of extending the child care disregard to those on maximum family credit and disability working allowance by allowing the amount which would have been disregarded subject to a *(a)* 70 per cent. taper and *(b)* 50 per cent. taper. [10214]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is set out in the table.

Estimated cost of extending the child care disregard to those on maximum family credit subject to different tapers (1996 prices)

	Family credit cost (per annum) £ million
70 per cent. taper	10
50 per cent. taper	5

1. Figures are based on the May 1996 family credit statistics, and use actual weekly child care expenditure reported at that time, subject to the appropriate limit. Estimates are rounded to the nearest £5 million.
2. Figures do not include any offsetting savings in housing benefit or council tax benefit.
3. A number of maximum family credit cases gain from the childcare disregard, but by less than the full amount as it is the help with child care that brings them to the maximum. Estimates include allowing these cases to gain by the full amount subject to a 70 per cent. taper or a 50 per cent. taper.
4. Estimates do not include behavioural effects.
5. Estimates do not include disability working allowance as the sample size would be too small to support a reliable estimate.

Ministerial Leave

Mr. Ian McCartney: To as the Secretary of State for Social Security (1) how many days of leave he plans to take during the Christmas Adjournment; [9813]

(2) how many days leave he has taken in the Easter, Whitsun and Summer Adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9812]

Mr. Burt: I refer the hon. Member to the reply given to him by my right hon. Friend the Chancellor of the Duchy of Lancaster on 13 January, *Official Report*, columns *12–13*.

Asylum Seekers

Mr. Kirkwood: To ask the Secretary of State for Social Security how many asylum seekers have been refused benefits in the last year; and if he will make a statement. [9871]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is as follows: from 20 November 1995 up to 17 December 1996 the number of income support claims terminated because a decision had been made on their asylum application was 7,564.

Disability Working Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his current estimate of *(a)* the cost and *(b)* the numbers gaining if a full disregard of spouse earnings were to be introduced into disability working allowance. [10211]

Mr. Andrew Mitchell: I refer the hon. Member to the reply I gave him on 9 December, *Official Report*, column *67*.

Cold Weather Payments

Mr. Charles Kennedy: To ask the Secretary of State for Social Security how many times the temperatures at *(a)* Loch Glascarnoch and *(b)* Aultbea monitoring stations have indicated levels entailing cold weather payments; and how many recipients have received such payments as a result. [10841]

Mr. Roger Evans: The administration of the social fund is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Charles Kennedy, dated 14 January 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many times the temperatures at (a) Loch Glascarnoch and (b) Aultbea monitoring stations have indicated levels entailing Cold Weather Payments; and how many recipients have received such payments as a result.

The weather station at Loch Glascarnoch has identified five periods of cold weather. No periods of cold weather have been identified by Aultbea Weather Station.

Figures are not kept on how many people actually receive payments per weather station.

However data on the estimated number of people who would qualify (qualifiers) is available, for each time a weather station identifies a period of cold weather. For Aultbea weather station the estimated number of qualifiers is 238 and for Loch Glascarnoch the estimated number of qualifiers is 1,880. Therefore, an estimated 9,400 payments have been issued to those customers covered by Loch Glascarnoch Weather Station.

I hope you find this reply helpful.

Benefits Agency (Doctors)

Mr. Frank Field: To ask the Secretary of State for Social Security how many doctors the Benefits Agency has trained in the operation of the all-work test; how many of those doctors *(a)* were found unsuitable and *(b)* left of their own accord after training; and how many have worked with the Benefits Agency medical services for a time but since left. [10219]

Mr. Burt: The administration of the Benefits Agency medical services is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter for Peter Mathison to Mr. Frank Field, dated 14 January 1997:

The Secretary of State for Social Security has asked me to reply to your recent parliamentary question about how many doctors the Benefits Agency have trained in the operation of the All Work Test; how many of those doctors (a) were found unsuitable and (b) left of their own accord after training; and how many have worked with the Benefits Agency Medical Services for a time but since left.

The information is not available in the format requested. Such information as is available is set out in the enclosed table.

I hope you find this reply helpful.

Doctors trained to undertake medical examinations in connection with the incapacity benefit all work test[1]

	Fee-paid doctors[2]	*Employed doctors*
Trained	1,627	290
Found unsuitable after training[3]	76	0
Left[4, 5]	186	54

Figures are provisional and subject to change.

Notes: [1] The table shows information from 1 February 1995 to 30 November 1996.

[2] Fee-paid doctors are not employees, but independent contractors.

[3] Doctors who have repeatedly failed to achieve a satisfactory standard at various stages of the approval process.

[4] Figures include those who left for personal reasons, retirement, etc., and fee-paid doctors whose contracts were terminated after approval, for failure to maintain a satisfactory quality standard.

[5] Separate figures are not available to show the number who left immediately after training of their own accord.

Pensioner Incomes

Mr. Ainger: To ask the Secretary of State for Social Security, pursuant to his answer of 11 December, *Official Report*, column *286*, how many *(a)* single pensioners and *(b)* pensioner couples there were in which three quarters or more of the total income was derived from national insurance retirement and similar pensions and other state benefits in each of the last five financial years. [10844]

Mr. Heald: The information is in the table.

Year	*Number of single pensioners*	*Number of pensioner couples*
1989 calendar	2,750,000	950,000
1990 calendar	2,550,000	950,000
1992 calendar	2,550,000	1,000,000
1993 calendar	2,600,000	1,000,000
1994–95 financial	2,650,000	1,000,000

Notes:

1. The pensioners' incomes series gives estimates for pensioner units. A pensioner unit is defined as being either a single person over state pension age (SPA) or a couple where the man is over SPA.

2. Income from state benefits has been calculated as income form national insurance benefits and all other benefits that may be received above SPA, such as income related benefits and disability benefits.

3. The figures given are for the last five years for which pensioners' incomes series data is available, and rounded to the nearest 50,000. Due to this rounding, the totals may not necessarily sum to the totals given in my answer of 11 December *Official Report*, column *286*.

Source:

Pensioners' incomes series. This is based mainly on data from the family expenditure survey carried out over calendar years up to and including 1993, and carried out over financial years from 1994–95 onwards, covering the whole of the United Kingdom.

National Insurance

Mr. Byers: To ask the Secretary of State for Social Security what amount was budgeted for the national insurance contributions holiday in 1996–97; what level of contributions has been forgone to date; and what is the present estimate for the year. [10907]

Mr. Heald: The original estimate for 1996–97 was £28 million. However, this has now been revised and the current estimate is £1.5 million. Information about the level of contributions reclaimed by employers will not be available until their end of year returns have been received and processed.

Mr. Byers: To ask the Secretary of State for Social Security if he will list for *(a)* each English region, *(b)* Scotland and *(c)* Wales the number of (i) successful and (ii) unsuccessful applications made to date for a national insurance contributions holiday for the recruitment of an unemployed person. [10908]

Mr. Heald: The information is not available in the format requested. Such information as is available is as follows:

Number of applications: 2,718

Successful applications: 2,312

Unsuccessful applications: 296

Awaiting further information: 110

Regional breakdown (successful applications)

North	247
Yorkshire and Humberside	332
East Midlands	232
East Anglia	77
South East	329
South West	207
West Midlands	246
North West	247
Wales	115
Scotland	197
Greater London	83

1. The number of unsuccessful applications by region is not available.

2. Statistics relate to the position on 6 January 1997.

NORTHERN IRELAND

Carrickmannon Lake

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if Carrickmannon lake in Saintfield, Co. Down, is classed as a designated water; and who owns the fishing rights. [10801]

Mr. Ancram: Carrickmannon lake is designated as a rainbow trout water under the Fisheries Consolidated and Amendment Byelaws (Northern Ireland) 1989. The Department of Agriculture for Northern Ireland has no information on the ownership of fishing rights in this water, but it is operated a private sector put-and-take rainbow trout fishery by Dr. D. McVeigh.

Veterinary Laboratory, Omagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland which *(a)* agricultural, *(b)* farming and *(c)* veterinary organisations were consulted prior to the decision to close Omagh veterinary laboratory; and if he will make a statement. [10834]

Mr. Ancram: None. Consultation is not possible in relation to announcements on the public expenditure survey.

Veterinary Post-mortems

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many full post-mortem cases were carried out, and on which species, in each of the past five years at the veterinary laboratories at *(a)* Stormont and *(b)* Omagh. [10836]

Mr. Ancram: The information is as follows:

Year	Cattle[1]		Sheep		Pigs		Miscellaneous	
	Omagh	Stormont	Omagh	Stormont	Omagh	Stormont	Omagh	Stormont[2]
1992	1,399	1,280	796	563	726	501	23	837
1993	1,507	1,379	903	701	778	559	47	575
1994	1,674	1,344	1,006	691	757	544	58	825
1995	1,749	1,210	996	668	780	399	65	688
1996	1,560	1,314	1,047	744	892	327	182	672

[1] Excluding BSE cattle.
[2] Miscellaneous submissions at Stormont include zoo animals, pigeons, exotic birds, badgers, marine mammals and material connected with the wildlife investigation scheme.

Year	Poultry		Horses		BSE/Cattle		Fish
	Omagh	Stormont[1]	Omagh	Stormont	Omagh	Stormont	Stormont
1992	1,932	16,533	19	with misc	134	293	4,696
1993	2,792	20,855	15	with misc	263	403	2,789
1994	5,793	24,750	3	with misc	127	443	4,349
1995	3,261	23,485	3	with misc	70	229	2,790
1996	2,813	19,753	11	39	26	125	3,900

[1] Poultry submissions at Stormont include both diagnostic and statutory. In 1996 the split was 5,983 for diagnostic purposes, while 13,770 were received for statutory purposes. Statutory submissions do not generally have a detailed post-mortem examination carried out.

Subway Security (Belfast)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if the subway between Cairnshill close and Newton heights, Belfast, is regularly patrolled by the security forces. [10802]

Sir John Wheeler: The subway between Cairnshill close and Newton heights has consistently been the subject of police attention by both uniform and plain clothes patrols.

The area continues to receive police attention.

DEFENCE

Radioactivity (Greenham Common)

Mr. Llew Smith: To ask the Secretary of State for Defence if he will make a statement on the findings of the study, "An Assessment of Radioactive Levels around the Former Air Base at Greenham Common, Berkshire, NRPB–M752, published on 19 December 1996; what was the cost to his Department of this study; and what follow-up studies are planned. [10893]

Mr. Soames: We are pleased to note the conclusions of this independent study by the NRPB which my Department has funded at a cost in the region of £50,000. The study has provided definitive reassurance that, on the basis of the measurement data, the doses received from artificial radionuclides by people living in the area around Newbury and Greenham Common are no different to those received in similar areas elsewhere in the country. The findings of the study are entirely consistent with my Department's assurances that there is no basis to the allegations made last year about a nuclear weapon accident at the base. There are no plans to commission any further such studies.

Sandhurst

Mr. Spellar: To ask the Secretary of State for Defence if he will make a statement regarding the outsourcing of the operation of Sandhurst. [10875]

Mr. Soames: This is a matter for the chief executive of the Army Individual Training Organisation. I have asked the chief executive to write to the hon. Member.

Letter from C. L. Elliott to Mr. John Spellar, dated 15 January 1997:

I am replying to your question to the Secretary of State for Defence concerning the outsourcing of the operation at Sandhurst as this matter falls within my area of responsibility as Chief Executive of the Army Individual Training Organisation (AITO).

A feasibility study was undertaken at the Royal Military Academy Sandhurst (RMAS) to identify the scope for involving the Private Sector in delivering activities undertaken there. The study reported at the end of April 1996 and concluded that a range of activities could usefully be exposed to competitive tendering. There were:

Domestic Services/Management

Equipment Support/Management

Estate Services/Management

Personnel Services/Management

Sports Facilities/Management

Stores Services/Management

Transport and Distribution/Management.

The total annual net cash value of these services is £7.9M (which includes current contracts valued at £3.03M) with some 227 civilians and 92 military personnel affected.

The study concluded that best value for money would be achieved by market testing the services within the scope of the competition; as such an in-house bid team has been formed to mount a bid for the services.

A detailed Statement of User Requirement is currently being developed and the aim is to issue an invitation to tender in March 1997 and to award a Service Level Agreement (to a successful in-house bid) or a contract to a winning contractor, in March 1998.

You may also be aware of activities concerned with the running of the Joint Services Command and Staff College which is also located at Sandhurst. The College is not part of the AITO and I cannot therefore comment on this.

Royal Marines

Mr. Spellar: To ask the Secretary of State for Defence how many individuals have left the Royal Marines in each of the last five years. [10868]

Mr. Soames: This is a matter for the chief executive of the Naval Manning Agency. I have asked the chief executive to write to the hon. Member.

Letter from F. M. Mabon to Mr. John Spellar, dated 15 January 1997:

I am replying to your Question to the Secretary of State for Defence about the number of Royal Marines leaving Her Majesty's Service in each of the last five years, as this matter falls within my area of responsibility as Chief Executive of the Naval Manning Agency.

The figures for RM discharges from the trained strength in financial years 1991–92—1995–96 are as shown below:

Year	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Officers	50	32	29	44	51
Other ranks	621	420	358	262	557
Total	671	452	387	306	608

I hope this is helpful

Defence Evaluation and Research Agency

Mr. Hawkins: To ask the Secretary of State for Defence when he expects to complete the sale of DERA's support services division; and if he will make a statement. [11471]

Mr. Soames: Following competition, we have assessed the bid put forward by the venture capital group, Apax Partners and Co., who propose working with the existing DSSD management team, as offering the best value for money. Consequently, Apax have been granted a period of exclusivity to allow them to carry out the due diligence process and to conclude a contract with DERA on the basis of their offer. Subject to the satisfactory completion of both of these processes, it is intended that a sale should be completed by mid-February.

HOME DEPARTMENT

Criminal Cases Review Commission

Mr. Straw: To ask the Secretary of State for the Home Department which of the appointments of members to the Criminal Cases Review Commission are full time and which are part time; what is the period of appointment in each case; if each appointment is renewable; and how many of the appointments are of women. [10882]

Mr. Kirkhope: The information requested is as follows:

Name	*Full-time or part-time*	*Period of appointment (years)*
Sir Frederick Crawford	Part-time	5
Miss Fiona King	Part-time	5
Mr. Laurence Elks	Part-time	5
Mr. David Kyle	Full-time	3
Mr. John Leckey	Part-time	5
Miss Jill Gort	Part-time	3
Mr. Baden Skitt	Full-time	5
Dr. James MacKeith	Part-time	3
Mr. Karamjit Singh	Full-time	5
Professor Leonard Leigh	Full-time	3
Mr. Edward Weiss	Part-time	3
Mr. Anthony Foster	Part-time	5
Mr. Barry Capon	Part-time	3

Under the terms of the Criminal Appeal Act 1995 members of the commission are eligible for re-appointment on expiry of their term of appointment, subject to the proviso that no one may hold office as a member for a continuous period of more than 10 years. As the table shows, two of those appointed as members of the commission are women.

Police Expenditure

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what was the spending limit for police authorities *(a)* nationally and *(b)* in the west midlands in each year since 1992 (i) in cash terms and (ii) as a percentage change over the previous year. [9746]

Mr. Maclean: The available information is as follows:

Total spending power

	West Midlands £ million	*Percentage change*	*England and Wales[1] £ million*	*Percentage change*
1992–93	286.2	—	[2]—	—
1993–94	302.7	5.8	[2]—	—
1994–95	314.9	4.0	[2]—	—
1995–96	329.3	4.6	6,366.5	—
1996–97	344.2	4.5	6,612.8	3.9
1997–98	357.2	3.8	6,859.3	3.7

[1] Excludes City of London: no separately identifiable figures are available for the police service.

[2] Figures are not available as shire police services were funded from county council budgets.

Mr. Cunningham: To ask the Secretary of State for the Home Department what funds were made available from central Government for spending by police authorities *(a)* nationally and *(b)* in the west midlands for each year since 1992 (i) in cash terms and (ii) as a percentage change over the previous year. [9747]

Mr. Maclean: The available information is as follows:

Total external support for police authorities including all grants and income from national non-domestic rates

	West Midlands £ million	*Percentage change*	*England and Wales[1] £ million*	*Percentage change*
1992–93	[2]—	—	[3]—	—
1993–94	272.0	—	[3]—	—
1994–95	282.4	3.8	[3]—	—
1995–96	295.9	4.8	5,589.4	—
1996–97	310.0	4.8	5,801.9	3.8
1997–98	317.4	2.4	5,930.0	2.2

[1] Excludes City of London: no separately identifiable figures are available for the police service.

[2] Full information is not available.

[3] Figures are not available as shire police services were funded from county council budgets.

Mr. Cunningham: To ask the Secretary of State for the Home Department what representations he has received from police authorities *(a)* nationally and *(b)* in the west midlands regarding their spending allowances for the coming year. [9748]

Mr. Maclean: To date 14 individual police authorities, plus the police authorities of Wales, have made representations about the level of proposed spending limits for 1997–98. In relation to the west midlands we have received representations from the chairman of the Police Authority, from the chief constable, the chairman of the West Midlands joint committee and the hon. Member for Coventry, North (Mr. Ainsworth).

Mr. Michael: To ask the Secretary of State for the Home Department (1) if he will list for *(a)* each individual police authority, *(b)* each class of police authority and *(c)* all police authorities the increase in pounds in (i) the

aggregate of each police authority's capped expenditure limit or in the case of the Metropolitan police the estimated budget requirement and police rule 2 and rule 3 grants in 1997–98 over 1996–97 and (ii) total external support including all police grants in 1997–98 over 1996–97 and the difference between (i) and (ii) in pounds and as a percentage of 1996–97 cash precepts; [10308]

(2) if he will list for *(a)* each individual police authority, *(b)* each class of police authority and *(c)* all police authorities the increase in pounds in (i) the aggregate of each police authority's capped expenditure limit or, in the case of the Metropolitan police, the estimated budget requirement and police rule 3 grant in 1997–98 over 1996–97 and (ii) total external support including all police grants other than police rule 2 grant in 1997–98 over 1996–97 and the difference between (i) and (ii) in pounds and as a percentage of 1996–97 cash precepts. [10309]

Mr. Maclean *[holding answer 13 January 1997]:* The information requested is set out in the table.

Police authorities:	*Increase in capped expenditure limit and rule 2 and 3 grants over 1996–97* (£ million) (1)	*Increase in total external support[1] including all grants over 1996–97* (£ million) (2)	*Increase in capped expenditure limit including rule 3 grant over 1996–97* (£ million) (3)	*Increase in total external support except rule 2 grant over 1996–97* (£ million) (4)	*Difference between columns (1) and (2) and between columns (3) and (4)* (£ million) (5)	*Difference between columns (1) and (2) and between columns (3) and (4) as a percentage of 1996–97 cash precept* (Per cent.) (6)
Avon and Somerset	6.0	2.7	4.9	1.6	3.4	15.0
Bedfordshire	2.2	1.1	1.8	0.7	1.2	14.0
Cambridgeshire	2.6	1.1	2.1	0.6	1.5	14.7
Cheshire	3.9	1.7	3.1	0.9	2.2	14.6
Cleveland	2.8	1.4	2.3	1.0	1.3	18.5
Cumbria	2.2	1.0	1.9	0.7	1.2	14.5
Derbyshire	3.8	1.9	3.1	1.2	1.9	14.5
Devon and Cornwall	6.1	3.7	4.9	2.5	2.4	9.8
Dorset	2.7	1.0	2.2	0.5	1.7	11.1
Durham	2.7	1.3	2.3	0.9	1.4	17.7
Essex	6.0	2.6	4.8	1.4	3.4	13.1
Gloucestershire	2.3	1.0	1.9	0.6	1.3	14.7
Hampshire	6.9	3.0	5.6	1.7	3.9	13.9
Hertfordshire	3.6	1.5	2.9	0.8	2.1	13.4
Humberside	3.9	2.0	3.2	1.3	1.9	16.2
Kent	6.4	3.0	5.2	1.8	3.4	13.4
Lancashire	6.3	3.0	5.2	1.9	3.3	16.8
Leicestershire	3.7	1.7	3.0	1.0	2	15.7
Lincolnshire	2.5	1.9	2.0	1.5	0.5	4.0
Norfolk	3.0	1.3	2.4	0.7	1.7	14.3
Northamptonshire	2.4	1.0	2.0	0.6	1.4	11.4
North Yorkshire	2.8	1.5	2.2	0.9	1.3	11.0
Nottinghamshire	4.4	3.3	3.7	2.5	1.1	8.2
Staffordshire	4.3	2.0	3.5	1.2	2.3	14.6
Suffolk	2.5	1.0	2.0	0.6	1.4	14.2
Surrey	3.4	2.8	2.8	2.2	0.5	3.7
Sussex	5.9	2.6	4.8	1.4	3.4	13.1
Thames Valley	8.1	3.3	6.5	1.7	4.8	13.3
Warwickshire	1.9	0.8	1.6	0.5	1.1	13.9
West Mercia	4.1	1.6	3.3	0.8	2.5	14.5
Wiltshire	2.4	1.0	1.9	0.5	1.4	13.8
Total English shire authorities	122	59	99	36	63	13.1
Greater Manchester	12.8	6.5	10.9	4.6	6.4	18.6
Merseyside	8.3	4.3	7.2	3.3	3.9	16.9
Northumbria	7.1	4.1	6.0	3.0	3	16.0
South Yorkshire	5.9	3.0	4.9	2.1	2.9	17.4
West Midlands	13.0	7.3	11.0	5.4	5.6	16.4
West Yorkshire	9.9	4.9	8.0	3.4	4.6	16.9
Total metropolitan authorities	57	30	48	22	26	17.1
Metropolitan police[2]	55.4	29.5	48.7	22.8	25.9	'16.7
City of London police[4]						

Police authorities:	*Increase in capped expenditure limit and rule 2 and 3 grants over 1996–97* (£ million) (1)	*Increase in total external support[1] including all grants over 1996–97* (£ million) (2)	*Increase in capped expenditure limit including rule 3 grant over 1996–97* (£ million) (3)	*Increase in total external support except rule 2 grant over 1996–97* (£ million) (4)	*Difference between columns (1) and (2) and between columns (3) and (4)* (£ million) (5)	*Difference between columns (1) and (2) and between columns (3) and (4) as a percentage of 1996–97 cash precept* (Per cent.) (6)
Dyfed Powys	1.9	1.5	1.6	1.2	0.4	5.1
Gwent	2.4	1.9	2.0	1.5	0.5	6.1
North Wales	2.7	2.1	2.2	1.6	0.6	5.6
South Wales	5.7	4.5	4.8	3.6	1.2	6.5
Total Welsh authorities	13	10	11	8	3	6.0
Total (all authorities)	247	129	207	89	118	14.0

[1] Includes principal police grant, additional rules 1, 2 and 3, police damping grant, revenue support grant and income from national non-domestic rates.
[2] Total external support includes provision for services other than police functions.
[3] Includes other service block element of 1996–97 cash precept.
[4] No separately identifiable figures exist for the City of London police.
All figures have been rounded from the original calculations. Figures for total external support were provided by the Department of the Environment.

Paedophiles

Mr. Thurnham: To ask the Secretary of State for the Home Department what are the average weekly costs of accommodation and what are the subsequent recidivism rates for paedophile offenders *(a)* in prison and *(b)* in the Wolvercote clinic. [9601]

Miss Widdecombe: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Hugh Taylor to Mr. Peter Thurnham, dated 15 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the average weekly cost of accommodation and the subsequent recidivist rates for paedophile offenders (a) in prison and (b) in the Wolvercote Clinic.

Cost per place figures relating specifically to paedophile offenders are not available. The average cost per prisoner for the financial year 1995–96 was £466 per week. The weekly charge for the Wolvercote Clinic is £550.

A 10 year follow-up study on reconviction rates for a sample of paedophiles released from prison in 1980 showed that 36 per cent of paedophiles committed further sexual offences. For serious offences, which included sex or violent offences, the rate of reoffending increased to 45 per cent. This information may appear to be dated but follow-up studies must be for a substantial period of time. Social and legal changes may also affect reconviction rates. A 10 year reconviction study is currently in progress on the Sex Offender Treatment Programme but it is too early for results.

To date, only three offenders have completed the full programme at the Wolvercote Clinic which opened in August 1995. No information is available yet on recidivists.

Mr. Thurnham: To ask the Secretary of State for the Home Department which Government Departments and other public bodies maintain lists of *(a)* convicted and *(b)* alleged paedophile offenders; what guidance has been issued to local authorities concerning that information on such offenders; what co-ordination there is between the different bodies concerned; and if he will make a statement. [10683]

Mr. Maclean: Information about convicted and alleged paedophiles is held by the following Government Departments and public bodies.

The police hold information about those convicted of sexual offences against children on the Phoenix database of the police national computer and on microfiche records held by the national identification service. They may also retain information locally about alleged paedophiles.

The national criminal intelligence service—NCIS—maintains a database of known or suspected paedophiles.

The Department for Education and Employment maintains a list of persons barred from working in education and in respect of whom the Secretary of State for Education and Employment has made a direction under the Education (Teachers) Regulations 1993, as amended—"List 99".

The Department of Health consultancy index holds information on those notified to it by the police who are or were employed in child care work and who have been convicted of an offence, including sexual offences against children; the information on "List 99", and notifications from employers of the names of persons who formerly worked with children and who have been dismissed or who have resigned in circumstances where the welfare of a child has been put at risk through physical, sexual or emotional abuse or a child has suffered or was likely to suffer harm arising from the action of a member of staff or volunteer engaged to work with children.

Guidance issued to local authorities includes the Department for Education and Employment circular 11/95, "Misconduct of Teachers and Workers with Children and Young Persons", and the joint circular from the Home Office (HOC 47/93), Department for Education (DfEE 9/93), Department of Health (LAC 93(17)), and the Welsh Office (WOC 54/93) on "Protection of Children: Disclosure of Criminal Record Background of those with

Access to Children". This includes an explanation of the information available to local authorities from police records, the Department of Health and the Department for Education and Employment.

NCIS passes on information about paedophiles to the force in whose area the paedophile is working or living. In addition to this, the police notify the Department of Health and the Department for Education and Employment of convictions of those individuals working in child care posts or as teachers or workers with children or young persons.

Consultants

Mr. Milburn: To ask the Secretary of State for the Home Department what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10194]

Mr. Howard *[holding answer 13 January 1997]:* The information requested is set out for executive non-departmental public bodies funded by the Home Office.

£ thousands

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Commission for Racial Equality		*not recorded separately*		89.8	84
Criminal Injuries Compensation Authority	115	206	1,600	746	225
Gaming Board for Great Britain	0	0	0	0	0
Office of the Data Protection Registrar	5	0	0	50	47
Police Complaints Authority	0	149	74	129	84
Total per year	120	355	1,674	1,014.8	440

Police Grants

Mr. Michael: To ask the Secretary of State for the Home Department (1) if he will list the total external support including all police grants to be received by *(a)* each individual police authority, *(b)* each class of police authority and *(c)* all police authorities in (i) 1996–97 and (ii) 1997–98 and the change in each in pounds and as a percentage; [10304]

(2) if he will list the total external support including all police grants other than police rule 2 grant for additional police officers to be received by *(a)* each individual police authority, *(b)* each class of police authority and *(c)* all police authorities in (i) 1996–97 and (ii) 1997–98 and the change in each in pounds and as a percentage. [10305]

Mr. Maclean *[holding answer 13 January 1997]:* The information requested is set out in the table.

Police authorities	*Total external support[1] including all grants*		*Increase over 1996–97*		*Total external support excluding rule 2 grant*		*Increase over 1996–97*	
	1996–97 £ million	*1997–98 £ million*	*£ million*	*Per cent.*	*1996–97 £ million*	*1997–98 £ million*	*£ million*	*Per cent.*
Avon and Somerset	132.2	134.8	2.7	2.0	131.6	133.2	1.6	1.2
Bedfordshire	49.1	50.2	1.1	2.2	48.9	49.6	0.7	1.3
Cambridgeshire	56.2	57.3	1.1	1.9	55.9	56.5	0.6	1.0
Cheshire	83.5	85.1	1.7	2.0	83.1	84.0	0.9	1.1
Cleveland	66.2	67.6	1.4	2.1	66.0	67.0	1.0	1.5
Cumbria	49.9	50.9	1.0	2.1	49.7	50.4	0.7	1.3
Derbyshire	79.2	81.1	1.9	2.4	78.8	80.0	1.2	1.6
Devon and Cornwall	129.3	133.0	3.7	2.9	128.7	131.2	2.5	2.0
Dorset	53.1	54.1	1.0	1.9	52.9	53.4	0.5	1.0
Durham	63.8	65.1	1.3	2.1	63.5	64.4	0.9	1.4
Essex	127.2	129.8	2.6	2.0	126.6	128.1	1.4	1.1
Gloucestershire	49.7	50.6	1.0	2.0	49.5	50.0	0.6	1.1
Hampshire	147.4	150.5	3.0	2.0	146.8	148.5	1.7	1.1
Hertfordshire	74.6	76.1	1.5	1.9	74.3	75.1	0.8	1.0
Humberside	91.5	93.4	2.0	2.2	91.1	92.5	1.3	1.5
Kent	138.7	141.7	3.0	2.2	138.2	140.0	1.8	1.3
Lancashire	143.9	146.9	3.0	2.1	143.4	145.3	1.9	1.3
Leicestershire	82.2	83.9	1.7	2.1	81.8	82.9	1.0	1.3
Lincolnshire	50.3	52.3	1.9	3.9	50.1	51.6	1.5	3.0
Norfolk	64.3	65.7	1.3	2.0	64.1	64.8	0.7	1.2
Northamptonshire	49.8	50.8	1.0	2.0	49.6	50.1	0.6	1.2
North Yorkshire	57.8	59.2	1.5	2.5	57.5	58.4	0.9	1.6
Nottinghamshire	101.5	104.8	3.3	3.3	101.1	103.6	2.5	2.5
Staffordshire	94.2	96.2	2.0	2.1	93.8	95.1	1.2	1.3
Suffolk	51.9	52.9	1.0	2.0	51.6	52.2	0.6	1.1

Police authorities	Total external support[1] including all grants 1996–97 £ million	1997–98 £ million	Increase over 1996–97 £ million	Per cent.	Total external support excluding rule 2 grant 1996–97 £ million	1997–98 £ million	Increase over 1996–97 £ million	Per cent.
Surrey	72.8	75.6	2.8	3.9	72.5	74.7	2.2	3.1
Sussex	125.6	128.1	2.6	2.0	125.0	126.5	1.4	1.2
Thames Valley	168.0	171.3	3.3	2.0	167.2	168.9	1.7	1.0
Warwickshire	41.4	42.2	0.8	2.0	41.2	41.7	0.5	1.1
West Mercia	86.2	87.8	1.6	1.8	85.8	86.6	0.8	0.9
Wiltshire	51.1	52.1	1.0	1.9	50.9	51.5	0.5	1.0
Total English shire authorities	2,633	2,691	59	2.2	2,621	2,658	36	1.4
Greater Manchester	308.7	315.2	6.5	2.1	307.8	312.3	4.6	1.5
Merseyside	203.4	207.7	4.3	2.1	202.9	206.2	3.3	1.6
Northumbria	169.6	173.7	4.1	2.4	169.0	172.1	3.0	1.8
South Yorkshire	138.4	141.4	3.0	2.2	137.9	140.0	2.1	1.5
West Midlands	310.0	317.4	7.3	2.4	309.0	314.4	5.4	1.7
West Yorkshire	233.3	238.2	4.9	2.1	232.5	235.9	3.4	1.4
Total metropolitan authorities	1,363	1,394	30	2.2	1,359	1,381	22	1.6
Metropolitan police[2] City of London police[3]	1,518.8	1,548.3	29.5	1.9	1,515.5	1,538.2	22.8	1.5
Dyfed Powys	40.7	42.2	1.5	3.7	40.5	41.7	1.2	2.9
Gwent	54.6	56.5	1.9	3.5	54.4	55.9	1.5	2.8
North Wales	58.6	60.7	2.1	3.6	58.4	60	1.6	2.8
South Wales	132.7	137.2	4.5	3.4	132.3	135.9	3.6	2.7
Total Welsh authorities	287	297	10	3.5	286	294	8	2.8
Total (all authorities)	5,801	5,930	129	2.2	5,781	5,870	89	1.5

[1] Includes principal police grant, additional rules 1, 2 and 3, police damping grant, revenue support grant and income from national non-domestic rates.
[2] Includes provision for services other than police functions.
[3] No separately identifiable figures exist for the City of London police.
All figures have been rounded from the original calculations. Figures for total external support were provided by the Department of the Environment.

Closed Circuit Television

Mr. Thurnham: To ask the Secretary of State for the Home Department if he will list those local authority areas which have applied for CCTV grants for the north west region, in the chronological order of application; and if he will indicate the dates on which successful applicants were awarded grants. [10779]

Mr. Maclean: Bids to the two completed closed circuit television challenge competitions were invited from partnerships, rather than local authorities. The following bids were received from north-west government region—Cheshire, Cumbria, Greater Manchester and Lancashire—and Merseyside. Winning bids are marked with an asterisk:

1994–95 Challenge competition (submitted by 27 January 1995)

Accrington, Hyndburn Sports Centre
Altrincham town centre
Ashton under Lyne, Hattersley Community Centre
Ashton under Lyne, Hattersley Schools
Ashton under Lyne shopping centre
Ashton under Lyne town centre
Blackpool town centre*
Bolton, Mancroft Avenue Estate
Bolton, Westhoughton town centre
Bolton town centre
Bootle Hospital Maternity Unit
Bootle Leisure Centre and North Park
Burnley town centre
Bury town centre*
Carlisle city centre*
Carlisle, Rosehill Industrial Estate
Chester city centre*
Chorley town centre

Clitheroe town centre*
Congleton town centre
Denton (Tameside) Business Development Centre*
Denton, Tameside, town centre
Droylsden town centre
Egremont village centre
Fylde mobile CCTV system
Heaton Park, Wythenshawe Park and Miles Platting swimming pool
Hyde town centre*
Kendal town centre
Kirkby railway station*
Lancaster city centre*
Liverpool city centre
Liverpool, Huyton Sports Centre car park
Liverpool, Park Road Sports Centre
Liverpool, Picton sports centre
Liverpool, Wheathills and Holt Lane Industrial Estates
Macclesfield town centre
Maryport and Cockermouth town centres
Middleton, Rochdale town centre
Morecambe seafront*
Neston town centre*
Northwich town centre
Oldham town centre
Old Trafford town centre
Partington town centre
Penrith town centre*
Preston College
Preston, Longridge
Preston town centre
Rochdale town centre*
Sale town centre
Sefton Schools Pilot Security Initiative
Stalybridge town centre
St. Helens town centre
Stockport, Stepping Hill General Hospital
Tameside, Richmond Park Estate
Trafford General Hospital
Trafford, Seymour Park Primary School
Urmston town centre
Whitehaven, Cleator Moor Square
Whitehaven, West Cumberland Hospital
Wigan, Howe Bridge
Wigan, Marsh Green
Wigan town centre*
Wythenshawe Civic Centre and two schools
Wythenshawe Hospital
Wythenshawe Park

1996–97 Challenge competition (submitted by 29 March 1996)

Accrington, Borough of Hyndburn
Accrington, Peel Park County Primary School*
Aintree Railway Station
Alston, Samuel Kings School
Altrincham town centre
Ashton, Broadoak School
Ashton, Holden Clough, Hurst Methodist, St. Christopher's Roman Catholic, Hartshead High, St. Damian's Roman Catholic schools
Askam in Furness, Askam Village School
Astley, St. Ambrose Barlow Primary School
Astley, St. Mary's Roman Catholic High School
Atherton, Howe Bridge Sports Centre
Atherton, Parklee County Primary School, nursery and grounds
Atherton town centre
Bacup, Saint Mary's Roman Catholic Primary School
Barrow in Furness, Bram Longstaffe Nursery and Barrow Island Primary School
Barrow in Furness, Furness General Hospital
Barrow in Furness, Newbarns Primary School
Barrow in Furness, Thorncliffe School and six primary schools
Bebington Railway Station
Birkenhead, Beechwood Drive and surrounding areas
Birkenhead, Rock Ferry Railway Station
Blackburn, Our Lady and St. John Roman Catholic High School*
Blackburn, St. Mary's College
Blackburn, St. Matthew's Church of England Primary School
Blackburn, Witton Park County High School
Blackpool, Collegiate High School
Blackpool, Devonshire County Infant and Junior School
Blackpool, Merseyside County Primary School
Blackpool, St. George's High School
Blackpool, St. Mary's Roman Catholic High School
Bolton, Eight schools/leisure centres
Bolton town centre and car parks*
Bootle, North Park and Leisure Centre
Bootle, Strand Shopping Centre
Brampton, William Howard School
Burnley, Habergham High School*
Burnley town centre*
Bury, Broad Oak High School
Carlisle, North Cumbria Technology College
Carlisle, Petteril Bank Primary School and Community Centre site
Carlisle, Raffles Housing Estate
Carlisle, Trinity School
Chester, Queens Park County High School
Chester, The Parade, Blacon
Chester, Upton by Chester County High School
Chorley, Albany High School
Chorley, Southlands High School
Chorley town centre*
Cleator Moor, Cleator Moor Square
Cleator Moor, Ehenside and Montreal Schools
Dalston, Caldew School
Dalton in Furness, George Romney Junior School
Darwen, Moorland High School
Darwen town centre
Denton, Tameside, Three primary schools and one high school
Earlestown Railway Station
Egremont, Main Street
Ellesmere Port, Poole Hall Industrial Estate
Ellesmere Port, Little Sutton, Overpool, Capenhurst and Bache Hooton Railway Stations
Fleetwood, Fleetwood High School
Fleetwood, St. Mary's Roman Catholic Primary School
Formby Railway Station
Garstang, Garstang High School

Heywood, Siddal Moor High School*
Hindley town centre
Hooton Railway Station
Hough Green, Hough Green Railway Station
Huyton Railway Station
Hyde, Bradley Green School, Oakfield School, St. Paul's Roman Catholic School
Hyde, Flowery Field Primary School, Hyde High School
Kendal town centre*
Keswick and Wigton town centres*
Keswick, St. Kentigerns Church of England Infant School
Kirby multi-storey car park
Lancaster, Skerton High School
Lancaster, St. Joseph's Roman Catholic Primary School
Leigh, Bedford High School
Leigh, Westleigh High School*
Leyland, St. Mary's Roman Catholic School
Leyland, Wellfield High School
Liverpool, Duke Street*
Liverpool, Fazakerley village centre
Liverpool, Granby, Toxteth and Dingle
Liverpool, King David High School
Liverpool, Litherland Town Hall, Car Park and adjacent War Memorial
Liverpool, Valley and Netherley
Liverpool, Wavertree Technology Park
Lytham St. Anne's, Lytham St. Anne's High School
Macclesfield, Macclesfield District General Hospital
Macclesfield, Tytherington County High School
Manchester, Market Street, Manchester City Centre*
Manchester, Miles Platting
Manchester, Rack House School*
Maryport, Netherhall School
Middleton, Middleton Technology School
Millom, Millom Square*
Nelson, Walton High School
Northwich town centre*
Oldham town centre*
Partington village centre
Penrith, Beaconside Church of England Junior School
Preston, Ashton High School
Preston, St. Mary's and St. Benedict's Roman Catholic Primary School*
Preston, Ribbleton Avenue Methodist Junior School
Preston, Tulketh High School
Prestwich, Prestwich High School
Rochdale, Freehold Housing Estate, Khubsuret House and Milkstone Road*
Rochdale, Oulder Hill School*
Runcorn, Grange Comprehensive School
Runcorn, Holy Spirit Primary School
Runcorn, Murdishaw West County Primary School
Runcorn, St. Chad's Roman Catholic Comprehensive School
Sale town centre
Salford, Lowry High School, Ascension Church of England Primary School and Broughton Recreation Centre*
Salford, Salford Shopping City, Market and car parks
Skelmersdale, Glenburn High School*
Speke/Garston, Liverpool, Speke Parade, St. Mary's Road, Northern Airfield site
Stalybridge, Town Centre Shopping Area, Bus Station and Car Parks
Standish, St. Marie's Roman Catholic Primary School
Standish village centre
St. Helens Central Railway Station
Stockport, Stepping Hill Hospital
Stretford, Euro 96 venue
Trafford, Neighbourhood Parades
Trafford, Old Trafford
Trafford, park village*
Trafford, Sheltered Accommodation
Tarleton, Tarleton High School
Ulverston, Victoria High School
Upton by Chester, Upton by Chester County High School
Urmston, Trafford General Hospital
Warrington, Helsby High School*
Westhoughton, Market Street
Whitehaven, Whitehaven School and Hensingham Rugby Club
Widnes and Runcorn town centres
Wigan, Ashton-in-Makerfield town centre
Wigan, Hawkley Hall High School
Wigan Pier
Wigan, Shevington High School and Community Centre
Wigan, St. John Fisher Roman Catholic High School and Sacred Heart Roman Catholic Primary School
Wigan, Two School buildings and community areas
Wirral, Bebington High School*
Workington, Workington and District Primary Schools
Wythenshawe, South Manchester University Hospital National Health Service Trust.

The grant awards from the first competition were announced in March 1995 and those from the second in June 1996.

PRIME MINISTER

Netherlands (Visit)

Mr. Spearing: To ask the Prime Minister which persons representing which bodies were present at the meetings he attended recently with the President of the European Council in the Netherlands. [10873]

The Prime Minister: I met the Prime Minister of the Netherlands in The Hague on 7 January. Mr. Kok was accompanied by his State Secretary for Foreign Affairs and three officials. I was accompanied Her Majesty's ambassador at The Hague and three officials.

Organisation for Economic Co-operation and Development

Mr. Spellar: To ask the Prime Minister who represented the British Government at the OECD conference on 16 December on economic flexibility and social cohesion in the 21st century. [10871]

The Prime Minister: Participants to this conference were invited as individuals and not representatives of Governments. Professor Snower of Birbeck college attended, and presented a paper concerning long-term implications of current economic and social policies.

Chlorofluorocarbons

Mr. Dalyell: To ask the Prime Minister which department is responsible for matters relating to the illegal trade in CFCs. [10804]

The Prime Minister *[holding answer 13 January 1997]:* The Department of the Environment has responsibility for the United Kingdom's domestic and international policy on the control of CFCs and other ozone-depleting substances under the Montreal protocol, including trade controls. CFCs imported into the European Union require a licence from the European Commission. Her Majesty's Customs and Excise is responsible within the UK for checking that such imports are properly licensed.

Royal Travel

Mr. Tony Banks: To ask the Prime Minister when he expects parliamentary approval to be sought for the estimate relating to official royal travel by rail and air. [9904]

The Prime Minister: The new grant-in-aid for royal travel will be payable from 1 April 1997 and will be administered by my right hon. Friend the Secretary of State for Transport. Pending approval of the main estimates for 1997–98, authority for payment will rest on the vote on account for 1997–98 and the winter supplementary estimate for class V, vote 3, both of which have already been approved by Parliament. Specific provision for royal travel is planned to be made in the main estimates for the Department of Transport's votes. Main estimates are normally laid before Parliament shortly before the financial year to which they relate.

SCOTLAND

Suckler Cow Premium

Mr. Maclennan: To ask the Secretary of State for Scotland when he proposes to pay the 1996 suckler cow premiums. [9744]

Mr. Raymond S. Robertson: Suckler cow premium advance payments commenced in December. The bulk of these should be with producers by the end of January.

Public Bodies

Mr. Ingram: To ask the Secretary of State for Scotland (1) how much has been spent to date on converting the Forestry Commission Research Laboratories into a next steps agency; and from which budget these sums were paid; [10006]

(2) what estimate he has made of the future costs of converting the Forestry Commission research laboratories into a next steps agency; and from which budget these sums will be paid. [10007]

Mr. Kynoch *[holding answer 13 January 1997]:* Work on the prior options review of the Forestry Commission's research division and subsequent work, which is nearing completion, converting it to a next steps agency was undertaken mainly by commission staff. The cost to the commission has been approximately £30,000. Only modest additional costs are likely to be incurred before the division becomes an agency on 1 April 1997.

Mr. Ingram: To ask the Secretary of State for Scotland (1) how much has been spent to date on converting the fisheries research services into a next steps agency; and from which budget these sums were paid; [10022]

(2) what estimate he has made of the future costs of converting the fisheries research services into a next steps agency; and from which budget these sums will be paid. [10023]

Mr. Kynoch *[holding answer 13 January 1997]:* Work on the prior options review of the fisheries research services and subsequent work, which is nearing completion, on converting it to a next steps agency was undertaken mainly by Scottish Office staff. The cost to my Department has been approximately £40,000. Only modest additional costs are likely to be incurred before FRS becomes an agency on 1 April 1997.

Mr. Ingram: To ask the Secretary of State for Scotland how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Forestry Commission Research Laboratories as representatives of UK interests; and how many of these employees are leading the UK team on their committee. [10008]

Mr. Kynoch *[holding answer 13 January 1997]:* The information is as follows:

	United Kingdom	*European*	*International*
Representative	20	14	14
Leader	—	2	2

Mr. Ingram: To ask the Secretary of State for Scotland how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Forestry Commission research laboratories. [10009]

Mr. Kynoch *[holding answer 13 January 1997]:* The information is as follows:

United Kingdom: 4

European: 1

International: 3.

Local Government Finance

Mr. Chisholm: To ask the Secretary of State for Scotland if he will list for each local authority in Scotland the actual capital receipts at the mid-point of 1996–97, indicating for each authority *(a)* receipts from right to buy, *(b)* receipts from stock transfer and *(c)* receipts from land sales; and if he will indicate for each authority and for each category of receipts the mid-year targets set out in the estimates at the start of the year. [10697]

Mr. Raymond S. Robertson *[holding answer 13 January 1997]:* The table which follows lists the actual capital receipts from the sale of housing stock and land reported by local authorities as having been achieved in the six months to 30 September 1996. The Scottish Office does not set mid-year targets for capital receipts.

Housing capital receipts achieved between 1 April and 30 September 1996

£ million

	Right to buy	*Stock transfers*	*Land sales*
Aberdeen City	1.750	0	0
Aberdeenshire	1.682	0	0.056
Angus	1.576	0	0.024
Argyll and Bute	1.315	0	0
Clackmannanshire	0.928	0	0
Dumfries and Galloway	2.697	0	0
Dundee City	1.179	0	0.013
East Ayrshire	2.273	0	0
East Dunbartonshire	0.845	0	0
East Lothian	1.477	0	0
East Renfrewshire	0.350	0	0
City of Edinburgh	3.476	0	0.105
Falkirk	1.666	0	0
Fife	4.302	0	0.121
City of Glasgow	4.121	0	0.853
Highland	3.457	0	0.054
Inverclyde	1.231	0	0
Midlothian	0.970	0	0.151
Moray	1.664	0	0.104
North Ayrshire	1.108	0	0.320
North Lanarkshire	6.055	0	0.112
Orkney	0.452	0	0
Perth and Kinross	1.119	0	0
Renfrewshire	1.477	0	0.318
Scottish Borders	1.179	0	0.002
Shetland	0.494	0	0.004
South Ayrshire	1.155	0	0
South Lanarkshire	1.831	0	0.030
Stirling	2.096	0	0.030
West Dunbartonshire	0.983	0	0
West Lothian	1.413	0	0
Western Isles	0.246	0	0

Farmers (Negative Equity)

Mr. Martyn Jones: To ask the Secretary of State for Scotland what estimate he has made of the number of farmers with negative equity; and if he will make a statement. [10522]

Mr. Raymond S. Robertson: None. However, in each of the last three years for which results are available, around 1 per cent. of farm businesses in the farm accounts survey in Scotland had liabilities exceeding total business assets.

Strathclyde Police Force

Mr. Cohen: To ask the Secretary of State for Scotland how many police officers of ethnic minority origin there are in the Strathclyde force above the rank of constable; and what ranks they have reached. [10633]

Lord James Douglas-Hamilton: In Strathclyde police there is one such officer, in the rank of sergeant.

TREASURY

Petrol and Diesel Duties

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the total income to the Treasury, measured against an indexed base, resulting from an increase in petrol and diesel duties of *(a)* 3p per litre and *(b)* 4.5p per litre. [10204]

Mr. Oppenheim: Indexed base estimates strip out the effect of the pre-announced 5 per cent. real increase in road fuel duties. In the 1996 Budget, this accounts for £1.2 billion of the £1.4 billion total increase in revenue in 1997–98 referred to in my previous written answer to the hon. Member, *Official Report*, 11 December 1996, column *209*. Accordingly, on an indexed base alone, a 3p per litre increase in petrol and diesel duties in the 1996 Budget would yield the remaining £0.2 billion in 1997–98. Similarly, on a purely indexed base, a 4.5p per litre increase in petrol and diesel duties would yield £0.9 billion, bringing the total yield to the £2.1 billion referred to in my previous answer.

Consultants

Mr. Milburn: To ask the Chancellor of the Exchequer what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10178]

Mrs. Angela Knight *[holding answer 13 January 1997]:* The amount spent on external consultants by the Chancellor's non-departmental public bodies for the period in question is shown in the table:

Year	*£*
1991–92	761,703
1992–93	1,378,560
1993–94	1,858,776
1994–95	1,328,711
1995–96	932,640

Mr. Milburn: To ask the Chancellor of the Exchequer if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report, "The Government's Use of External Consultants". [10179]

Mrs. Knight *[holding answer 13 January 1997]:* The Treasury has taken, or is taking, all the actions necessary to comply with the report both as a central Department and as a user of consultants.

Gross Domestic Product

Mr. Meacher: To ask the Chancellor of the Exchequer what has been the level of United Kingdom gross domestic product for each year since 1970 at *(a)* current prices and *(b)* 1996–97 prices; and what was the percentage annual change each year at constant 1996–97 prices. [10758]

Mrs. Angela Knight *[holding answer 13 January 1997]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Michael Meacher, dated 15 January 1997:

The Chancellor of the Exchequer has asked me to reply as the Director of the Office for National Statistics to your recent question on the level of United Kingdom gross domestic product.

The most recent estimates of gross domestic product (GDP) are published in table A1 of the ONS publication *United Kingdom Economic Accounts*, which has annual data from 1988 to 1995. Alteratively the data are available for a longer time series on the ONS CSDB database. Both are available through the House of Commons Library.

The ONS does not estimate at 1996–97 prices, however GDP data are available at 1990 constant prices. These are also available in the *United Kingdom Economic Accounts* publication or via the CSDB database.

Gross national and domestic product[1]

£ million

	At current prices						*At 1990 prices*		
	At market prices				*At factor cost*				
	Gross domestic product "Money GDP"	*Net property income from abroad*	*Gross national product*	*less Factor cost adjustment*[2]	*Gross domestic product*[3]	*Gross national product*[4]	*Gross domestic product at market prices*	*less factor cost adjustment*[2]	*Gross domestic product at factor cost*
	CAOB	AIMD	GIBF	DIAA	CAOM	GIBD	CAOO	DIAS	CAOP
1988	471,430	4,566	475,996	70,002	401,428	405,994	537,215	71,469	465,746
1989	515,957	3,502	519,459	74,198	441,759	445,261	548,940	72,712	476,228
1990	551,118	1,269	552,387	72,232	478,886	480,155	551,118	72,232	478,886
1991	575,674	150	575,824	79,421	496,253	496,403	540,308	71,395	468,913
1992	598,916	3,124	602,040	80,784	518,132	521,256	537,448	70,992	466,456
1993	631,158	2,197	633,355	83,133	548,025	550,222	548,947	71,822	477,125
1994	668,255	8,691	676,946	89,078	579,177	587,868	570,290	73,913	496,377
1995	700,890	9,572	710,462	96,631	604,259	613,831	584,340	75,533	508,807
Seasonally adjusted									
1993									
Q1	154,499	423	154,922	20,848	133,651	134,074	136,067	18,004	118,063
Q2	156,353	714	157,067	20,379	135,974	136,688	136,421	17,792	118,629
Q3	159,746	580	160,326	20,820	138,926	139,506	137,783	17,992	119,791
Q4	160,560	480	161,040	21,086	139,474	139,954	138,676	18,034	120,642
1994									
Q1	163,441	2,528	165,969	21,517	141,924	144,452	140,301	18,199	122,102
Q2	165,760	2,231	167,991	22,064	143,696	145,927	142,029	18,371	123,658
Q3	168,773	2,071	170,844	22,468	146,305	148,376	143,425	18,580	124,845
Q4	170,281	1,861	172,142	23,029	147,252	149,113	144,535	18,763	125,772
1995									
Q1	172,513	1,754	174,267	23,720	148,793	150,547	145,079	18,811	126,268
Q2	174,659	2,512	177,171	23,930	150,729	153,241	145,693	18,882	126,811
Q3	175,933	2,571	178,504	24,269	151,664	154,235	146,503	18,900	127,603
Q4	177,785	2,735	180,520	24,712	153,073	155,808	147,065	18,940	128,125
1996									
Q1	179,559	3,039	182,598	24,957	154,602	157,641	147,668	18,986	128,682
Q2	181,808	3,654	185,462	25,267	156,541	160,195	148,472	19,090	129,382
Q3	—	—	—	—	—	—	—	—	—

Gross national and domestic product[1]

£ million

	At current prices						At 1990 prices		
	At market prices				At factor cost				
	Gross domestic product "Money GDP"	*Net property income from abroad*	*Gross national product*	*less Factor cost adjustment*[2]	*Gross domestic product*[3]	*Gross national product*[4]	*Gross domestic product at market prices*	*less factor cost adjustment*[5]	*Gross domestic product at factor cost*
Percentage change, latest year on previous year									
1995	4.9		5.0	8.5	4.3	4.4	2.5	2.2	2.5
Percentage change, latest quarter on previous quarter									
1996									
Q2	1.3		1.6	1.2	1.3	1.6	0.5	0.5	0.5
Percentage change, latest quarter on corresponding quarter of previous year									
1996									
Q2	4.1		4.7	5.6	3.9	4.5	1.9	1.1	2.0

[1] Estimates are given to the nearest £ million and in case of indices to one decimal place but cannot be regarded as accurate to this degree. Estimates at current market prices are affected by the abolition of domestic rates and the introduction of the community charge.
[2] Equals taxes on expenditure less subsidies.
[3] The factor cost estimate of GDP is obtained from the market price estimate by subtracting the factor cost adjustment.
[4] Gross national product equals Gross domestic product plus Net property income from abroad.
[5] Represents Taxes on expenditure less Subsidies both valued at 1990 prices.
Data in this table update those contained in ONS Blue Book table 1.1.
Some additional quarterly data are available on the ONS's Databank. These data can also be provided on paper—for details see notes on additional data.

EU Contributions

Mr. Mike O'Brien: To ask the Chancellor of the Exchequer what was the United Kingdom's net contribution to the European Union for 1995–96; and what factors underlie the discrepancies between this figure and the estimate of the European Union Court of Auditors. [10234]

Mr. Oppenheim *[holding answer 13 January 1997]:* The Treasury estimates the United Kingdom's net contribution to the European Community budget in the financial year 1995–96 to be £3,852 million. However, since this figure relates to a UK financial year while the European Court of Auditors' report provides calendar year data, the two are not directly comparable. The Treasury estimate of our net contribution to the European Community in the calendar year 1995 is £4,017 million. This compares with the figure of £3,866 million in the Court of Auditors report—assuming an exchange rate of £1=1.2211 ecu. One of the main reasons for the difference is that the Court of Auditors' figures include payments by the Community direct to the UK private sector which are not to be taken into account in the Treasury's estimate which relates to UK public sector transactions. There may also have been differences in the years to which particular public sector transactions near to year-end were scored. A fuller explanation of the differences between the two figures will be included in the Government's White Paper statement on the 1997 EC Budget.

Duty Free Allowance

Sir Irvine Patnick: To ask the Chancellor of the Exchequer what steps his Department is taking to maintain the duty free allowance. [10327]

Mr. Oppenheim: Duty free sales for intra-EU travel would have ceased on 1 January 1993 with the introduction of the single market. However, the decision to allow such sales to continue until 30 June 1999 was taken by the Council of Finance Ministers, including the then British Chancellor, towards the end of 1991. The UK supported this measure because additional time to remove an anomaly in the single market would permit the various trade interests time to make adjustments to their businesses. At this stage, there is no reason to change the underlying analysis.

Duty free sales for travel outside the EU will continue after 30 June 1999.

Pension Funds

Mr. Hall: To ask the Chancellor of the Exchequer what sums were received by the Exchequer from the pension funds of each Government asset prior to privatisation of that asset. [10630]

Mr. Jack: No sums have been received prior to the privatisation of any public sector industry, but in three cases a pension fund surplus, or part of it, has been, or is being, paid to the Exchequer after privatisation. In the case of the National Bus Company, a £120 million surplus on its pension schemes was paid to HM Treasury in 1990, two to four years after the privatisation of the various NBC subsidiaries. In the case of the British Coal Corporation pension fund, a first payment of £39.5 million was received in 1996—more than a year after privatisation; in the case of Harland and Wolff, which was privatised in 1989, it was agreed that Harland and Wolff Holdings plc would repay to the Department of Economic Development a £6.5 million pension fund surplus: £1.15 million has been repaid to date.

AGRICULTURE, FISHERIES AND FOOD

Cattle Cull

Mrs. Helen Jackson: To ask the Minister of Agriculture, Fisheries and Food what plans there are for the future disposal of cattle slaughtered to comply with the EC instructions. [10341]

Mr. Baldry: It is not clear to which specific EC instructions the question refers. However, in the context of the Government's BSE eradication programme, all BSE suspect animals are slaughtered on farm and sent for direct incineration in incineration plants contracted to the Ministry. Cattle purchased under the over-30-months scheme are slaughtered in compliance with Commission regulation 716/96 which requires the carcases to be disposed of by incineration or rendering and destruction.

The Government announced on 16 December 1996 that the selective cull would go ahead and the disposal of any animal slaughtered under this scheme will be in compliance with regulation 1484/96, which also requires incineration or rendering and destruction.

Ministerial Leave

Mr. Ian McCartney: To ask the Minister of Agriculture, Fisheries and Food (1) how many days of leave he plans to take during the Christmas Adjournment; [9811]

(2) how many days leave he has taken in the Easter, Whitsun and summer Adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9810]

Mr. Douglas Hogg: I refer the hon. Member to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 13 January 1997, *Official Report*, columns *12–13*.

BSE

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Department's proposals in respect of the crates used for the storage and transportation of animal carcases in the BSE eradication programme. [9891]

Mr. Baldry: Crates are used only for the transportation and storage of over-30-months scheme carcases going into or out of cold storage.

When carcases are removed from cold stores the operators have been instructed to store the crates safely pending destruction.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what methods of incineration are currently being *(a)* used and *(b)* experimented with in connection with the BSE eradication programme. [9892]

Mrs. Browning: Current incineration methods include burning carcases in dedicated incinerators and meat and bonemeal in a high-temperature waste incinerator. Other possibilities under consideration include the burning of MBM and tallow for energy recovery in power stations.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what payments have been made to date to slaughterers in connection with the BSE eradication programme. [9895]

Mr. Baldry: As at 6 January, £57,753 million has been paid in slaughter fees to abattoirs participating in the over-30-months slaughter scheme.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what have been the total consultancy costs to date associated with the BSE eradication programme; and what are the projected costs. [9896]

Mr. Baldry: Consultancy costs associated with the current BSE eradication programme and incurred by MAFF have amounted to £3,386,693 to date in the current financial year. This includes work in respect of the rendering industry, slaughterhouses, cutting plants and unsaleable stocks. IBEA has incurred costs of £150,000 in respect of the over 30-month scheme.

At the present time, the projected future costs of MAFF and IBEA amount to £1,925,000. The above costs do not include the costs of implementing the cattle traceability system.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food how many grain stores have been converted for storage of animal by-products associated with the current BSE eradication programme; and what has been the cost to date. [9898]

Mr. Baldry: Three government-owned warehouses have been converted to cold stores at a cost of £3 million. When no longer required in connection with BSE-related schemes the stores will provide cost-effective storage for intervention beef and butter.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what has been the cost to date of the storage of non-frozen beef as meat or bonemeal and tallow; and what quantities are currently in storage awaiting disposal under the BSE eradication programme. [9899]

Mr. Baldry: As at 5 January, storage payments amounting to £4,316 million had been made. As at 30 November 1996, the quantities of meat or bonemeal and tallow in store were 114,530 tonnes and 80,128 tonnes respectively.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what has been the total cost to date of long-term rental agreements for cold stores under the BSE eradication scheme; and how many cold stores are currently available to his Department. [9900]

Mr. Baldry: The total cost to date of long-term rental agreements for cold storage is £28.2 million. There are currently 41 cold stores available in the Department.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what has been the cost to date of *(a)* thawing, *(b)* disposal of crates, *(c)* cleaning and sterilising of cold stores and *(d)* other on-costs not covered by storage charges in respect of carcase disposal under the BSE eradication scheme. [9901]

Mr. Baldry: There has been no expenditure to date on the items listed at (a), (b) and (c). Expenditure in respect of other on-costs not covered by storage charges was £75,700 as at 5 January.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what has been the total cost to date of the refrigerated transportation to cold stores of animals culled as part of the current BSE eradication programme. [9902]

Mr. Baldry: As at 5 January, £1.991 million had been paid for refrigerated transportation of cull carcases to cold stores.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what has been the cost to public funds of carcase transportation to renderers under the BSE eradication scheme; and how many carcases are currently awaiting transportation. [9903]

Mr. Baldry: The cost of transport from the abattoir to the rendering plant is included in the fee paid to the rendering plant and is not separately identifiable. Carcases are transported either to cold stores or direct for rendering on the day that the animals are slaughtered so none are awaiting transportation from abattoirs.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the disposal of the *(a)* blood, *(b)* run-off from thawed-out carcases and *(c)* water used for cleaning and sterilising stores and vehicles, associated with the current BSE eradication programme. [9894]

Mr. Baldry: Under the over 30-month scheme blood must be destroyed or be controlled in such a way that it does not enter the human or animal food chains and cannot be used in cosmetic for pharmaceutical products. The Intervention Board has introduced arrangements for the collection and disposal of blood from OTMS cattle slaughtered in Great Britain and is making similar arrangements for Northern Ireland.

Limited trials have taken place on the rendering of frozen OTMS carcases. Most involved the crushing of material prior to immediate processing. The results of these trials are being evaluated.

There are various controlled disposal routes for water used for cleaning and sterilising stores and vehicles including sewerage treatment works, soil injection and mains drainage following on-site treatment.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what safety measures are currently available to those engaged in the handling and disposal of carcases associated with the BSE eradication process; and what safety monitoring is in place. [9897]

Mrs. Browning: General guidance for all occupational groups who may be exposed to the agent of BSE was published in August 1996 by the Health and Safety Commission, the Department of Health and the Ministry following a review of existing guidance material on BSE. This new guidance includes those involved in the handling and disposal of carcases under the Government's BSE eradication programme. the guidance, prepared by the independent Advisory Committee on Dangerous Pathogens, recommended the maintenance of high standards of hygiene when working with cattle and advised on new methods of working to avoid or minimise exposure to tissues of cattle that may carry the BSE agent. These precautions are considered prudent although there is no evidence of any risk to those in occupations in which exposure to the BSE agent may occur. To date approximately 2,500 copies of the guidance have been distributed and copies will be placed in the Library of the House.

The Health and Safety at Work etc. Act 1974, and regulations made under it apply to abattoirs and rendering plants that are engaged in the handling and disposal of carcases. Health and Safety Executive inspectors visit such premises during normal preventative inspections; protection from exposure to BSE agent is considered along with other matters.

Quarantine Regulations

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he has completed his review of the current quarantine regulations; and if he will make a statement. [9893]

Mrs. Browning: Our work is not yet complete.

Arable Area Payments

Mr. Garnier: To ask the Minister of Agriculture, Fisheries and Food what proportion of arable area aid payments in 1996 were made within the 31 December deadline. [11580]

Mr. Douglas Hogg: I am pleased to say that arable area payments were sent out to 99 per cent. of claimants in England by 31 December, covering around 98 per cent. of payments by value. This successful result bears testimony both to the prompt and accurate return of claims by farmers and to the efforts made by the Ministry's staff to process payments as required by EU rules.

WALES

Class Sizes

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will collate and publish the figures provided in the Office of Her Majesty's chief inspector's school inspection reports of maintained primary schools on class size in each year. [9589]

Mr. Jonathan Evans: The Office of Her Majesty's chief inspector does not collect information on class size in each year group. Statistics on the average size of registered classes within maintained primary schools are published in "Statistics of Education and Training in Wales: Schools No. 4 1996".

Staff

Mr. Donohoe: To ask the Secretary of State for Wales if he will list for his Department *(a)* how many people in total are employed, *(b)* how many of the total number of staff are (i) male and (ii) female and *(c)* how many (I) men and (II) women are employed on a (1) full time and (2) part time basis. [9485]

Mr. Hague: The information requested as at December 1996 is as follows:

	Full-time	*Part-time*	*Total staff*
Male	1,146	17	1,163
Female	970	273	1,243
Total	2,116	290	2,406

Figures shown include staff in the Executive Agency, Cadw.

Health Service Expenditure

Mr. Morgan: To ask the Secretary of State for Wales on what date the sections of the appropriation account for Wales concerning central Government expenditure on the NHS in Wales were published. [10280]

Mr. Hague: I refer the hon. Member to the reply I gave him on 16 December 1996, *Official Report*, column *446–47*.

Mr. Morgan: To ask the Secretary of State for Wales if he will list the principal areas to which the additional £30 million for the national health service provided for in the winter supplementary estimates will be applied. [9956]

Mr. Hague: Of the £30 million end-year flexibility entitlement take-up in the winter supplementary estimate, £18 million related to capital expenditure—£6 million for NHS trusts and £12 million for slippage on centrally funded schemes—mainly Wrexham Maelor phase 2, Ynys-y-Plwm, Princess of Wales phase 2 and Torfaen community hospital. The remaining £12 million was taken up for a number of revenue expenditure items including 2.5 million for GP fundholder carry-forward, £3 million for the dental initiative, £1 million for the clinical effectiveness initiative and £3 million for health authority liquidity.

Ambulance Services

Mr. Morgan: To ask the Secretary of State for Wales what *(a)* sanctions and *(b)* incentives he has to encourage ambulance trusts to meet the targets of 60 per cent. of ambulance staff trained as paramedics and one paramedic on each emergency call-out ambulance within his timetable; and if he will make a statement. [10268]

Mr. Hague: No sanctions have been introduced. Training funds are provided centrally to encourage the ambulance trusts to meet the set targets.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to the Government response to the Third Report of the Welsh Affairs Committee, HC 91, Session 1996–97, what is his current estimate of the proportion of ambulance staff trained as paramedics in each ambulance trust; and what assessment he has made of the probability of their meeting the 60 per cent. target within his timetable. [10270]

Mr. Hague: I refer the hon. Member to the reply I gave him on 16 December 1996, *Official Report*, column *446*.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to the Government response to the Third Report of the Welsh Affairs Committee on the Training of Ambulance Paramedics, HC 91, Session 1996–97, if he will make a statement on *(a)* the proposed new patients charter standard in relation to life-threatening call-outs, *(b)* the pilot study on prioritisation of emergency calls and *(c)* the research project into the costs and benefits of calls prioritisation, with particular reference to sparsely populated areas. [10269]

Mr. Hague: Any new patients charter standard in Wales in relation to life-threatening calls will be announced after my Department has fully researched the benefits and costs of calls prioritisation. No pilot study will be introduced until I am satisfied with the results of the research which is likely to be completed by April 1997.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to the Government response to the Third Report of the Welsh Affairs Committee, HC 91, Session 1996–97, on the Training of Ambulance Paramedics what *(a)* interim arrangements for funding training and *(b)* top-sliced funds he has agreed with the Ambulance Trusts for (i) first time paramedic training and (ii) re-training for 1997–98. [10267]

Mr. Hague: Current funding arrangements, including the continuation of one-off funding for refresher training, will be kept in place in 1997–98. There will be no change in top-sliced funding in 1997–98 in respect of ambulance paramedics training.

Ministerial Leave

Mr. Ian McCartney: To ask the Secretary of State for Wales how many days of leave he plans to take during the Christmas Adjournment. [9825]

Mr. Hague: Five.

Mr. Ian McCartney: To ask the Secretary of State for Wales how many days leave he has taken in the Easter, Whitsun and summer Adjournments; and how many days leave he took during the time in which Parliament was prorogued this year. [9824]

Mr. Hague: The following is the information:

Easter: three

Whitsun: three

Summer: nine

Prorogued: none.

General Practitioners

Mr. Morgan: To ask the Secretary of State for Wales how many *(a)* trainee GPs and *(b)* GP training places there were in each Welsh GP training centre in (i) August 1995 and (ii) August 1994; and if he will make a statement on the vacancy rate for the 1994, 1995 and 1996 GP training schemes. [9958]

Mr. Hague: Information obtained from the University of Wales college of medicine, relating to August 1995, is given in the following table. The college is unable to provide information relating to August 1994.

GP training places

Training centre	*Number of places Available*	*Filled*
Aberystwyth	10	2
Bridgend	9	9
Carmarthen	5	3
Clwyd North (Rhyl)	Not known	
Clwyd South (Wrexham)	6	5
East Glamorgan	8	3
Gwynedd (Bangor)	15	7
Haverfordwest	4	1
Gwent North (Abergavenny)	6	1
Gwent South (Newport)	6	2
South Glamorgan (Cardiff)	6	5
Swansea Bay	8	8

Hospital Beds

Mr. Barry Jones: To ask the Secretary of State for Wales what specific action he has taken to eliminate bed blocking in north-east Wales; and if he will make a statement. [9962]

Mr. Gwilym Jones: This is a matter for local resolution by the health and local authorities concerned.

Mr. Barry Jones: To ask the Secretary of State for Wales what action he is taking to enable general practitioners in north Wales to obtain hospital emergency medical beds for frail elderly patients; and if he will make a statement. [9964]

Mr. Gwilym Jones: The North Wales health authority has confirmed that for all categories of patient, emergency care remains the authority's highest priority and will have first call on the additional resources available to it during 1996–97.

The improved arrangements for forecasting and managing need in 1996–97 are working well.

Treatment Centres

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 16 December, *Official Report*, column *448*, if he will place in the Library a copy of the consultation letter and the responses on the future of the treatment centres. [10285]

Mr. Hague: I have placed copies of the Department's consultation letter of 28 June together with a summary of the responses on the future of the treatment centre initiative in the Library.

Mr. Morgan: To ask the Secretary of State for Wales what are the funding arrangements and the numbers of cases to be dealt with in 1997–98 in each treatment centre indicating funding and numbers of cases in each health authority area; and what are the equivalent figures for 1995–96 and 1996–97. [10286]

Mr. Hague: For 1997–98 ring-fenced funding for the treatment centre initiative will be put into health authorities allocations. The allocation of places at each centre next year, and hence the funding to be made available, is currently being determined in discussion with the centres themselves. Activity at and funding for the treatment centres in 1995–96 and that currently planned for 1996–97 is shown in the following table:

Treatment centres—funding and number of cases
1995–96 activity

Health authority	*Treatment Centre*									
	Bridgend ophthalmic		*Bridgend surgical*		*Rhydlafar orthopaedic*					
					Hips		*Knees*		*Joint revisions*	
	Procedures	*Funding*	*Procedures*	*Funding*	*Procedures*	*Funding*	*Procedures*	*Funding*	*Procedures*	*Funding*
		£		£		£		£		£
Clwyd	0	0	8	3,893	8	23,656	14	51,016	0	0
Dyfed	156	138,134	65	31,627	35	103,495	14	51,016	2	12,986
Gwent	235	208,087	158	76,879	29	85,753	23	83,812	8	51,944
Gwynedd	0	0	2	973	0	0	0	0	0	0
Mid Glamorgan	445	394,036	541	263,237	31	91,667	21	76,524	7	45,451
Powys	11	9,740	1	487	8	23,656	4	14,576	2	12,986
South Glamorgan	60	53,128	172	83,691	26	76,882	19	69,236	7	45,451
West Glamorgan	173	153,187	113	54,983	23	68,011	12	43,728	5	32,465
Total	1,080	956,312	1,060	515,770	160	473,120	107	389,908	31	201,283

1996–97 current allocations

Health authority	*Treatment centre*									
	Bridgend ophthalmic		*Bridgend surgical*		*Rhydlafar orthopaedic*[1]					
					Hips		*Knees*		*Joint Revisions*	
	Allocation	*Funding*	*Allocation*	*Funding*	*Allocation*	*Funding*	*Allocation*	*Funding*	*Allocation*	*Funding*
		£		£		£		£		£
North Wales	0	0	2	1,000	10	28,440	30	105,750	0	0
Dyfed Powys	200	175,226	93	46,495	31	88,164	19	66,975	12	77,916
Gwent	340	297,884	190	94,992	25	71,100	20	70,500	15	97,395

1996–97 current allocations

Health authority	Bridgend ophthalmic		Bridgend surgical		Treatment centre					
					Hips		Rhydlafar orthopaedic[1] Knees		Joint Revisions	
	Allocation	Funding	Allocation	Funding	Allocation	Funding	Allocation	Funding	Allocation	Funding
Bro Taf	245	214,652	374	186,982	24	68,256	17	59,925	18	116,874
Iechyd' Morgannwg	295	258,458	401	200,481	17	48,348	12	42,300	15	97,395
Total	1,080	946,220	1,060	529,950	107	304,308	98	345,450	60	389,580

[1]Does not include mid-year reallocations for the Rhydlafar centre—discussions are currently on-going.

Hospital Admission Units

Mr. Morgan: To ask the Secretary of State for Wales how many Welsh acute hospitals have opened admission units; and what analysis he has made of the impact of admission units on *(a)* rapid admission and *(b)* treatment (i) generally and (ii) patients brought in on emergency ambulances. [10259]

Mr. Hague: I understand that the majority of Welsh hospitals have opened admission-assessment units; their individual operation is a matter for the respective trusts.

Clwydian Community Trust

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list the headings and amounts of his subventions to the Clwydian Community Trust indicating the amounts for the current financial year; and if he will make a statement. [9963]

Mr. Gwilym Jones: The Clwydian community NHS trust has drawn down one long-term loan of £1,000,000 during the current financial year.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for Wales what estimate he has made of the annual operating costs of the Cardiff Bay barrage; and what proposals he has discussed with the chairman of the Cardiff Bay development corporation and the two riparian local authorities concerning the sharing of those costs after the winding up of the corporation. [9957]

Mr. Hague: None. The corporation has not yet provided a detailed estimate of the operating costs of the barrage beyond December 1999; but will do so later this year, following completion of the wind-up consultation exercise and consideration of a management company option.

Mr. Elletson: To ask the Secretary of State for Wales what is the estimated cost to public funds of *(a)* completing the construction of the Cardiff Bay barrage and *(b)* dismantling and removing the superstructure and foundations already in place and returning the site to the condition which obtained before construction commenced; and if he will make a statement. [10723]

Mr. Hague: The barrage contracts are operational matters for the corporation; I will ask the chief executive to write to the hon. Member and will arrange for a copy of his response to be placed in the Library of the House.

Mr. Elletson: To ask the Secretary of State for Wales what targets the Welsh Office has set for attracting inward investment and jobs to Cardiff by 2000; and what assessment he has made of the effect a failure to complete the construction of the Cardiff bay barrage would have on the ability of the region to meet those targets. [10722]

Mr. Hague: I have not set any specific inward investment or job creation targets for Cardiff or for Cardiff bay. I have noted that the targets set by the development corporation in its corporate plan are to provide by the year 2000 around £1 billion private sector investment and 15,000 new jobs. The barrage is a key component in the corporation's regeneration strategy and is expected to be completed in 1998.

Rugby World Cup

Mr. Morgan: To ask the Secretary of State for Wales on how many occasions his rugby world cup co-ordinating group has met; if he will list its members and organisations represented and the date of the next meeting. [10472]

Mr. Hague: The rugby world cup liaison group has met three times. The chief officers of the following bodies have been invited to attend or sent representatives:

> the Welsh Rugby Union, the Wales Tourist Board, the Welsh Development Agency, the Development Board for Rural Wales, the Cardiff Bay Development Corporation, the Welsh Local Government Association, Cardiff Marketing, Cardiff county council, the Sports Council for Wales, the Arts Council of Wales, Welsh Food Promotions, the Welsh Language Board, Carmarthen county council and CADW.

Other organisations are invited to send representatives if the group is discussing items in which they might have an interest.

The next meeting is scheduled for Thursday 16 January.

EU Regional Affairs Commissioner

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 17 December, if he will list the principal reasons for not meeting the European Commissioner responsible for regional affairs *(a)* on 6 December and *(b)* at another point during her visit to Wales. [10476]

Mr. Hague: Constraints on my diary and on the programme for the Commissioner's visit meant that we were unable to meet on this occasion.

Housing

Mr. Ainger: To ask the Secretary of State for Wales how many *(a)* local authority and *(b)* housing association houses have been built in Wales in each of the last 10 years. [10484]

Mr. Jonathan Evans: Information on the number of completions, by tenure for each of the last 10 years, has been published in table 2.3 of "Welsh Housing Statistics,

1996", a copy of which is in the Library of the House. The numbers shown for housing association completions are based on local authority returns.

Jobs

Mr. Morgan: To ask the Secretary of State for Wales when he expects to announce details of the remaining 700 new jobs of the total new jobs package he announced in the Welsh Grand Committee on 30 November 1996, *Official Report*, column *10*. [10501]

Mr. Hague: Further announcements are expected very soon.

Sea Empress Oil Spill

Mr. Ainger: To ask the Secretary of State for Wales what plans he has to continue funding research into the environmental impacts of the Sea Empress disaster after the publication of the Sea Empress environmental effects committee report in 1997. [10482]

Mr. Jonathan Evans: My right hon. Friend will consider this in the light of the report of the Sea Empress environmental evaluation committee.

School Assessment

Mr. Martyn Jones: To ask the Secretary of State for Wales what factors underlie the omission of the subject of Welsh in his projection of school assessment results; and if he will make a statement. [10403]

Mr. Jonathan Evans: The results for Welsh are included alongside those for the other core subjects in the national curriculum results booklets. As part of the bright future programme to raise standards of literacy and numeracy, Welsh is included in the performance indicators developed for the end of each key stage.

Farmers (Negative Equity)

Mr. Martyn Jones: To ask the Secretary of State for Wales what estimate he has made of the number of farmers with negative equity problems; and if he will make a statement. [10520]

Mr. Jonathan Evans: This information is not collected by the Department.

Local Government Finance

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will publish for each of the county and county borough councils in Wales and for Wales as a whole in constant prices *(a)* the estimated cost of the 1997 teachers' pay award, *(b)* the estimated cost of community care, *(c)* the estimated cost of provision for police authorities and *(d)* the remaining amount of total standard spending assessments announced on 12 December indicating, in each case, the actual and percentage increase or decrease relative to equivalent figures for 1996-97 set after consultation in January 1996; [10726]

(2) if he will publish for each of the county and county borough councils and for Wales as a whole in constant prices *(a)* total standard spending assessments, including provision for community care and police authorities, set after consultation with local authorities in January 1996 for 1996–97, *(b)* the equivalent provisional standard spending assessments following his statement to the House on 12 December 1996 for 1997–98 and *(c)* the percentage change between *(a)* and *(b)* in each case. [10719]

Mr. Gwilym Jones: Specific costs such as teachers' pay are not identified separately within local authorities' standard spending assessments. The 1997 teachers' pay award will be announced by the School Teachers' Review Body in the near future. It has been directed to have regard to affordability in the light of the 1997–98 local government revenue settlements for England and Wales.

Provision in respect of care in the community is included within local authorities' standard spending assessments. Individual allocations for 1996–97 and 1997–98 at constant prices are shown in table 1. The remaining information requested for councils standard spending assessment at constant prices is given in tables 2 and 3.

Provision for police authorities is assessed separately and comprises SSA and police grant. These figures at constant prices are shown in table 4. The figures provided in the tables have not been adjusted to take account of changes in local authority functions between 1996–97 and 1997–98.

Table 1: Allocations within total standard spending assessments in respect of care in the community

Council	1997–98[1] (£000)	1996–97 (£000)	Change (£000)	Percentage change
Blaenau Gwent	4,157	3,758	399	10.6
Bridgend	7,133	6,401	732	11.4
Caerphilly	8,968	8,085	884	10.9
Cardiff	15,677	14,109	1,568	11.1
Carmarthenshire	10,924	9,839	1,085	11.0
Ceredigion	4,174	3,753	421	11.2
Conwy	7,182	6,485	697	10.8
Denbighshire	5,678	5,170	508	9.8
Flintshire	7,115	6,393	722	11.3
Gwynedd	7,553	6,804	749	11.0
Isle of Anglesey	3,909	3,608	301	8.3
Merthyr Tydfil	3,746	3,413	333	9.8
Monmouthshire	4,451	3,941	510	12.9
Neath Port Talbot	8,734	7,794	940	12.1
Newport	7,212	6,553	658	10.0
Pembrokeshire	6,229	5,597	632	11.3
Powys	7,400	6,687	713	10.7
Rhondda, Cynon, Taff	15,248	13,748	1,501	10.9
Swansea	13,329	12,092	1,237	10.2
Torfaen	4,536	4,088	448	11.0
The Vale of Glamorgan	5,875	5,363	512	9.5
Wrexham	6,660	5,963	697	11.7
All county and county borough councils	165,891	149,644	16,247	10.9

[1] Allocations in the provisional 1997–98 local government revenue settlement estimated at 1996–97 prices.

Table 2: Standard spending assessments excluding allocations for care in the community

Council	1997–98[1] (£000)	1996–97 (£000)	Change (£000)	Percentage change
Blaenau Gwent	59,937	60,738	–801	–1.3
Bridgend	100,649	101,186	–538	–0.5
Caerphilly	135,717	136,242	–524	–0.4
Cardiff	230,477	230,924	–448	–0.2
Carmarthenshire	138,167	138,519	–352	–0.3
Ceredigion	56,240	56,162	78	0.1
Conwy	84,105	83,563	542	0.6
Denbighshire	73,029	73,384	–356	–0.5
Flintshire	106,235	106,166	70	0.1
Gwynedd	99,975	99,599	376	0.4
Isle of Anglesey	56,737	57,194	–457	–0.8
Merthyr Tydfil	51,807	52,446	–639	–1.2
Monmouthshire	60,396	60,104	293	0.5
Neath Port Talbot	111,319	112,657	–1,338	–1.2
Newport	109,344	110,963	–1,618	–1.5
Pembrokeshire	93,878	94,833	–955	–1.0
Powys	108,848	108,961	–114	–0.1
Rhondda, Cynon, Taff	191,365	193,338	–1,973	–1.0
Swansea	179,302	181,451	–2,149	–1.2
Torfaen	72,492	73,709	–1,217	–1.7
The Vale of Glamorgan	88,245	89,270	–1,025	–1.1
Wrexham	92,158	92,595	–436	–0.5
All councils	2,300,424	2,314,005	–13,581	–0.6

[1] Provisional 1997–98 local government revenue settlement estimated at 1996–97 prices.

Table 3: Total standard spending assessments

Council	1997–98[1] (£000)	1996–97 (£000)	Change (£000)	Percentage change
Blaenau Gwent	64,094	64,496	–402	–0.6
Bridgend	107,782	107,587	194	0.2
Caerphilly	144,686	144,327	359	0.2
Cardiff	246,154	245,034	1,120	0.5
Carmarthenshire	149,091	148,358	733	0.5
Ceredigion	60,415	59,915	500	0.8
Conwy	91,287	90,048	1,239	1.4
Denbighshire	78,707	78,555	152	0.2
Flintshire	113,350	112,559	792	0.7
Gwynedd	107,528	106,403	1,125	1.1
Isle of Anglesey	60,646	60,802	–156	–0.3
Merthyr Tydfil	55,554	55,859	–306	–0.5
Monmouthshire	64,847	64,045	803	1.3
Neath Port Talbot	120,053	120,451	–398	–0.3
Newport	116,556	117,516	–960	–0.8
Pembrokeshire	110,106	100,430	–324	–0.3
Powys	116,248	115,649	599	0.5
Rhondda, Cynon, Taff	206,614	207,086	–472	–0.2

Table 3: Total standard spending assessments

Council	1997–98[1] (£000)	1996–97 (£000)	Change (£000)	Percentage change
Swansea	192,631	193,543	–912	–0.5
Torfaen	77,028	77,796	–769	–1.0
The Vale of Glamorgan	94,121	94,634	–513	–0.5
Wrexham	98,818	98,558	260	0.3
All councils	2,466,315	2,463,649	2,666	0.1

[1] Provisional 1997–98 local government revenue settlement estimated at 1996–97 prices.

Table 4: Total standard spending assessments and allocations of police grant for police authorities

Police authority	1997–98[1] (£000)	1996–97 (£000)	Change (£000)	Percentage change
Dyfed-Powys	48,777	48,579	198	0.4
Gwent	63,237	62,752	485	0.8
North Wales	69,818	69,340	478	0.7
South Wales	152,097	151,074	1,023	0.7
All police authorities	333,929	331,745	2,184	0.7

[1] Provisional 1997–98 local government revenue settlement estimated at 1996–97 prices.

FOREIGN AND COMMONWEALTH AFFAIRS

Intergovernmental Conference

22. **Mr. Whittingdale:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress achieved in the intergovernmental conference. [9254]

Mr. David Davis: Negotiations in the intergovernmental conference will continue under the Dutch Presidency on the basis of the draft revision of the treaties submitted by the Irish Presidency. The Dublin European Council reaffirmed the target of completing the IGC at the Amsterdam European Council.

Mr. Dykes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the principal agreements of the Dublin European Union summit of 13 and 14 December; and, pursuant to the Prime Minister's oral statement on 16 December what public responses Her Majesty's Government have received on the summit conclusions on intergovernmental conference matters. [9784]

Mr. Davis: The principal agreements reached at the Dublin European Council were outlined by the Prime Minister in his statement to the House on 16 December, *Official Report*, columns 615–17, and are set out in full in the Presidency's conclusions, which have been placed in the Library of the House. There have been a number of public responses to the Dublin outcome, including the IGC conclusions.

27. **Mrs. Bridget Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals on social policy are being discussed at the intergovernmental conference; and if he will make a statement. [9259]

Mr. Davis: A number of proposals relating to social policy are under discussion in the intergovernmental conference.

Mr. Riddick: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals have been put forward at the intergovernmental conference to extend qualified majority voting. [9235]

Mr. Rifkind: Several member states have put forward proposals which involve extending the use of qualified majority voting in particular areas.

Poland

23. **Mr. Harry Greenway:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of Poland's applications to join NATO and the EEC. [9255]

Sir Nicholas Bonsor: NATO will decide at a summit in Madrid on 8 and 9 July which countries will be invited to open accession negotiations, and the European Commission's opinion on Poland's application to join the EU will happen later this year.

China

24. **Mr. Waterson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Sino-British relations. [9256]

Mr. Hanley: Relations with China have recently shown good progress in many areas. Both countries attach importance to a successful transfer of sovereignty in Hong Kong later this year, and are continuing their efforts to achieve that end.

Israel

25. **Mr. John Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about relations between Britain and Israel. [9257]

Mr. Hanley: Our relations with Israel remain good.

Serbia

26. **Mr. Ainger:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed the situation in Serbia with his EU counterparts. [9258]

Sir Nicholas Bonsor: My right hon. and learned Friend the Foreign Secretary last discussed the situation in Serbia with EU counterparts at the European Council in Dublin on 13 December last. We continue to monitor the situation and remain in constant contact with partners and allies.

Burma

28. **Ms Glenda Jackson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's relations with Burma. [9260]

Mr. Hanley: The UK maintains diplomatic relations with Burma. Through our embassy in Rangoon and our contacts with the Burmese embassy in London, we continue our policy of critical dialogue with the ruling State Law and Order Council—SLORC—with the aim of encouraging democratic reform and full respect for human rights in Burma.

Mr. Bennett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the steps taken by the Government to encourage an improvement in human rights and a respect for democracy in Burma. [9249]

Mr. Hanley: I refer the hon. Member to the oral answer that I gave earlier today to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe).

Brazil

29. **Mr. Jacques Arnold:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Brazil. [9261]

Sir Nicholas Bonsor: Our relations with Brazil are excellent.

Former Yugoslavia

30. **Mr. Soley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in apprehending indicated war criminals in the former Yugoslavia. [9262]

Sir Nicholas Bonsor: Seven indictees are held in custody in The Hague. One more is awaiting extradition from Croatia. We strongly support the work of the International Criminal Tribunal and have committed significant resources to it.

NATO, Western European Union and Partnership for Peace

31. **Mr. Viggers:** To ask the Secretary of State for Foreign and Commonwealth Affairs what are Her Majesty's Government's strategic proposals relating to the expansion of NATO, the Western European Union and Partnership for Peace. [9263]

Mr. David Davis: A NATO summit will be held on 8 and 9 July in Madrid. It will take a number of landmark decisions, including:

- inviting one or more countries to begin accession negotiations;
- finalising the arrangements for the establishment of a European security and defence identity in NATO;
- strengthening partnership for peace and, we expect, launching the Atlantic Partnership Council as a new body for co-operation between NATO and other countries.

The Government's proposals for development of the Western European Union were made public in spring 1995.

Iraq

32. **Mr. Wallace:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken in the United Nations to address the situation of Iraqi citizens held hostage by the Government of President Saddam Hussein. [9264]

Mr. Hanley: We remain concerned about Iraqis detained in Iraq without trial. The UN Special Rapporteur, to whom Iraq denies access, has recorded the appalling human rights abuses of the Iraqi regime, including the absence of law. At the United Nations we regularly condemn Iraq's human rights record and will continue to do so.

Cyprus (European Union Accession)

33. **Mr. Hawkins:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he plans to take to encourage Cyprus' accession to the EU. [9265]

Mr. David Davis: A comprehensive political settlement of the Cyprus problem in 1997 will help to ensure the success of negotiations on accession to the EU. We are working hard with our European partners, the United States and others in supporting UN-led efforts to that end.

Embassies and Consulates

34. **Mr. Sheerman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what new steps he is taking to improve the services and advice offered by United Kingdom embassies and consulates to United Kingdom businesses wishing to export. [9266]

Mr. Hanley: This Department and the Department of Trade and Industry will jointly launch measures later this month to simplify access to, and raise awareness of, our services to exporters. We have already established a unit to monitor and help improve the quality standards of the chargeable services carried out for exporters by overseas posts. We have also launched an initiative to enhance the professionalism of officials engaged in trade promotion through a programme of secondments and externally accredited qualifications.

United Nations

35. **Mr. Clelland:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has held with other member states regarding the future of the United Nations. [9267]

Sir Nicholas Bonsor: We are in regular contact with other UN member states and in particular with our partners on the Security Council. We are working closely with the EU and other member states to revitalise the United Nations system and to ensure that we move towards a more modern and effective UN.

Indonesia and East Timor

36. **Mr. Jim Cunningham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Portuguese Government regarding the future of East Timor. [9268]

Mr. Hanley: We regularly discuss East Timor with the Portuguese Government. It was discussed by my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs during his meeting with the Portuguese Foreign Minister, Mr. Gama, in July last year. Her Majesty's Government continue to believe that dialogue between Portugal and Indonesia under the auspices of the UN Secretary General offers the best hope of finding a just, comprehensive and internationally acceptable settlement.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria his Department uses to determine whether defence equipment is likely to be used for internal repression in Indonesia and East Timor before granting export licences. [10717]

Mr. Hanley: In judging whether defence equipment is likely to be used for internal repression, we draw on all the information available to us, including as appropriate the nature of the equipment, the technical capability and legitimate requirements of the end user and the current situation in the recipient country. Ministers evaluate this information with the advice, where necessary, of technical experts in appropriate Government agencies and of our missions overseas.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the correspondence referred to in paragraph 40 of the National Audit Office report, "Aid to Indonesia", relating to aid proposals and defence sales. [10724]

Mr. Hanley: I shall write to the hon. Member shortly.

Centre for Racism and Xenophobia

37. **Mr. Stephen:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the compatibility of the establishment of the proposed centre for racism and xenophobia with Her Majesty's Government's policy on subsidiarity. [9269]

Mr. David Davis: We believe that the problems raised by racism are best dealt with by national Governments, but there is a role for Europe to play in the exchange and dissemination of information in this area.

Zaire

38. **Mr. Spring:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the current situation in Zaire. [9270]

Dr. Liam Fox: We remain concerned by the uncertain situation in Zaire. Rebellion in eastern Zaire continues, with much of Kivu province under rebel control. We welcome President Mobutu's stated commitment to continuing the democratic process and will continue to support efforts to bring about a negotiated settlement to the conflict in Zaire.

Anglo-Spanish Relations

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the current state of Anglo-Spanish relations. [9239]

Mr. David Davis: When my right hon. Friend the Prime Minister met the Spanish Prime Minister, Mr. Aznar, in London on 27 November, they agreed that the overall relationship with Spain was extremely good. Spain is also an important partner in the European Union, the North Atlantic Treaty Organisation and the United Nations.

Consultants

Mr. Milburn: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10162]

Mr. Hanley *[holding answer 13 January 1997]:* The information is in the table.

Expenditure on external consultants

Diplomatic wing NDPBs

	1992–93 £	*1993–94* £	*1994–95* £	*1995–96* £	*1996 to date* £
Great Britain—China Centre	nil	nil	nil	2,523	8,004
Britain—Russia Centre (approximate costs)	300	300	300	300	300
Marshall Aid Commemoration Commission	nil	nil	nil	nil	nil
British Association for Central and Eastern Europe	nil	nil	nil	nil	nil
Foreign Compensation Commission	nil	nil	nil	nil	nil

The Westminster Foundation for Democracy spent approximately £50,000 on external consultants between 1993 and 1996. No year by year breakdown was available.

None of ODA's non-departmental public bodies has employed external consultants in the last five years.

Figures for the British Council could be provided only at disproportionate cost.

Gulf Co-operation Council

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent Gulf Co-operation Council meeting in Qatar. [10300]

Mr. Hanley: We closely followed reporting of the discussions and decisions of the 17th Gulf Co-operation Council heads of state summit, which was held in Doha from 7 to 9 December 1996.

Ministers welcome the GCC's call upon Iraq to fulfil all its international obligations, particularly those relating to weapons of mass destruction and the release of detainees.

We share the GCC's concerns about continuing disputes in the region; the UK remains firmly committed to the peaceful resolution of them all.

Hong Kong

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will make a statement on the recent election of the Hong Kong chief executive designate. [10301]

Mr. Hanley: My right hon. Friend the Prime Minister and my right hon. and learned Friend the Foreign Secretary and I have all sent messages of congratulation to Mr. Tung, for whom we have great respect. British Ministers have every confidence that he will be a worthy first chief executive of the Hong Kong Special Administrative Region. He will of course be most welcome to visit Britain at a time of his choosing. Ministers and the Governor are full committed to offering every assistance to the chief executive designate and his team to help in their preparations for a successful handover, in line with the Joint Declaration.

Immigration Appeals

Mr. Lidington: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects Her Majesty's high commission, Lagos, to supply the Immigration Appeal Tribunal with the statement of appeal for the case of Mr. C. A. Ekeh, Ref. GV100/29129, referred to in the high commission's letter dated 15 January 1996, Ref. LAG/12567/95. [10470]

Dr. Liam Fox: It is policy on grounds of confidentiality for Ministers not to comment publicly on individual applications for entry clearance. I will therefore write separately to my hon. Friend.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his Department's letter Ref. GV100 /32380 of 11 September 1996 when he proposes to take action on the case of Mrs. Gertrude Mannai, Ref. 301220, relating to her husband and the entry clearance officer at Tunis. [10325]

Dr. Fox: Our policy is not to reveal details of individual entry clearance applications. I will therefore write to the hon. Member shortly.

Libya

Sir Cyril Townsend: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he proposes to take to assist the issuing of visas in Libya. [10521]

Dr. Liam Fox: We have decided in principle to expand the visa service at the British interests section in Tripoli, to include additionally a limited number of applications from business visitors. However, certain practical difficulties, such as remodelling the office accommodation, will have to be resolved before this can take place.

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to seek to improve relations with Libya. [9232]

Mr. Hanley: Any improvement in relations with Libya is dependent on that country complying with UN sanctions.

Bahamas and Antigua (Chemical Weapons Tests)

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the Governments of the Bahamas and Antigua about the implications of the chemical tests carried out in the Caribbean 50 years ago; and if he will make a statement. [10822]

Sir Nicholas Bonsor: No formal representations have between received from either the Government of the Bahamas or the Government of Antigua and Barbuda. However, Foreign Commonwealth Office officials received two letters from the Antiguan High Commissioner to London on the subject of biological weapons testing in the Caribbean in 1948–49. The FCO replied having sought advice from the Ministry of Defence.

Written Answers to Questions

Thursday 16th January 1997

SCOTLAND

Scottish Pre-School Play Association

Mr. Stewart: To ask the Secretary of State for Scotland what representations he has received from the Scottish Pre-School Play Association concerning core grant funding; and when he expects to be able to respond. [10666]

Lord James Douglas-Hamilton: The association has applied under section 10 of the Social Work (Scotland) Act 1968 for an increase in core funding from 1997–98. Its application is being carefully considered. We will shortly be advising it of the outcome at the same time as other grant applicants.

Dounreay

Mr. Meacher: To ask the Secretary of State for Scotland if he will make an environmental assessment of the beach adjoining the United Kingdom Atomic Energy Authority plant at Dounreay to take account of reports his Department has received of the presence of plutonium particles. [10800]

Mr. Kynoch *[holding answer 13 January 1997]:* The Scottish Environment Protection Agency, as regulator, is responsible to my right hon. Friend the Secretary of State. It monitors the Dounreay site closely, including the environmental impact of discharges from the site and the strict independent assessment of routine beach surveys undertaken by UKAEA.

Water and Sewerage Charges

Mr. Wallace: To ask the Secretary of State for Scotland what is the estimated cost in 1996–97 to each water authority in Scotland of continuing the relief from water and sewerage charges given by former local authorities to *(a)* the premises of charitable organisations under the Water (Scotland) Act 1967 and *(b)* the premises of nursing and care homes under the Rating (Disabled Persons) Act 1978. [10451]

Mr. Kynoch: Water authorities cannot provide at reasonable cost accurate estimates of relief given to charitable organisations in 1996–97. Water authority estimates of the relief given for the premises of nursing and care homes are as follows:

North of Scotland Water authority £1.3 million

East of Scotland Water authority £1.6 million

West of Scotland Water authority £1.9 million

Mr. Wallace: To ask the Secretary of State for Scotland which local water and sewerage authorities gave discretionary relief under the Water (Scotland) Act 1967 to charitable organisations in 1995–96. [10440]

Mr. Kynoch: All former regional and islands councils gave discretionary relief to charitable organisations in 1995–96. The Water (Scotland) Act 1980 gave the relevant statutory power.

Mr. Wallace: To ask the Secretary of State for Scotland (1) what was the value in 1995–96 of the rebate in respect of relief for water and sewerage charges granted under the Rating (Disabled Persons) Act 1978 in the area now covered by *(a)* North of Scotland Water Authority, *(b)* East of Scotland Water and *(c)* West of Scotland Water; [10442]

(2) what was the value in 1995–96 of rebate to each regional and islands council in respect of relief for water and sewerage charges under the Rating (Disabled Persons) Act. 1978 [10441]

Mr. Kynoch: The information requested is shown in the table.

Water Authority	*Old undertaking*	*Amount of non-domestic water and non-domestic sewerage rate rebated (£)*	*Amount of Government grant payable at 90 per cent. of total rebated (£)*
East of Scotland			
	Borders regional council	151,377	136,239
	Central regional council	103,796	93,416
	Fife regional council	283,789	255,410
	Lothian regional council	969,759	872,783
	Central Scotland Water Development Board (eastern)[1]	see below	see below
1,508,721		1,508,721	1,357,848
West of Scotland			
	Dumfries and Galloway regional council	[2]102,172	[2]91,955
	Strathclyde regional council	1,862,415	1,676,174
	Central Scotland Water Development Board (western)[1]	see below	see below
1,964,587		1,964,587	1,768,129
North of Scotland			
	Grampian regional council	[2]521,876	[2]469,688
	Highland regional council	[2]282,339	[2]254,105
	Tayside regional council	[2]419,271	[2]377,344
	Orkney islands council	[2]24,472	[2]22,025
	Shetland islands council	23,084	20,776
	Western Isles islands council	[2]57,405	[2]51,665
1,328,447		1,328,447	1,195,603

[1]Information relating to reliefs provided in the Central Scotland Water Development Area is not held centrally and is included in figures for Strathclyde and Central Regional Councils.

[2]Unaudited returns.

Cornton Vale Prison

Mr. Gallie: To ask the Secretary of State for Scotland what steps are being taken to prevent further suicides at Cornton Vale prison; what is being done to deal with the drug problems among the prisoners there; and if he will make a statement. [11854]

Mr. Michael Forsyth: The care of prisoners and the prevention of suicide in prisoners are operational matters for the chief executive of the Scottish Prison Service, and I have had full discussions with him about the recent cluster of suicides at Cornton Vale.

The chief executive shares my concern at the number of suicides at the prison and joins me in offering condolences to the families of those who have died. I have reviewed with the chief executive the steps being taken to address the problem of suicide at the prison, in the light in particular of the recent recommendations from Her Majesty's chief inspector of prisons. The vast majority of those recommendations are already being implemented.

As indicated in my response to the chief inspector when his report was published last year, the governor had already put in place new arrangements for the induction of remand prisoners, for extra time out of cell, and for increased access to education, physical training and other regime opportunities. A number of outside agencies are also now working in the prison, including the Samaritans, Rape Crisis, Cruse and Women's Aid, and a listeners scheme has been put in place. All remand prisoners now share a cell, to encourage mutual support.

In addition to the extra staffing provided last year, more money is being provided to address the drug-related problems experienced by a very large proportion of the prisoner population. A further addictions worker post has been approved, together with additional psychiatric sessions; and the increased resources I have provided to the Scottish Prison Service for the forthcoming financial year will enable the governor to fund five additional posts to assist with drug reduction work and to expand the programme already in operation. The purpose of these changes is to ensure that all prisoners at Cornton Vale who have been identified as having a drug problem have the opportunity to address their addiction either on an individual basis or through organised group work as appropriate.

If work on drug reduction undertaken in the prison is to be effective, it is important that there is adequate throughcare on release, and my officials are discussing with local authorities and voluntary agencies what steps may be taken to ensure that this is available. In particular, discussions are in hand with the City of Glasgow council on the provision of further drug rehabilitation facilities for Glasgow and what was before local government reorganisation the wider Strathclyde area.

I have offered to provide through the 100 per cent. funding mechanism two additional posts to the council related to the delivery of addiction programmes. One post would be aimed at providing links between drug misusers, particularly those released from custody, and community-based programmes. The other post would be located in the stipendiary/sheriff court with a view to identifying and making arrangements for those for whom a non-custodial disposal might be appropriate. I also propose to extend bail information and supervision services to the stipendiary court in Glasgow.

I have also offered £50,000 to convert properties operated by the Church of Scotland and Sacro for use as bail accommodation, and my officials are discussing with the City of Glasgow council financial support for the addition to existing provision of a further 15 bail bed spaces.

An independent researcher is currently undertaking a six-month study to obtain detailed information on the extent and type of drug and alcohol misuse among women prisoners at Cornton Vale, both before and after conviction, and this will provide information in targeting resources for the future.

EDUCATION AND EMPLOYMENT

Deaf-blind People

Mr. Alfred Morris: To ask the Secretary of State for Education and Employment how many deaf-blind people are supported in employment through the placement advisory council team scheme. [9474]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Alfred Morris, daied 16 January 1997:

The Secretary of State has asked me to reply to your question about "the number of deaf-blind people who are supported in employment through the Placement Advisory Council Team Scheme". This is something which falls within the responsibilities delated to me as Chief Executive of the Agency.

The Employment Service, through is local Placing, Assessment and Counselling Teams (PACTs) provides a wide range of specialist services for people with health problems and disabilities through its network of Disability Employment Advisers (DEAs), who are mostly based in Jobcentres.

The Employment Service does not however hold figures for placements of people into work broken down into types of disability, and thus figures are not available specifically relating to deaf/blind people.

The Employment Services does, however, record the total numbers of people with disabilities placed into jobs by its PACTs. The PACT placings for the period April 1995 to March 1996 total 17,474. The latest figures available are for April to October 1996 during which period 11,961 disabled people were placed into employment by PACTs.

I hope this has been helpful.

Teachers (Early Retirement)

Mr. Steinberg: To ask the Secretary of State for Education and Employment what is the final date on which teachers can apply for early retirement under the existing regulations. [11036]

Mrs. Gillan: Teachers do not apply for premature retirement under the regulations. Premature retirement is at employer's discretion. Arrangements whereby teachers express a wish to be granted premature retirement by their employers are for local determination. Under my right hon. Friend's proposals, employers would pay part of the pension to teachers under 60 to whom they granted premature retirement, for all those teachers whose date of retirement is 1 April 1997 or later.

Education Funding (Lancashire)

Mr. Pickthall: To ask the Secretary of State for Education and Employment if she will list the funding,

per pupil, of school children in Lancashire, allocated by Government, for 1994–95, 1995–96, 1996–97 and 1997–98 for *(a)* under five-year-olds, *(b)* five to 11-year-olds and *(c)* 11 to 16-year-olds. [11227]

Mr. Robin Squire: The table sets out the education standard spending assessment per pupil in Lancashire for 1994–95, 1995–96, 1996–97 and 1997–98 for *(a)* under five-years-olds *(b)* five to 10-year-olds and *(c)* 11 to 16-year-olds.

Education SSAs do not determine the level of school spending. It is up to local authorities to decide how much they spend on schools and other services within the resources at their disposal.

Lancashire Education SSA Per Pupil

	Under five years £	*Five to 10 years* £	*11 to 16 years* £
1994–95	267	1,867	2,611
1995–96	277	1,877	2,502
1996–97	300	1,964	2,616
1997–98[1]	[2]140	2,046	2,689

[1]1997–98 figures are provisional.
[2]This figure is lower than in previous years because of the SSA deduction for the nursery voucher scheme.

HOUSE OF COMMONS

Child Care Facilities

Mr. Allen: To ask the Chairman of the Administration Committee what provision the House currently makes for the child care needs of hon. Members. [11352]

Mr. Michael J. Martin: The Members' Families Room, off the Lower Waiting Hall, is available for use by hon. Members and their spouses on sitting days from 10 am until the Rising of the House, and on non-sitting days from 10 am until 6 pm. A colour television set is available. If space permits, it may also be used by the children, parents, brothers and sisters of hon. Members, but not by other guests.

The Library maintains a small collection of books in the room for the use of hon. Members' children, and welcomes any suggestions about this collection from hon. Members.

There is also a small changing room, with washing facilities, off the Families Room. A nappy changing table is available in the disabled persons' lavatory off the Lower Waiting Hall.

Children of any age, accompanied by an adult, are admitted to the Galleries, provided they do not interrupt the business of the House.

Serjeant at Arms Department (Survey)

Mr. Rowlands: To ask the Chairman of the Administration Committee when the survey of the Serjeant at Arms Department is expected to be completed; and when it will be made available to hon. Members. [11328]

Mr. Michael J. Martin: The Administration Committee was not directly involved in the Serjeant at Arms survey, which was completed in March 1996. I understand that all those who completed the questionnaire were sent a management summary of the results, and I have asked the Serjeant at Arms to send a copy to my hon. Friend.

DUCHY OF LANCASTER

Custody Services

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the progress of the sale of custody services. [11693]

Mr. Freeman: I have decided that Apax Partners and Co., the proposed acquire of the support services division of the Defence Evaluation and Research Agency, should be granted exclusive access to further information about custody services, with a view to its supporting a final bid for the business. Three other indicative offers were submitted, but I considered these to be unacceptable as they did not meet the objectives for sale. The bid for custody services will be compared with the option of retaining the business in the public sector.

DEFENCE

Terrorism

Mr. Llew Smith: To ask the Secretary of State for Defence what studies his Department has *(a)* undertaken and *(b)* commissioned into the terrorist threat posed by non-state sub-groups threatening to use crude nuclear weapons. [10886]

Mr. Arbuthnot: My Department keeps the possibility of such a threat under constant review. It would not be appropriate, for reasons of national security and defence, to provide more specific details of any studies in this area and the information is therefore withheld under exemption 1 of the code of practice on access to Government information.

Mr. Smith: To ask the Secretary of State for Defence what representations were made to his Department at the seminar held in London on 27 November 1996 on the terrorist threat posed by crude nuclear weapons; and what plans he has to take any action following the information disclosed at the seminar. [10887]

Mr. Soames: A member of my Department attended this seminar. Conversations on a range of topics took place but no specific representations were made to the Ministry of Defence. Contingency plans exist for responding to terrorist threats which involve the threatened or actual use of nuclear material. In the interests of national security, and for the protection of the public, these plans are regularly reviewed, tested and updated in the light of changing circumstances.

Gulf War

Mr. Llew Smith: To ask the Secretary of State for Defence what is the current location of the tents used in Operation Granby in the Gulf war; how many were returned form the Gulf after hostilities ended; and how many were *(a)* burned and *(b)* buried in the Gulf area. [10897]

Mr. Soames: The information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Smith: To ask the Secretary of State for Defence if he will list the anti-malarial agents administered to troops and medical support personnel during Operation Granby in the Gulf war. [10895]

Mr. Soames: I will write to the hon. Member.

Dr. David Clark: To ask the Secretary of State for Defence if all vaccinations and injections administered to service personnel during the Gulf war were recorded on their medical records; and if he will make a statement. [11222]

Mr. Soames: Details of the vaccinations administered to personnel during the Gulf conflict should have been entered on to individual medical records—form FMed4—by transcription from nominal rolls compiled in theatre. Details should also have been recorded on personal medical records—form BMed27—if available. Unfortunately, in many cases transcription of the relevant details has not taken place. Some nominal rolls have also been lost or destroyed since the conflict. A search has now been initiated for any surviving nominal rolls, and medical records of Gulf veterans which are currently incomplete will be updated to a more acceptable standard wherever possible.

Dr. Clark: To ask the Secretary of State for Defence if Gulf war veterans are being charged a fee to obtain a copy of their service medical records; and if he will make a statement. [11225]

Mr. Soames: No charge is made to general practitioners who request copies of service medical records to assist their treatment of ex-service personnel. Under the Access to Health Records Act 1990, a charge to cover the cost of retrieval, plus a photocopying charge per sheet may be made to individuals who themselves request their medical notes. The Ministry of Defence normally levies a charge of £10 plus 10p per sheet, as does the national health service.

Harrier Pilots (Redundancies)

Mr. David Clark: To ask the Secretary of State for Defence how many Harrier pilots have applied for premature volunteer redundancy in each of the past 12 months; how many of these were turned down in each month and for what reason; and if he will make a statement. [11224]

Mr. Soames: In February 1996, one RAF Harrier pilot applied for premature voluntary release, and his application was accepted. Applications under the RAF's redundancy scheme were required to be submitted by November 1995.

Ex-service Personnel (Falklands War)

Mr. Sutcliffe: To ask the Secretary of State for Defence how many ex-service people who served in the Falklands conflict have *(a)* committed suicide and *(b)* been found guilty of criminal acts since 1982. [11038]

Mr. Soames: Statistics held by the Defence Analytical Services Agency indicate a total of 329 confirmed suicides by serving personnel, from January 1982 to the present time. The information requested in respect of ex-service personnel who served in the Falklands is not, however, available, as my Department does not keep records pertaining to ex-Service personnel, nor specifically to those who served in the Falklands conflict.

Statistics on disciplinary convictions, are contained in "Tri-Service Personnel Statistics 16", copies of which are held in the Library of the House. The latest available are those for 1994. Such statistics have only been kept since 1986. Until 1991 they were contained in "Tri-Service Manpower Statistics 32".

Correspondence

Sir Keith Speed: To ask the Secretary of State for Defence when he will reply to the letters from the hon. Member for Ashford sent to his Department on 4 October, 15 November and 30 December 1996, about the withdrawal of NATO medals when a WEU medal is awarded. [11040]

Mr. Soames: My noble Friend the Under-Secretary of State for Defence has replied to my hon. Friend.

Ty Gwyn Centre

Mr. Sutcliffe: To ask the Secretary of State for Defence what plans he has for the future of the Ty Gwyn centre in respect of his Department's support for ex-service people. [11221]

Mr. Soames: I will write to the hon. Member.

Anti-ballistic Missiles

Dr. David Clark: To ask the Secretary of State for Defence what assessment he has made of the use of lasers to develop a British anti-ballistic missile capability. [11223]

Mr. Arbuthnot: In our work to evaluate the options for active ballistic missile defence systems, we have studied a number of land, air and sea-based systems which, individually or combined, might provide a BMD capability. These included systems, at various stages of research and development, which employ laser technology.

ENVIRONMENT

Local Authority Structure Plans

Mr. David Howell: To ask the Secretary of State for the Environment what advice he plans to give to local planning authorities concerning their structure plans currently being considered to 2011 in the light of his intention stated in paragraphs 8.2 and 8.7 of "Household Growth: Where shall We Live?", Cm 3471, to revise planning policy guidance and to start to consider options immediately. [10845]

Mr. Robert B. Jones: Local planning authorities should continue to prepare or update structure plans with reference to the current planning policy framework. Any policy changes that the Government consider necessary as a result of the current consultation on the Green Paper will need to be taken into account by local authorities when they are issued.

Contaminated Land

Ms Ruddock: To ask the Secretary of State for the Environment when he intends to publish statutory guidance on contaminated land. [11173]

Mr. Clappison: A total of 299 responses have been received to the consultation on draft statutory guidance on contaminated land, to be issued under part IIA of the Environmental Protection Act 1990, inserted by section 57 of the Environment Act 1995. We are examining these responses, as well as the second report on the Environment Committee of this House, to see what changes are needed to the draft statutory guidance and my right hon. Friend will consider when to lay the final draft guidance once we have completed this.

Broadmoor Farm Business Park

Sir Robert Hicks: To ask the Secretary of State for the Environment when he intends to notify Caradon district council of his response to the two planning applications, 94/1331/0 and 95/282/0, about the proposed Broadmoor farm business park which were sent to the Government office of the south-west on 2 December 1996; and if he will make a statement. [11095]

Sir Paul Beresford: As soon as the Secretary of State has completed his consideration of the issues raised; I regret that I cannot comment further on these applications.

Producer Responsibility Obligations (Packaging Waste) Regulations

Ms Ruddock: To ask the Secretary of State for the Environment when he intends to publish the Producer Responsibility Obligations (Packaging Waste) Regulations. [11174]

Mr. Clappison: We hope to do so before the end of January.

Valuation Tribunals

Dr. Twinn: To ask the Secretary of State for the Environment what response was received to the consultation paper on the appointment of valuation tribunals in the light of local government reorganisation in parts of England. [11855]

Sir Paul Beresford: The list of responses received has been placed in the Library of the House; copies of individual responses may be obtained through the Library. Regulations will be introduced shortly to give effect to the following measures.

(i) That, with effect from 1 April 1997, the appointing bodies for the valuation tribunals listed in column 1 will be those authorities listed in column 2, who will be entitled to appoint members in the proportion given in column 3; the revised membership complement is shown in column 4.

Column 1 Name	*Column 2 Appointing bodies*	*Column 3 Proportion*	*Column 4 Complement*
	Bedfordshire CC	2	
Bedfordshire	Luton UA	1	21
	Buckinghamshire CC	3	
Buckinghamshire	Milton Keynes UA	1	36
	Derbyshire CC	7	
Derbyshire	Derby City UA	2	63
	Dorset CC	6	
	Bournemouth UA	3	
Dorset	Poole UA	2	33
	Durham CC	5	
Durham	Darlington UA	1	42
	East Sussex CC	2	
East Sussex	Brighton and Hove UA	1	36
	Hampshire CC	5	
Hampshire	Portsmouth UA	1	
South	Southhampton UA	1	35
	Leicestershire CC	14	
	Leicester City UA	10	
Leicestershire	Rutland UA	1	50
	Staffordshire CC	3	
Staffordshire	Stoke on Trent UA	1	56
	Wiltshire CC	5	
Wiltshire	Thamesdown UA	2	21

1. Vacancies should be filled as they arise—whether through retirement of members, or an increase in complement—by the new appointing authorities, until their entitlement is reached. All subsequent vacancies would be filled by the authority which appointed the departing member.

2. Where the appointing body by which a member was appointed has ceased to exist, it will fall to the president to give notice of termination of office, if so directed by the Secretary of State.

FOREIGN AND COMMONWEALTH AFFAIRS

Hong Kong

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are for the present Governor of Hong Kong to be involved in handover ceremonies on the return of Hong Kong to China; and if he will make a statement. [10888]

Mr. Hanley: Mr. Patten will be in Hong Kong as Governor of Hong Kong until midnight on 30 June. We will naturally be a full member of the British team at the handover ceremonies.

Correspondence

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to reply to the letter of 3 December from the hon. Member for Walsall, North regarding the mother of a constituent. [10998]

Dr. Liam Fox: I shall be replying to the hon. Member's letter by 20 January.

Japan (War Reparations)

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the amount of reparations made by the Japanese Government to British prisoners of war since 1966. [11176]

Mr. Hanley: None. The question of reparations to the British Government was settled by the 1951 San Francisco peace treaty.

TRANSPORT

Roads Programme (Property Purchases)

Mr. Andrew Smith: To ask the Secretary of State for Transport what income was obtained in each year since 1988 from the disposal of *(a)* houses, *(b)* other properties and *(c)* land which had been acquired for roads schemes but was no longer required. [10850]

Mr. Watts: The information is not available in the form requested. Total income from the sale of land in each of the years 1988–89 to 1995–96 was:

1988–89: £9.6m
1989–90: £17.5m
1990–91: £8.5m
1991–92: £15.3m
1992–93: £11.2m
1993–94: £21.4m
1994–95: £29.3m
1995–96: £43.1m

Mr. Smith: To ask the Secretary of State for Transport what expenditure was incurred in each year since 1988 in acquiring *(a)* houses, *(b)* other properties and *(c)* land for road schemes. [10849]

Mr. Watts: The information is not available in the form requested. Total land and compensation expenditure in each of the years 1988–89 to 1995–96 was:

1988–89: £66.3m
1989–90: £95.2m
1990–91: £157.3m
1991–92: £179.9m
1992–93: £259.7m
1993–94: £273m
1994–95: £217.2m
1995–96: £185.7m

Mr. Smith: To ask the Secretary of State for Transport how much of the property purchased for the purposes of the roads programme is no longer required following the removal of schemes from the programme; and if he will list *(a)* the number of houses, *(b)* the number of other properties and *(c)* the extent of the land holdings involved. [10847]

Mr. Watts: The information is not available in the form requested. The number of properties and separately identified land holdings on schemes withdrawn from the roads programme in November 1996 is 1,055.

Mr. Smith: To ask the Secretary of State for Transport what was the total purchase price of property purchased for the purposes of the roads programme and now surplus to requirements; and what estimate he has made of the present value of this property. [10848]

Mr. Watts: We are still to complete the identification of all the surplus following the November 1996 budget. To date, on all schemes, we have declared surplus property and land which we purchased for £138.2 million. The purchase price excludes compensation payable for disturbance, home loss removal expenses and fees, and so on. The resale value of these properties will depend on the state of the property market at the time of sale.

Mr. Smith: To ask the Secretary of State for Transport if he will list for each road scheme in the main and longer-term pre-1995 roads programme, the quantity and value of property *(a)* held, *(b)* acquired, *(c)* disposed of and *(d)* held but now surplus to requirements, incorporating the effects of the revisions to the programme in November 1995 and November 1996. [10851]

Mr. Watts: I have placed in the Library four lists showing every scheme for which the Highways Agency holds property, including withdrawn schemes, schemes under construction and completed schemes. The lists cover: *(a)* all property held, *(b)* all property acquired, *(c)* all property recorded as disposed of, *(d)* all property held but now surplus. Acquisitions and disposals do not record properties acquired under discretionary powers but immediately sold.

Deaf-blind People

Mr. Alfred Morris: To ask the Secretary of State for Transport what training providers of public transport services and their employees receive in communicating and making contact with deaf-blind people. [9470]

Mr. Bowis: We do not have details of the training programmes provided by individual transport operators. Many run disability awareness training covering many issues, including the particular needs of deaf-blind people.

The Department has worked with Bus and Coach Training Ltd., the training arm of the Confederation of Passenger Transport, on a disability awareness training programme for bus drivers. It is intended that this will form part of the national vocational qualification training programme for the bus industry. The programme covers a wide range of disability issues, including those relevant to deaf-blind people.

Airbags

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many injuries have been caused by airbags in cars inflating too slowly on collision. [11015]

Mr. Bowis: The Department has not heard of any injuries caused by airbags inflating too slowly.

Mr. Prentice: To ask the Secretary of State for Transport what safety checks are required by his Department on airbags in cars. [11014]

Mr. Bowis: Airbags are not compulsory and there are no performance standards governing their performance. The vehicle manufacturer is considered to be best placed to specify the airbag characteristics to complement the vehicle's other crash protection systems.

Marine Safety Agency (Fees)

Mr. Amess: To ask the Secretary of State for Transport if Marine Safety Agency fees are to be increased. [11799]

Mr. Bowis: Some of the Marine Safety Agency's fees will change on 1 February 1997. The most significant change is an increase in the hourly rate for merchant ship and fishing vessel surveys from £45 to £60. This increase is required to comply with our aim of full cost recovery for services provided by the Government. We believe that

the new fee is still competitive when compared with private sector rates for similar work, and this is the first significant increase for some years.

Air Traffic Control Services

Mr. Channon: To ask the Secretary of State for Transport if he accepts the Civil Aviation Authority's recommendations on the future provision of air traffic control services, following the review of its two-centre strategy; and if he will make a statement. [11897]

Sir George Young: The Civil Aviation Authority reported to me shortly before Christmas that its review had validated the strategy of providing air traffic control services through two centres based respectively at Fareham in Hampshire and Prestwick in Scotland. The Government are minded to accept this recommendation, but would wish the airlines and other interested parties to be consulted before a final decision is taken. I am now asking the chairman of the CAA to initiate this consultation and hope that it will be possible to announce the outcome in March.

National Bus Company

Ms Walley: To ask the Secretary of State for Transport if he will place in the Library a dated copy of his response to the pensions ombudsman's provisional determination in respect of the former National Bus Company. [10880]

Mr. Watts: My Department made no comments to the pensions ombudsman on his provisional determination. The pensions ombudsman has not carried out any investigation or made any determination with respect to the Department or the former National Bus Company.

Heathrow–Plymouth Flights

Mr. Jamieson: To ask the Secretary of State for Transport what discussions he has had with British Airways regarding the slots into Heathrow from Plymouth. [8781]

Sir George Young *[pursuant to his oral answer of 13 January, Official Report, c. 6]:* I have now received a reply to my letter to the chief executive of British Airways in which he informs me that, as from 30 March, Brymon Airways will switch its London to Plymouth and Newquay service from Heathrow to Gatwick. At the same time, flights will be increased to five daily on weekdays and four daily at weekends, in both directions. I have placed a copy of the letter in the Library.

PRIME MINISTER

Lord-Lieutenants

Mr. William Powell: To ask the Prime Minister if he will list the Lord-Lieutenants together with their date of appointment and current date of expected retirement. [11070]

The Prime Minister: A list of Lord-Lieutenants, together with the dates of their appointment and expected retirement, at the age of 75, is set out in the table.

County	*Name*	*Appointed*	*Retirement date at 75*
England			
Bedfordshire	Mr. Samuel Whitbread	January 1991	February 2012
Berkshire	Mr. Philip Wroughton	May 1995	April 2008
Bristol	Mr. Jay Tidmarsh	April 1996	September 2007
Buckinghamshire	Sir Nigel Mobbs	January 1997	September 2012
Cambridgeshire	Mr. James Crowden	May 1992	November 2002
Cheshire	Mr. William Bromley-Devonport	June 1990	March 2010
Cornwall	The Lady Mary Holborow	September 1994	September 2011
Cumbria	Mr. James Cropper	July 1994	December 2013
Derbyshire	Mr. John Bather	June 1994	May 2009
Devon	The Earl of Morley	May 1982	May 1998
Dorset	The Lord Digby	September 1986	July 1999
Durham[1]	Mr. David Grant	August 1988	January 1997
East Sussex	Admiral Sir Lindsay Bryson	November 1989	January 2000
East Riding of Yorkshire	Mr. Richard Marriott	April 1996	December 2005
Essex	The Lord Braybrooke	August 1992	January 2007
Greater London	Field Marshal The Lord Bramall	January 1986	December 1998
Greater Manchester	Colonel John Timmins	December 1987	June 2007
Hampshire	Mrs. Mary Fagan	January 1994	September 2014
Hereford and Worcester	Sir Thomas Dunne	June 1977	October 2008
Hertfordshire	Mr. Simon Bowes Lyon	January 1986	June 2007
Isle of Wight	Mr. Christopher Bland	December 1995	October 2011
Kent	The right hon. The Lord Kingsdown	July 1982	January 2002
Lancashire	The Lord Shuttleworth	December 1996	August 2023
Leicestershire	Mr. Timothy Brooks	April 1989	March 2004
Lincolnshire	Mrs. Bridget Cracroft-Ely	March 1995	October 2008
Merseyside	Mr. Alan Waterworth	October 1993	September 2006
Norfolk	Sir Timothy Colmon	March 1978	September 2004
Northamptonshire	Sir John Lowther	March 1984	November 1998
Northumberland	The Viscount Ridley	December 1983	July 2000
North Yorkshire	Sir Marcus Worsley	March 1987	April 2000
Nottinghamshire	Sir Andrew Buchanan	February 1991	July 2012

County	*Name*	*Appointed*	*Retirement date at 75*
Oxfordshire	Mr. Hugo Brunner	February 1996	August 2010
Shropshire	Mr. Algernon Heber-Percy	February 1996	January 2019
Somerset	Sir John Wills	October 1994	July 2003
South Yorkshire	The Earl of Scarborough	March 1996	December 2007
Staffordshire	Mr. James Hawley	May 1993	March 2012
Suffolk	The right hon. The Lord Belstead	December 1993	September 2007
Surrey	Mr. Richard Thornton	May 1986	October 1997
Tyne and Wear	Sir Ralph Carr-Ellison	May 1984	December 2000
Warwickshire	Mr. Martin Dunne	December 1996	March 2013
West Midlands	Mr. Robert Taylor	November 1993	June 2007
West Sussex	Major General Sir Philip Ward	July 1994	July 1999
West Yorkshire	Mr. John Lyles	August 1992	May 2004
Wiltshire	Lieutenant General Sir Maurice Johnston	June 1996	October 2004
Wales			
Clwyd	Sir William Gladstone	August 1985	October 2000
Dyfed	Sir David Mansel Lewis	February 1979	October 2002
Mid Glamorgan	Mr. Murray McLaggan	December 1989	September 2004
South Glamorgan	Captain Norman Lloyd-Edwards	August 1990	June 2008
West Glamorgan	Mr. Robert Hastie	April 1995	May 2008
Gwynedd	Mr. Meuric Rees	December 1989	March 1999
Gwent	Sir Richard Hanbury-Tennison	June 1979	January 2000
Powys	Mr. Mervyn Bourdillon	June 1986	August 1999
Scotland			
Aberdeen City	Lord Provost ex-officio		
Aberdeenshire	Captain Colin Farquharson of Whitehouse	May 1987	August 1998
Angus	The right hon. The Earl of Airlie	October 1989	May 2001
Argyll and Bute	The Duke of Argyll	January 1996	August 2012
Ayrshire and Arran	Major David Henderson	April 1991	July 2006
Banffshire	Mr. James McPherson	October 1987	November 2002
Berwickshire	Major General Sir John Swinton	September 1989	April 2000
Caithness	Major Graham Dunnett	January 1996	March 2004
Clackmannan	Colonel Robert Stewart	December 1994	August 2001
Dumfries	Captain Ronald Cunningham-Jardine	October 1991	September 2006
Dunbartonshire	Brigadier Donald Hardie	June 1990	January 2011
Dundee	Lord Provost ex-officio		
East Lothian	Sir Hew Hamilton-Dalrymple	January 1987	April 2001
Edinburgh	Lord Provost ex-officio		
Fife	The Earl of Elgin and Kincardine	October 1987	February 1999
Glasgow City	The Lord Provost ex officio		
Inverness	The Right Hon. The Lord Gray of Contin	August 1996	June 2002
Kincardineshire	The Viscount of Arbuthnott	July 1977	October 1999
Lanarkshire	Mr. Hutchison Sneddon	June 1992	April 2002
Midlothian	Captain George Burnet	January 1992	December 2002
Moray	Air Vice Marshal George Chesworth	March 1994	June 2005
Nairn	The Earl of Leven and Melville	June 1969	May 1999
Orkney	Vacant		
Perth and Kinross	Sir David Montgomery	March 1995	March 2006
Renfrewshire	The Lord Goold	July 1994	May 2009
Ross and Cromarty	Captain Roderick Stirling of Fairburn	May 1988	June 2007
Roxburgh, Ettrick and Lauderdale	The Duke of Buccleuch and Queensberry	June 1974	September 1998
Shetland	Mr. John Hamilton Scott	February 1994	November 2011
Stewartry of Kirkcudbright	Lieutenant General Sir Norman Arthur	January 1996	March 2006
Stirling and Falkirk	Lieutenant Colonel James Stirling of Garden	December 1983	September 2005
Sutherland	Major General David Houston	November 1991	February 2004
Tweeddale	Captain David Younger	June 1994	May 2013
West Lothian	The Earl of Morton	July 1985	March 2002
West Lothian	The Earl of Morton	July 1985	March 2002
Western Isles	The Viscount Dunrossil	December 1993	May 2001
Wigtown	Major Edward Orr Ewing	September 1989	September 2006
Northern Ireland			
Antrim	The Lord O'Neill	April 1994	September 2008
Armagh	The Earl of Caledon	March 1989	May 2030

County	*Name*	*Appointed*	*Retirement date at 75*
Belfast	Colonel J. Elliott Wilson	February 1991	May 2000
Down	Major William Hall	October 1996	August 2009
Fermanagh	The Earl of Erne	June 1986	July 2012
County Londonderry	Colonel Sir Michael McCorkell	May 1975	May 2000
County Borough of Londonderry	Mr. James Eaton	August 1986	August 2002
Tyrone	The Duke of Abercorn	December 1986	July 2019

[1]To be succeeded by Sir Paul Nicholson.

Visits to Pensioners

Mr. Winnick: To ask the Prime Minister what visits he made to pensioners on low incomes during the recent cold weather. [11093]

The Prime Minister: I meet pensioners throughout the year. Our commitment to help during periods of cold weather is underlined by the fact that over 5 million cold weather payments worth more than £43 million have been made this winter.

In addition to cold weather payments, the total extra help above normal upratings made available to pensioners on income-related benefits since 1988 is worth around £1.2 billion a year.

Bangladesh (Biharis)

Mr. Gapes: To ask the Prime Minister what discussions he had during his recent visit about the situation of the Biharis living in Bangladesh. [11246]

The Prime Minister: This issue was not raised during my visit. We regularly discuss human rights issues such as refugees and displaced people with the Bangladeshi authorities.

Companions of Honour

Mr. Powell: To ask the Prime Minister if he will list those people created Companions of Honour since 30 November 1990. [11074]

The Prime Minister: Members of the Order of the Companions of Honour appointed since 30 November 1990 are as listed:

13 April 1992: The right hon. Kenneth Wilfred Baker MP

13 April 1992: The right hon. Peter Leonard Brooke MP

13 April 1992: The right hon. Thomas Jeremy King MP

13 June 1992: Dame Elisabeth Jean Frink DBE

13 June 1992: Noel Joseph Terence Needham FRS

31 December 1992: Sir Victor Sawdon Pritchett CBE

12 June 1993: Charles Hubert Sission

12 June 1993: Dr. Elsie May Widdowson CBE FRS

31 December 1993: Francis David Longhorne Astor

31 December 1993: Dame Janet Abbott Baker DBE

31 December 1993: Sir John Lindsay Eric Smith CBE

11 June 1994: Sir Alec Guiness CBE

11 June 1994: Professor Reginald Victor Jones CB CBE

11 June 1994: The right hon. David Anthony Llewellyn, Baron Owen

31 December 1994: Cesar Milstein

31 December 1994: Professor Carel Victor Morlais Weight CBE

17 June 1995: Sir Denys Louis Lasdun CBE

17 June 1995: Sir Nevill Francis Mott FRS

30 December 1995: Sir David Frederick Attenborough CVO CBE

30 December 1995: Sir William Richard Shaboe Doll OBE FRS

30 December 1995: The right hon. Douglas Richard Hurd CBE MP

30 December 1995: The most Reverend Derek John Harford Worlock

15 June 1996: The right hon. Richard Edward Geoffrey, Baron Howe of Aberavon QC

31 December 1996: Alfred Leslie Rowse

Pakistan and Bangladesh

Mr. Gapes: To ask the Prime Minister what discussions he has recently had with the Governments of Pakistan and of Bangladesh about refugees and displaced people in their countries. [11245]

The Prime Minister: I discussed Afghan refugees in Pakistan during my recent meeting with the Prime Minster of Pakistan. I have not had any discussions recently with the Government of Bangladesh. However, we do discuss these issues regularly with the Bangladesh authorities.

Peerages

Mr. William Powell: To ask the Prime Minister if he will list the peerages created since 30 November 1990 together with the dates on which the holders were introduced. [11069]

The Prime Minister: The peerages created since 30 November 1990 are as listed, together with the dates on which the holders were introduced:

Title	*Created*	*Introduced*
Lord Waddington	4 December 1990	4 December 1990
Lord Sterling of Plaistow	17 January 1991	23 January 1991
Lord White of Hull	25 January 1991	29 January 1991
Lord Runcie	1 February 1991	26 February 1991
Lord Palumbo	4 February 1991	12 February 1991
Lord Griffiths of Fforestafch	5 February 1991	20 February 1991
Baroness James of Holland Park	7 February 1991	19 February 1991
Lord Laing of Dunphail	8 February 1991	19 February 1991
Baroness Seccombe	14 February 1991	26 February 1991
Lord Wolfson of Sunnigdale	26 March 1991	26 March 1991
Lord Desai	5 June 1991	18 June 1991
Baroness Hamwee	6 June 1991	12 June 1991
Lord Marlesford	7 June 1991	11 June 1991
Lord Judd	10 June 1991	25 June 1991
Baroness Denton of Wakefield	11 June 1991	11 June 1991
Baroness Hilton of Eggardon	14 June 1991	2 July 1991
Baroness Mallalieu	19 June 1991	19 June 1991
Lord Hollick	20 June 1991	25 June 1991
Baroness O'Cathain	21 June 1991	3 July 1991
Lord Renfrew of Kaimsthorn	24 June 1991	9 July 1991

Title	Created	Introduced
Lord Mackay of Ardbrecknish	26 June 1991	26 June 1991
Lord Skidelsky	15 July 1991	17 July 1991
Baroness Perry of Southwark	16 July 1991	16 July 1991
Lord Cheshire	17 July 1991	24 July 1991
Lord MacFarlane of Bearsden	29 July 1991	15 October 1991
Lord Craig of Radley	30 July 1991	16 October 1991
Lord Browne-Wilkinson (a Lord of Appeal in Ordinary)	1 October 1991	15 October 1991
Lord Mustill (a Lord of Appeal of Ordinary)	10 January 1992	11 March 1992
Lord Rix	27 January 1992	12 February 1992
Lord Prentice	30 January 1992	12 February 1992
Lord Rodgers of Quarry Bank	12 February 1992	25 February 1992
Lord Wilson of Tillyorn	14 February 1992	15 July 1992
Lord Slynn (a Lord of Appeal in Ordinary)	11 March 1992	11 March 1992
Lord Wakeham	24 April 1992 am	28 April 1992
Baroness Chalker of Wallasey	24 April 1992 pm	28 April 1992
Lord Taylor of Gosforth	27 April 1992 am	29 April 1992
Lord Rodger of Earlsferry	29 April 1992	29 April 1992
Baroness Thatcher	26 June 1992	30 June 1992
Lord Finsberg	27 June 1992	13 July 1992
Lord Parkinson	29 June 1992 am	7 July 1992
Lord Healey	29 June 1992 pm	1 July 1992
Lord Owen	30 June 1992 am	8 July 1992
Lord Howe of Aberavon	30 June 1992 pm	1 July 1992
Lord Lawson of Blaby	1 July 1992 am	6 July 1992
Lord Merlyn-Rees	1 July 1992 pm	7 July 1992
Lord Howell	2 July 1992 pm	9 July 1992
Lord Moore of Lower Marsh	3 July 1992	6 July 1992
Lord Tebbit	6 July 1992	9 July 1992
Lord Younger of Prestwick	7 July 1992	14 July 1992
Lord Amery of Lustleigh	8 July 1992 am	8 July 1992
Lord Walker of Worcester	8 July 1992 pm	21 October 1992
Lord Archer of Sandwell	9 July 1992	14 July 1992
Lord Ashley of Stoke	10 July 1992	13 July 1992
Lord Eatwell	14 July 1992	19 October 1992
Lord Weatherill	15 July 1992	15 July 1992
Lord Ewing of Kirkford	17 July 1992	26 October 1992
Lord Geraint	18 July 1992	27 October 1992
Lord Stewartby	20 July 1992	20 October 1992
Lord Clark of Kempston	21 July 1992	28 October 1992
Lord Plant of Highfield	24 July 1992	4 November 1992
Lord Archer of Weston Super Mare	27 July 1992	20 October 1992
Lord Ridley of Liddesdale	28 July 1992	28 October 1992
Baroness Jay of Paddington	29 July 1992	21 October 1992
Lord Williams of Mostyn	30 July 1992	26 October 1992
Lord Braine of Wheatley	10 August 1992	2 November 1992
Lord Cooke of Islandreagh	11 August 1992	3 November 1992
Lord Barber of Tewkesbury	12 August 1992	2 November 1992
Lord Hayhoe	21 August 1992	3 November 1992
Lord Gilmour of Craigmillar	25 August 1992	4 November 1992
Lord Elis-Thomas	18 September 1992	27 October 1992
Lord Woolf (a Lord of Appeal in Ordinary)	1 October 1992	11 November 1992
Baroness Williams of Crosby	1 February 1993	17 February 1993
Lord Kingsdown	14 July 1993	21 July 1993
Lord Dahrendorf	15 July 1993	21 July 1993
Lord Menuhin	19 July 1993	20 July 1993
Lord Attenborough	30 July 1993	25 October 1993
Lord Lloyd of Berwick (a Lord of Appeal in Ordinary)	1 October 1993	12 October 1993
Lord Haskel	4 October 1993	12 October 1993
Lord Dean of Harptree	5 October 1993	13 October 1993
Baroness Gould of Potternewton	6 October 1993	13 October 1993
Lord Dixon-Smith	11 October 1993	19 October 1993
Baroness Dean of Thornton Le Fylde	12 October 1993	19 October 1993
Lord Lester of Herne Hill	13 October 1993	3 November 1993
Baroness Miller of Hendon	14 October 1993	20 October 1993
Lord Tugendhat	15 October 1993	27 October 1993
Lord Nolan (a Lord of Appeal in Ordinary)	11 January 1994	18 January 1994
Lord Wright of Richmond	14 February 1994	16 February 1994
Lord Nickson	22 March 1994	4 May 1994
Lord Quirk	12 July 1994	20 July 1994
Lord Phillips of Ellesmere	14 July 1994	12 October 1994
Lord Sheppard of Didgemere	6 September 1994	26 October 1994
Lord Hambro	26 September 1994	26 October 1994
Lord Dubs	27 September 1994	19 October 1994
Lord Gladwin of Clee	28 September 1994	18 October 1994
Baroness Farrington of Ribbleton	29 September 1994	11 October 1994
Lord Shaw of Northstead	30 September 1994	11 October 1994
Lord Nicholls of Birkenhead (a Lord of Appeal in Ordinary)	3 October 1994	19 October 1994
Lord Tope	4 October 1994	12 October 1994
Baroness Rawlings	5 October 1994	18 October 1994
Baroness Thomas of Walliswood	6 October 1994	2 November 1994
Lord Kingsland	7 October 1994	2 November 1994
Lord Blaker	10 October 1994	25 October 1994
Lord Steyn (a Lord of Appeal in Ordinary)	11 January 1995	18 January 1995
Baroness Hogg	3 February 1995	14 February 1995
Lord McConnell	10 February 1995	15 February 1995
Baroness Smith of Gilmorehill	17 February 1995	22 February 1995
Lord Hoffman (a Lord of Appeal in Ordinary)	21 February 1995	1 March 1995
Lord Hope of Craighead	28 February 1995	28 March 1995
Lord Blyth of Rowington	24 July 1995	18 October 1995
Lord Cuckney	25 July 1995	18 October 1995
Lord Eames	25 August 1995	1 November 1995
Lord Habgood	8 September 1995	25 October 1995
Lord Mackay of Drumadoon	13 December 1995	13 December 1995
Lord Winston	18 December 1995	20 December 1995
Lord Wallace of Saltaire	19 December 1995	20 December 1995
Lord McNally	20 December 1995	9 January 1996
Lord Borrie	21 December 1995	16 January 1996
Baroness Hayman	2 January 1996	10 January 1996
Lord Sewel	10 January 1996	10 January 1996
Lord Harris of Peckham	11 January 1996	7 February 1996
Lord Pilkington of Oxenford	12 January 1996	7 February 1996
Lord Feldman	15 January 1996	14 February 1996
Baroness Wilcox	16 January 1996	13 February 1996
Lord Taverne	5 February 1996	14 February 1996
Lord Kilpatrick of Kincraig	16 February 1996	28 February 1996
Lord Gilmore of Thamesfield	21 February 1996	28 February 1996
Lord Cooke of Thorndon	3 April 1996	8 May 1996
Lord Bingham of Cornhill	4 June 1996	26 June 1996
Baroness Lloyd of Highbury	19 August 1996	—
Lord Vincent of Coleshill	3 September 1996	30 October 1996
Lord Hussey of North Bradley	11 September 1996	6 November 1996
Lord Thomas of Gresford	30 September 1996	29 October 1996
Lord Clyde (A Lord of Appeal in Ordinary)	1 October 1996 am	16 October 1996
Lord Currie of Marylebone	1 October 1996 am	29 October 1996
Lord Taylor of Warwick	2 October 1996	30 October 1996
Lord Saatchi	4 October 1996	20 November 1996

Title	*Created*	*Introduced*
Baroness Symons of Vernham Dean	7 October 1996	27 November 1996
Lord Alderdice	8 October 1996	5 November 1996
Lord Paul	9 October 1996	12 November 1996
Baroness Ramsay of Cartvale	11 October 1996	12 November 1996
Baroness Anelay of St. Johns	14 October 1996	5 November 1996
Baroness Byford	15 October 1996	19 November 1996
Lord Chadlington	16 October 1996	6 November 1996
Lord Rogers of Riverside	17 October 1996	3 December 1996
Lord Maclaurin of Knebworth	18 October 1996	27 November 1996
Lord Whitty	21 October 1996	19 November 1996
Lord Hutton (A Lord of Appeal in Ordinary)	6 January 1997	14 January 1997

TRADE AND INDUSTRY

Prohibited Weapons (Exports)

Mr. Cohen: To ask the President of the Board of Trade how many weapons prohibited under the terms of the Firearms (Amendment) Bill have been exported since the publication of the Bill. [11217]

Mr. Nelson: The information requested is not available from the United Kingdom overseas trade statistics because the system of classification under which trade is recorded does not separately identify the relevant categories of weapons. Export licencing procedures cannot provide the information since the Department does not hold details of deliveries against licences.

Gallaher Ltd.

Mr. Pendry: To ask the President of the Board of Trade what Government assistance will be made available to alleviate the effects of the loss of jobs resulting from the relocation of the Gallaher Ltd. factory from Hyde, Tameside. [11161]

Mr. John M. Taylor: The Government office for the north-west will first assess with local partners the type and level of needs to be met arising from Gallaher's recent announcement, and will then consider the appropriate resources to meet those needs.

Mr. Pendry: To ask the President of the Board of Trade when *(a)* he and *(b)* officials from his Department last met representatives of Gallaher Ltd., what was discussed; and if he will make a statement. [11163]

Mr. Taylor: I have not met with representatives of Gallaher Ltd. nor have officials from my Department.

Postal Services Directive

Dr. Howells: To ask the President of the Board of Trade what progress was made on the draft directive on postal services at the European Council of Ministers meeting on 18 December; and if he will make a statement. [10996]

Mr. Page: I refer the hon. Member to the answer given yesterday to my hon. Friend the Member for Somerton and Frome (Mr. Robinson), *Official Report*, column *238*.

Co-operatives

Mr. Martyn Jones: To ask the President of the Board of Trade if he will make an assessment of the *(a)* number, *(b)* distribution and *(c)* benefits of (i) food co-operatives, (ii) co-operatively owned wind farms and (iii) community land trusts in the United Kingdom; and if he will make a statement. [10535]

Mr. Page: To my knowledge there is one wind co-operative in the UK, Baywind Energy Co-operative, which has recently raised £620,000 to buy one of the five wind turbines of the Harlock Hill wind farm near Ulverston, in Cumbria. The aim of the co-operative is gradually to buy further wind turbines as money becomes available. About 650 people subscribed to its first share offer, spending an average of over £1,000. The majority of the subscribers come from the surrounding district.

Developing co-operatively owned wind farms encourages a community to accept responsibility for providing its energy requirements in an environmentally acceptable way.

It is for the market to decide which forms of ownership are the most successful.

My right hon. Friend the Minister for Agriculture, Fisheries and Food has responsibility for food co-operatives but it is not clear what the hon. Member means by community land trusts.

Fireworks

Mr. Burden: To ask the President of the Board of Trade if a school is permitted as a component part of a local authority to purchase serial shells, aerial maroons, shell-in-mortar, maroon-in-mortar and combinations for the purposes of a firework display. [11043]

Mr. John M. Taylor: In the view of my Department, the reference to local authorities in the regulations refers to the elected members of a council and officers of the council acting in their official capacity. It does not extend to establishments such as schools under the control of local authorities.

Mr. Burden: To ask the President of the Board of Trade what assessment he has made of the competence of armed forces establishments to safely operate aerial shells, aerial maroons, shells-in-mortar, maroons-in-mortar and combinations; and if such establishments will be authorised under the Firework Safety Regulations 1996 to acquire such fireworks. [11042]

Mr. Taylor: No assessment of the ability of the armed forces establishments to operate such fireworks safely has been undertaken. However, in the view of my Department such establishments would come within the exemption in regulation 4 *(a)* because of the exceptionally high level of skill and expertise in handling similar devices possessed by those who will be responsible for operating displays at such establishments, and have the formal management structures which enable displays to be operated safely and professionally.

Mr. Burden: To ask the President of the Board of Trade what mechanisms he intends to introduce to ensure that regulation 4 *(b)* of the Firework Safety Regulations 1996 applies only to those who have the skills and

experience to assess compliance safely to operate aerial shells, aerial maroons, shells-in-mortar, maroons-in-mortar and combinations. [11044]

Mr. Taylor: The exemption for any person whose trade or business, or part of whose trade or business, is the supply of fireworks has been included in the regulations to allow those in the distribution chain—such as manufacturers and importers—to supply other persons in the supply chain who may not themselves be in the business of operating firework displays. All those in the business of supplying fireworks are subject to separate legislation covering the safety and storage of fireworks. No other mechanisms are therefore necessary.

Channel 5

Mr. Flynn: To ask the President of the Board of Trade how many homes will be able to receive Channel 5 through the extra frequency Channel 35; what assessment he has made of the length of time for which the service will be available under the present arrangement; and if he will make a statement. [10431]

Mr. Ian Taylor *[holding answer 13 January 1997]:* Channel 5 Broadcasting estimates that access to channel 35 could mean that an extra 1.8 million homes an estimated 4 million people will be able to receive the service.

Channel 5 Broadcasting will have access to the frequency for a period of five years. Towards the end of this period, the Government will review the position on the development of more spectrum efficient digital services and will make a judgment whether, and if so for what period of time, Channel 5 may continue to use the channel.

Channel 5 is responsible for notifying viewers affected that these arrangements exist, and for investigating means of migrating services to other methods of delivery.

Dounreay

Mr. Meacher: To ask the President of the Board of Trade what assessment he has made of the reliability of the data set incorporated into the computerised records of the radioactive and toxic wastes contained in *(a)* the shaft and *(b)* the intermediate level waste silo at the Nuclear Power Development Establishment at Dounreay; and what recent meetings he has held with (i) the director of Dounreay and (ii) the chairman of the United Kingdom Atomic Energy Authority over waste management at the plant. [10799]

Mr. Page *[holding answer 13 January 1997]:* As this is a management matter for the United Kingdom Atomic Energy Authority I have made no assessment of these records.

I have held no meetings with the UKAEA to discuss waste management at the plant.

HEALTH

Organophosphate Poisoning

Mr. Meacher: To ask the Secretary of State for Health in how many cases in each of the last 10 years organophosphate poisoning has been listed on death certificates as *(a)* the main cause of death and *(b)* a contributory cause of death. [10531]

Mr. Horam: Between 1986 and 1995 there was one death in England and Wales certified as due to accidental poisoning by organophosphates, in 1986. There were, however, the following deaths certified as due to non-accidental poisoning by organophosphates which were either due to suicide or where there was an open verdict, (undetermined):

Year	*Suicide*	*Undetermined*
1986	2	0
1987	1	0
1988	0	0
1989	0	1
1990	1	2
1991	0	0
1992	0	0
1993	0	0
1994	1	0
1995	0	0

It would involve disproportionate cost to obtain figures for the number of deaths where poisoning by organophosphates was mentioned on the death certificate but was not the underlying cause of death for the period 1986 to 1992. However, this information is available for the period 1993–95 and is nil for each of the three years.

London Ambulance Service

Mr. John Marshall: To ask the Secretary of State for Health how many paramedics were employed by the London ambulance service during each of the last five years; and how many are currently employed. [10763]

Mr. Horam: The number of paramedics currently employed by the London ambulance service is 775. The historical figures are:

Date	*Paramedic numbers*
December 1991	228
December 1992	303
December 1993	351
December 1994	474
December 1995	641

Mr. Marshall: To ask the Secretary of State for Health if he will make a statement on the trend in response rates by the London ambulance service in the London borough of Barnet during the last three years. [10775]

Mr. Horam: The number of emergency calls answered by the London ambulance service in the London borough of Barnet within 14 minutes, rose from 66 per cent. in June 1995 to 89 per cent. in December 1996. Demand rose from 1,495 in June 1995 to over 2,000 in December 1996. Information on earlier years is not available.

Alcohol Concern

Mr. Spellar: To ask the Secretary of State for Health how much his Department has given to Alcohol Concern in each of the last five years. [10869]

Mr. Burns: The information requested is shown in the table:

	Core grant £	*Grants programme* £	*Local councils on alcohol* £
1992–93	412,000	2,065,000	200,000
1993–94	412,000	1,930,000	200,000
1994–95	370,800	968,000	200,000
1995–96	370,800	555,000	—
1996–97	370,800	1,055,000	—

Dental Caries

Mr. John Marshall: To ask the Secretary of State for Health if he will make a statement on trends in the incidence of dental caries among schoolchildren in Barnet since 1979. [10776]

Mr. Malone: The British Association for the Study of Community Dentistry conducts annual surveys of dental caries prevalence in different aged children within a four-yearly cycle comprising those aged five, 12, five, and 14, throughout Great Britain. BASCD began these surveys in 1985–86 in England and Wales. Tables showing the mean number of decayed, missing and filled in the deciduous teeth only of five-year-old children, and in the permanent teeth only of 12 and 14 year old children in Barnet are:

Mean number of decayed, missing and filled teeth (DMFT) of five-year-olds[1] in Barnet since 1985–86

	Tables
1985–86	2.08
1987–88	1.70
1989–90	1.90
1991–92	1.70
1993–94	1.91

[1] Deciduous teeth only.

Mean number of DMFT of 12-year olds[1] in Barnet since 1988–89

	Number
1988–89	1.93
1992–93	1.24

[1] Permanent teeth only.

Mean number of DMFT of 14-year-olds[1] in Barnet since 1990–91

	Number
1990–91	1.99
1992–93	1.24

[1] Permanent teeth only.

No figures for 14-year-olds are available for 1986–87.

St. George's Hospital NHS Trust

Mr. Cox: To ask the Secretary of State for Health if he will list the members of the St. George's Hospital NHS trust; where they reside; what are their professions; and if he will make a statement. [10889]

Mr. Malone: The information requested is:

	Postal town	*Occupation*
Chairman		
Dr. Elizabeth Vallance	London	Academic
Non-executive directors:		
Mr. Bernard Asher	London	Banking
Mrs. Kay Sonneborn	London	Not categorised
Miss Flona Colquhoun	London	Personnel management
Mr. Peter Mumford	London	Health management
Professor Robert Boyd	London	Academic

Shellfish

Mr. Etherington: To ask the Secretary of State for Health on what dates since 1990 public warning notices have been issued on the consumption of shellfish from the North sea between Amble and Marske. [10902]

Mr. Horam: The information requested is not held centrally. The responsibility for posting warning notices lies with local authorities.

Motor Neurone Disease

Mr. Chris Smith: To ask the Secretary of State for Health (1) what drug treatments are available on the NHS for those suffering from motor neurone disease; and what assessment he has made of the differences in availability between health authorities in this respect; [11244]

(2) what treatment is available on the NHS for those who suffer from motor neurone disease. [11256]

Mr. Horam: A wide range of treatment, including drug treatment, is available on the national health service for those who suffer from motor neurone disease.

No assessment has been made of the differences in availability between health authorities in respect of treatment for motor neurone disease. It is for health authorities to determine the local needs of their populations and then purchase services to meet those needs within their available resources.

Xenotransplantation

Mr. Waterson: To ask the Secretary of State for Health when the report of the advisory group on the ethics of xenotransplantation will be published. [11764]

Mr. Dorrell: "Animal Tissue into Humans", the report of the advisory group on the ethics of xenotransplantation, was published today. The Government response to the report was also published for a three-month consultation period. Copies of the report and response are available in the Library.

I also announce the establishment of the UK Xenotransplantation Interim Regulatory Authority which will regulate this area until a suitable opportunity for primary legislation arises. I am very pleased that Lord Habgood of Calverton has agreed to chair this interim authority.

Community Care (Residential Charges)Bill

Mr. Whittingdale: To ask the Secretary of State for Health if he will place a copy of the current draft of the Community Care (Residential Charges) Bill in the Library. [11765]

Mr. Dorrell: Copies of the preliminary draft of the Community Care (Residential Charges) Bill have been placed in the Library. This draft has served as a basis for informal discussions with the financial services industry, local authority associations and other interested bodies. The Government will be publishing a final draft together with a policy statement in the near future: the current draft is purely a working draft and policy details will be given in the statement.

Deaf-blind People

Mr. Alfred Morris: To ask the Secretary of State for Health how many general practitioners are able to provide communication support to deaf–blind patients. [9472]

Mr. Malone: This information is not available centrally.

Mr. Morris: To ask the Secretary of State for Health what training ambulance paramedics receive in communicating and making contact with deaf–blind people. [9473]

Mr. Malone: Ambulance paramedics do not receive specific training in communicating with deaf-blind people but are trained in communicating with, and handling, deaf people and blind people. They are trained to have good communication skills with all types of patients and trained in how to deal with patients sensitively.

Mr. Morris: To ask the Secretary of State for Health how many community care assessments have been made by local authorities in England and Wales under the Carers Recognition and Services Act 1995 for carers of deaf-blind children and adults since 1 April 1995. [9475]

Mr. Burns: This information is not collected centrally.

Mr. Morris: To ask the Secretary of State for Health what steps he has taken to develop and expand the communicator guide service within local authorities for deaf-blind people. [9480]

Mr. Burns: Many local authorities are developing communicator guide services for deaf-blind people, often in partnership with deaf-blind organisations. The Department of Health has sought to promote the development of these services by raising awareness of the needs of deaf-blind people, and by making grants to voluntary organisations under the section 64 general scheme.

In 1996–97, the Council for the Advancement of Communication with Deaf People received a further award for the "Touch and Go" project, which has successfully developed accredited training courses for the communicator guides, and Sense and the Royal National Institute for the Blind are receiving project grants to develop communicator guide schemes. Deaf-blind United Kingdom and Sense—the National Deaf-blind and Rubella Association—both receive core funding under the section 64 scheme.

In seeking to promote awareness of deaf-blindness, the Department of Health works closely with the Association of Directors of Social Services. Particularly significant are the "Think Dual Sensory" draft good practice guidelines for social services and health professionals who provide or commission services for the increasing number of older people with dual sensory loss. The guidelines are currently being piloted in several local authorities.

Blood Stocks

Mr. Cohen: To ask the Secretary of State for Health if he will make a statement on the current levels of blood stocks; and what recent representations he has received about their adequacy. [11228]

Mr. Horam: No representations have been received recently about the levels of blood stocks.

Blood stocks are often low over the Christmas and new year period, because of seasonal and other fluctuations in supply and demand and this winter has been no exception. Current levels of donations are encouraging, but the National Blood Authority has appealed for more donors to come forward in two out of its three zones, and in keeping the position under review.

Paediatric Services (Greater Manchester)

Mr. Lewis: To ask the Secretary of State for Health what the role of the NHS executive, north-west will be in the public consultation process regarding paediatric services in Greater Manchester. [11094]

Mr. Horam: The regional offices of the Department of Health have an important role in facilitating discussions between key players locally and then to advise my right hon. Friend the Secretary of State, where decisions have to be referred to him.

Psychological Injuries (Ex-service Personnel)

Mr. Sutcliffe: To ask the Secretary of State for Health at what sites medical provision is available to assist ex-service personnel who have suffered psychological and stress-related injuries from conflicts since 1982. [11037]

Mr. Burns: Assistance for suffers from post traumatic stress is available from general practitioners, who can make referrals to specialist psychiatric services as necessary.

AGRICULTURE, FISHERIES AND FOOD

Cattle Cull

Mrs. Helen Jackson: To ask the Minister of Agriculture, Fisheries and Food what is the estimated cost of the disposal per tonne of cattle carcases *(a)* by incineration, *(b)* by landfill and *(c)* by other means. [10342]

Mr. Baldry: The disposal of cattle carcases by direct incineration costs around £160 per tonne. Landfill, where this is an appropriate means of disposal, costs around £40 per tonne. Rendering followed by incineration of the resultant meat and bonemeal and tallow costs around £315 per tonne.

Control of Pesticides Regulations 1986

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many successful prosecutions have been brought for infringements of the Control of Pesticides Regulations 1986. [10409]

Mrs. Browning: Responsibility for enforcement of the Control of Pesticides Regulations 1986 is shared between the Health and Safety Executive, local authorities and the agriculture departments in Great Britain.

A total of 265 successful prosecutions have been brought under COPR since their introduction in 1986 by the HSE and the agriculture departments. Information on the number of prosecutions by local authorities is not available.

Community-supported Agriculture Projects

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will make an assessment of the *(a)* number, *(b)* distribution and *(c)* benefits of community-supported agriculture projects in the United Kingdom; and if he will make a statement. [10536]

Mr. Boswell: The Department has no information on agriculture projects supported by local communities. However, where local projects contribute to the Department's overall policy aims and objectives these are to be welcomed.

HOME DEPARTMENT

Foreign Nationals (Work Permits)

Mr. Pickthall: To ask the Secretary of State for the Home Department if he will list the average time taken for foreign nationals employed in the United Kingdom to secure extensions to their permission to stay, for each year since 1992. [11226]

Mr. Kirkhope: About one third of applications for further leave to remain made by work permit holders are decided in the public inquiry offices on the same day. The average time to decide the remainder was as follows:

Category of decision	*Average number of days*				
	1992	*1993*	*1994*	*1995*	*1996*[1]
Work-permit to holders	76	78	77	62	73
All decisions[2]	70	77	93	88	99

[1] Provisional.
[2] Excluding asylum-related decisions.

Prisoners (Education)

Mr. George Howarth: To ask the Secretary of State for the Home Department if he will list the average amount of time prisoners spent in education in each month of the financial year 1995–96 and each available month so far during 1996–97 *(a)* in each prison, *(b)* by prison type and *(c)* in the whole Prison Service. [9675]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. George Howarth, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking for the average amount of time prisoners spent in education in each month of the financial year 1995–6 and each month so far during 1996–7 (a) in each prison, (b) by prison type and (c) in the whole Prison Service.

The attached tables summarise the average number of hours per week that prisoners spent in education from April 1995 to September 1996, by prison, by prison type and in the whole Prison Service. I have arranged for copies of the tables to be placed in the Library.

The following categories have been included when calculating average education hours: daytime education, evening education, vocational training courses, construction and industrial training courses and physical education. Contracted-out prisons are not required to provide this detail of information therefore no figures are available.

(a) Average weekly hours spent in education per prisoner by prison for the financial year 1995–96

Prison name	*April 1995*	*May 1995*	*June 1995*	*July 1995*	*August 1995*	*September 1995*
Acklington	5.3	4.8	5.5	6.7	5.4	4.4
Albany	7.4	7.4	7.5	7.4	7.1	7.4
Aldington	n/a	n/a	n/a	n/a	n/a	n/a
Ashwell	9.1	9.7	10.4	11.3	10.2	10.5
Askham Grange	10.3	9.7	11.0	10.1	9.4	10.4
Aylesbury	12.1	12.6	11.8	11.9	8.9	11.6
Bedford	5.2	6.0	6.4	6.4	5.7	6.0
Belmarsh	3.7	3.6	3.8	4.2	4.0	4.2
Birmingham	3.7	4.0	4.5	4.8	4.4	3.4
Blakenhurst	n/a	n/a	n/a	n/a	n/a	n/a
Blantyre House	11.0	11.6	12.4	12.1	11.9	13.0
Blundeston	6.0	6.4	6.4	6.3	6.0	6.6
Brinsford	9.2	9.7	8.9	9.2	9.3	9.0
Bristol	2.6	3.5	3.1	3.3	2.8	2.6
Brixton	2.5	3.0	2.6	2.7	3.4	2.6
Brockhill	8.3	9.1	10.8	10.6	9.8	11.0
Buckley Hall	n/a	n/a	n/a	n/a	n/a	n/a
Bullingdon	7.7	8.8	9.0	8.7	7.2	6.8
Bullwood Hall	12.5	14.2	14.6	14.3	12.8	14.5
Camp Hill	10.2	10.9	11.1	11.7	11.2	11.0
Canterbury	7.7	8.1	8.5	9.2	7.8	9.6
Cardiff	3.7	3.6	4.2	3.6	4.6	4.7

(a) Average weekly hours spent in education per prisoner by prison for the financial year 1995–96

Prison name	*April 1995*	*May 1995*	*June 1995*	*July 1995*	*August 1995*	*September 1995*
Castington	9.3	9.9	10.0	10.8	11.4	11.1
Channings Wood	5.4	8.4	9.3	9.4	9.5	9.4
Chelmsford	4.3	3.6	3.8	4.5	4.9	4.6
Coldingley	5.3	6.9	6.9	7.1	6.3	4.9
Cookham Wood	5.5	6.0	6.0	6.1	6.7	5.4
Dartmoor	6.3	6.8	6.5	6.4	6.1	6.2
Deerbolt	10.7	12.0	12.7	13.3	12.2	12.5
Doncaster	n/a	n/a	n/a	n/a	n/a	n/a
Dorchester	5.2	5.9	6.0	6.4	5.8	5.9
Dover	9.4	11.3	10.4	9.8	9.7	9.5
Downview	7.7	9.2	9.9	9.5	9.3	8.8
Drake Hall	7.6	8.6	8.6	9.7	8.2	8.6
Durham	2.9	3.9	3.8	4.2	4.0	4.2
East Sutton Park	10.4	13.4	11.7	13.5	13.2	12.5
Eastwood Park	n/a	n/a	n/a	n/a	n/a	n/a
Elmley	8.5	9.7	9.5	9.7	9.2	8.9
Erlestoke	8.5	10.6	11.6	11.1	12.0	10.7
Everthorpe	12.8	13.2	12.7	12.5	12.5	14.2
Exeter	3.8	4.7	4.9	4.0	4.0	4.1
Featherstone	6.8	6.7	6.5	5.8	6.6	6.2
Feltham	5.2	6.0	5.7	5.6	5.5	5.1
Ford	7.7	11.0	12.8	11.1	7.7	9.2
Frankland	6.8	7.5	7.1	7.4	6.1	6.7
Full Sutton	7.3	7.3	7.9	8.0	6.4	6.8
Garth	6.5	7.0	6.1	6.3	5.4	5.9
Gartree	9.2	8.6	9.6	8.6	10.6	10.5
Glen Parva	5.9	6.8	6.9	7.5	7.2	6.7
Gloucester	3.6	4.7	5.2	5.4	6.3	4.2
Grendon	5.7	6.0	5.3	6.2	5.9	5.6
Guys Marsh	15.9	16.0	14.0	12.9	12.9	12.5
Haslar	11.8	16.4	15.3	14.5	10.7	14.2
Hatfield	13.1	14.6	14.7	15.1	14.9	15.2
Haverigg	7.4	9.5	9.5	8.9	9.2	8.3
Hewell Grange	9.6	12.9	12.7	13.7	13.7	13.8
Highdown	8.2	8.1	8.9	8.7	9.4	8.3
Highpoint	7.6	8.9	8.6	9.1	8.8	8.3
Hindley	11.3	11.0	10.1	10.7	10.9	11.1
Hollesley Bay	10.7	13.2	13.4	13.4	12.5	12.5
Holloway	5.9	6.2	6.5	5.4	4.2	5.7
Holme House	6.4	6.8	7.1	6.6	7.4	7.4
Hull	4.9	7.5	7.2	7.8	7.5	7.0
Huntercombe	8.7	10.7	11.0	11.5	11.2	10.4
Kingston	7.1	9.8	7.9	7.8	7.8	8.5
Kirkham	8.2	7.6	9.3	8.9	8.4	8.0
Kirklevington	13.1	12.3	11.9	8.7	7.0	6.3
Lancaster	8.7	11.0	10.9	10.1	8.4	8.9
Lancaster Farms	12.1	11.1	13.5	13.4	13.1	13.0
Latchmere House	2.5	3.1	4.7	8.9	8.3	6.9
Leeds	2.5	2.7	2.6	2.8	2.3	2.7
Leicester	3.7	4.5	4.8	4.9	5.1	4.5
Lewes	5.5	5.3	5.6	6.0	5.0	5.8
Leyhill	6.7	7.0	7.1	7.8	7.4	6.6
Lincoln	3.6	3.7	3.3	3.9	3.0	3.8
Lindholme	9.6	10.4	10.5	10.4	11.2	10.4
Littlehey	9.5	11.4	10.6	10.7	9.8	9.9
Liverpool	1.7	2.1	2.3	2.5	2.7	2.3
Long Lartin	9.0	7.5	8.4	8.4	8.9	8.8
Low Newton	9.3	9.4	10.3	9.1	9.6	10.8
Maidstone	7.0	8.5	7.9	9.5	5.9	6.9
Manchester	4.8	4.9	4.8	5.0	5.3	5.1
Moorland	9.1	10.1	9.9	9.6	9.7	8.9
Morton Hall	15.0	15.9	16.7	17.8	18.6	17.5
Mount	8.6	10.6	10.2	8.6	10.7	10.4
New Hall	7.2	6.7	11.2	12.3	11.2	10.3
North Sea Camp	n/a	n/a	n/a	n/a	n/a	n/a
Northallerton	5.8	7.2	6.4	6.9	6.5	7.3
Norwich	8.5	9.7	9.3	8.1	6.0	7.3
Nottingham	5.8	8.7	9.3	10.0	8.7	9.3
Onley	8.0	7.8	8.6	9.4	8.2	8.7
Parkhurst	4.4	4.0	4.9	4.9	5.0	4.4
Pentonville	12.3	1.2	2.3	2.0	1.5	2.0
Portland	9.0	11.6	12.4	12.9	11.7	12.2
Prescoed	17.8	17.5	18.2	17.7	17.7	17.7

(a) Average weekly hours spent in education per prisoner by prison for the financial year 1995–96

Prison name	*April 1995*	*May 1995*	*June 1995*	*July 1995*	*August 1995*	*September 1995*
Preston	2.5	2.8	2.7	3.0	3.0	2.9
Ranby	7.9	9.1	9.6	10.6	10.6	9.0
Reading	12.9	13.6	12.5	11.6	9.7	11.1
Risley	8.4	9.9	9.9	9.5	9.8	9.0
Rochester	6.6	8.3	8.2	9.8	8.8	8.3
Send	7.5	7.4	6.9	8.0	7.1	7.6
Shepton Mallet	8.1	8.9	10.0	10.3	8.3	7.3
Shrewsbury	3.9	5.1	4.0	4.4	3.2	4.9
Spring Hill	7.3	8.5	7.4	7.2	6.2	7.3
Stafford	7.0	7.7	7.2	7.3	6.9	5.5
Standford Hill	7.9	8.7	9.3	8.8	8.3	7.4
Stocken	11.0	11.3	11.1	10.5	9.9	10.4
Stoke Heath	8.9	8.7	8.7	8.6	9.8	9.0
Styal	7.2	10.4	9.1	8.6	9.3	11.3
Sudbury	19.6	21.2	22.8	23.0	23.1	21.5
Swaleside	6.5	n/a	n/a	n/a	n/a	n/a
Swansea	4.7	4.8	4.5	4.5	3.7	4.1
Swinfen Hall	14.5	14.3	14.5	11.9	14.1	14.3
Thorn Cross	18.4	17.6	18.3	19.6	18.1	20.1
Usk	11.7	12.8	11.5	12.4	13.1	12.1
Verne	9.2	9.9	10.4	10.6	10.0	9.4
Wakefield	5.2	6.3	6.2	5.9	12.5	6.0
Wandsworth	3.9	4.0	3.9	3.4	3.1	3.4
Warren Hill	6.5	8.0	7.8	8.9	5.1	7.5
Wayland	10.2	11.9	12.0	12.1	11.8	11.4
Wealstun Closed	11.3	10.0	13.1	15.1	12.8	10.6
Wealstun Open	8.3	9.7	10.3	9.2	7.0	9.1
Wellingborough	12.2	16.2	14.3	16.6	14.9	13.3
Werrington	18.2	20.2	18.1	20.2	19.5	17.3
Wetherby	15.7	18.1	17.7	17.4	17.1	16.5
Whatton	11.9	12.6	12.8	12.6	12.1	13.7
Whitemoor	7.6	8.0	8.0	8.9	8.4	8.1
Winchester	4.2	4.4	4.7	5.0	4.5	4.6
Wolds	n/a	n/a	n/a	n/a	n/a	n/a
Woodhill	n/a	n/a	n/a	6.4	6.4	n/a
Wormwood Scrubs	4.3	5.1	4.6	4.2	2.6	2.6

Prison name	*October 1995*	*November 1995*	*December 1995*	*January 1996*	*February 1996*	*March 1996*
Acklington	5.3	5.7	3.9	4.5	5.6	5.6
Albany	7.3	7.2	6.0	6.2	5.8	6.3
Aldington	n/a	n/a	n/a	n/a	n/a	n/a
Ashwell	10.3	11.3	9.1	11.6	10.9	10.6
Askham Grange	10.4	9.8	6.6	12.2	11.7	10.1
Aylesbury	12.7	13.1	10.3	11.5	11.1	10.7
Bedford	6.7	6.9	6.4	7.5	7.6	7.4
Belmarsh	4.2	3.5	3.5	4.3	4.6	4.9
Birmingham	3.1	1.9	2.2	2.9	3.0	2.9
Blakenhurst	n/a	n/a	n/a	n/a	n/a	n/a
Blantyre House	15.2	14.3	11.1	13.0	12.8	13.8
Blundeston	6.3	7.3	6.6	7.4	8.1	7.7
Brinsford	9.3	8.6	8.3	8.8	8.0	8.9
Bristol	3.2	3.2	2.6	2.2	2.5	2.8
Brixton	4.1	4.6	n/a	n/a	n/a	n/a
Brockhill	13.2	12.3	9.2	10.9	11.4	12.3
Buckley Hall	n/a	n/a	n/a	n/a	n/a	n/a
Bullingdon	7.5	7.9	5.3	6.7	7.3	8.3
Bullwood Hall	13.9	14.5	11.4	10.9	12.0	14.8
Camp Hill	10.5	10.7	10.6	9.4	11.2	10.4
Canterbury	9.4	7.9	8.1	9.6	8.3	9.7
Cardiff	3.4	3.2	3.2	3.6	3.4	3.8
Castington	11.0	11.5	8.3	9.3	9.3	9.1
Channings Wood	9.7	9.6	7.1	7.7	9.5	7.8
Chelmsford	3.8	3.5	3.4	3.9	4.7	5.3
Coldingley	6.6	6.5	5.6	6.1	7.2	6.8
Cookham Wood	4.7	5.4	4.5	4.6	5.2	5.7
Dartmoor	5.9	6.8	5.1	5.7	5.6	4.9
Deerbolt	10.9	12.1	10.5	12.6	12.6	11.6
Doncaster	n/a	n/a	n/a	n/a	n/a	n/a
Dorchester	5.8	5.9	5.7	5.7	5.8	5.3

Prison name	October 1995	November 1995	December 1995	January 1996	February 1996	March 1996
Dover	11.3	11.8	10.8	13.2	11.9	12.0
Downview	9.2	8.8	8.1	8.5	10.1	9.2
Drake Hall	9.7	9.3	6.7	9.2	10.6	8.6
Durham	4.6	4.1	3.6	4.3	4.5	4.3
East Sutton Park	13.8	13.7	11.9	12.3	14.0	12.7
Eastwood Park	n/a	n/a	n/a	n/a	n/a	n/a
Elmley	8.8	8.1	6.0	7.4	6.8	6.2
Erlestoke	11.2	11.8	8.6	10.8	12.4	12.4
Everthorpe	14.3	14.8	11.2	12.4	12.9	11.5
Exeter	4.5	4.6	3.7	4.1	4.5	4.6
Featherstone	6.8	7.8	6.8	7.6	7.1	6.9
Feltham	6.3	6.1	5.0	5.5	6.1	5.8
Ford	11.0	11.4	8.0	n/a	n/a	n/a
Frankland	6.5	6.8	4.4	4.4	6.5	5.8
Full Sutton	7.8	5.8	6.8	9.1	8.7	7.6
Garth	n/a	n/a	n/a	n/a	n/a	n/a
Gartree	10.4	10.1	8.8	9.7	9.9	10.3
Glen Parva	6.8	6.5	5.6	6.7	6.6	6.2
Gloucester	6.3	6.5	6.2	4.1	5.3	4.7
Grendon	6.9	6.8	5.1	6.0	n/a	n/a
Guys Marsh	13.0	11.7	11.3	13.5	12.9	14.4
Haslar	14.2	15.0	12.5	13.8	14.7	16.1
Hatfield	14.5	n/a	n/a	n/a	n/a	n/a
Haverigg	9.3	8.2	7.3	7.8	7.2	7.9
Hewell Grange	14.3	13.8	11.5	13.3	12.4	15.3
Highdown	9.2	8.9	6.7	8.0	8.7	9.4
Highpoint	8.3	8.8	6.8	7.7	8.0	7.3
Hindley	10.7	9.4	7.9	9.2	8.5	8.6
Hollesley Bay	14.0	13.6	10.2	10.8	12.1	12.2
Holloway	5.3	4.0	4.2	6.2	6.4	6.5
Holme House	6.8	6.2	7.0	6.7	6.8	6.6
Hull	7.3	7.6	6.3	6.8	7.7	8.0
Huntercombe	11.6	10.4	n/a	n/a	n/a	n/a
Kingston	10.2	9.4	6.9	9.6	10.1	10.4
Kirkham	10.2	9.0	7.8	8.6	9.8	9.4
Kirklevington	6.8	7.2	8.7	7.9	9.4	8.3
Lancaster	10.8	11.6	7.6	11.1	10.6	11.5
Lancaster Farms	11.9	12.6	10.3	11.6	11.5	13.2
Latchmere House	7.7	7.0	7.0	8.4	8.3	8.1
Leeds	2.7	2.6	2.4	2.7	2.6	2.4
Leicester	4.2	4.5	4.0	4.5	4.9	5.0
Lewes	6.1	6.1	5.7	5.8	5.9	6.3
Leyhill	6.7	6.7	5.8	5.3	5.8	5.1
Lincoln	3.6	3.7	4.4	3.8	4.5	3.8
Lindholme	10.7	10.5	9.4	9.6	10.6	10.8
Littlehey	10.1	10.7	8.6	9.5	10.5	11.0
Liverpool	3.0	3.3	2.4	3.0	3.1	3.2
Long Lartin	8.1	7.5	5.7	7.3	8.6	8.3
Low Newton	10.6	10.3	6.9	8.4	8.5	9.3
Maidstone	6.3	7.0	5.4	6.6	5.7	6.9
Manchester	6.1	6.1	5.4	6.1	4.1	3.6
Moorland	8.0	n/a	n/a	n/a	n/a	n/a
Morton Hall	17.7	16.9	14.5	18.8	16.4	17.3
Mount	9.8	9.9	8.2	9.1	7.8	8.6
New Hall	10.6	10.1	8.8	8.9	9.6	n/a
North Sea Camp	n/a	n/a	n/a	n/a	n/a	n/a
Northallerton	7.2	7.0	6.7	7.7	8.1	7.8
Norwich	8.6	8.1	6.6	7.5	7.6	9.2
Nottingham	9.4	8.5	8.3	11.4	11.3	13.0
Onley	8.6	9.9	7.3	8.9	9.3	8.7
Parkhurst	5.3	5.7	5.5	5.4	5.5	5.8
Pentonville	2.5	2.8	2.3	2.6	2.8	2.8
Portland	13.3	13.5	10.8	12.6	13.9	12.4
Prescoed	16.9	16.5	13.6	15.6	14.3	15.8
Preston	2.9	2.9	2.6	2.5	2.9	3.2
Ranby	9.3	9.2	7.2	8.3	8.9	7.6
Reading	10.5	10.4	9.0	10.7	10.4	10.0
Risley	9.8	9.5	7.2	9.8	10.1	9.9
Rochester	6.6	6.7	7.2	n/a	n/a	n/a
Send	8.7	9.1	6.5	7.9	8.6	9.5
Shepton Mallet	8.5	8.7	7.2	8.3	8.1	9.2
Shrewsbury	5.9	5.9	5.5	5.6	5.8	6.6
Spring Hill	8.9	8.7	6.3	8.6	n/a	n/a

Prison name	October 1995	November 1995	December 1995	January 1996	February 1996	March 1996
Stafford	6.0	6.8	5.8	6.8	7.1	7.6
Standford Hill	8.1	8.0	5.9	7.9	8.1	8.0
Stocken	11.2	11.5	11.2	7.7	12.4	n/a
Stoke Heath	8.3	9.2	9.0	8.9	8.8	10.9
Styal	9.2	9.6	7.2	7.4	8.8	8.2
Sudbury	21.4	21.0	20.4	21.9	20.3	19.6
Swaleside	n/a	n/a	n/a	n/a	n/a	n/a
Swansea	4.2	3.5	3.2	3.9	4.2	4.3
Swinfen Hall	14.8	14.6	11.6	10.6	13.1	13.1
Thorn Cross	19.4	19.5	20.5	21.9	20.5	20.1
Usk	12.0	12.0	10.7	11.1	10.9	11.6
Verne	10.5	9.9	9.2	9.2	10.1	n/a
Wakefield	6.2	6.1	4.6	5.8	6.0	5.7
Wandsworth	3.0	3.0	2.6	3.7	4.2	3.6
Warren Hill	9.4	8.2	6.6	6.4	8.1	8.2
Wayland	11.9	12.0	9.2	11.6	11.3	12.1
Wealstun Closed	16.2	15.6	11.5	14.4	14.7	12.6
Wealstun Open	8.8	9.3	6.7	8.5	8.8	8.6
Wellingborough	15.3	14.4	12.6	14.8	14.3	14.0
Werrington	20.1	20.3	18.6	19.1	17.9	17.9
Wetherby	17.7	18.8	15.2	18.9	19.5	18.3
Whatton	13.0	14.8	11.9	14.7	14.5	15.1
Whitemoor	8.1	7.9	6.7	8.4	6.7	8.3
Winchester	4.8	4.7	4.0	4.7	4.7	4.6
Wolds	n/a	n/a	n/a	n/a	n/a	n/a
Woodhill	n/a	n/a	n/a	6.4	7.1	6.6
Wormwood Scrubs	4.0	3.5	0.8	3.2	2.7	n/a
Wymott	7.3	7.5	6.4	6.6	7.3	8.1

n/a = not available.

(a) Average weekly hours spent in education per prisoner by prison for the financial year 1996–97 (April to September)

Prison name	April 1996	May 1996	June 1996	July 1996	August 1996	September 1996
Acklington	4.4	5.4	5.4	5.4	4.8	4.8
Albany	3.9	2.8	2.2	3.6	3.7	2.5
Aldington	5.3	5.2	5.6	6.1	6.0	5.7
Ashwell	8.2	9.7	9.6	9.1	10.0	9.8
Askham Grange	9.6	9.6	11.1	10.2	8.7	10.1
Aylesbury	9.6	11.2	11.7	10.7	8.8	11.2
Bedford	5.6	6.0	6.0	6.5	6.1	5.9
Belmarsh	3.7	4.6	4.0	3.6	3.9	3.4
Birmingham	2.5	2.6	2.8	2.6	2.2	2.0
Blakenhurst	n/a	n/a	n/a	n/a	n/a	n/a
Blantyre House	10.1	11.4	10.9	12.3	13.4	13.5
Blundeston	7.3	7.8	7.4	8.3	7.2	8.3
Brinsford	7.3	7.5	6.9	6.8	6.8	5.6
Bristol	1.4	2.0	2.0	2.0	1.8	1.7
Brixton	3.0	2.0	3.0	2.7	2.0	2.9
Brockhill	9.0	10.3	7.5	9.4	9.9	6.9
Buckley Hall	n/a	n/a	n/a	n/a	n/a	n/a
Bullingdon	6.0	7.6	7.6	7.8	7.1	7.1
Bullwood Hall	14.1	14.0	13.6	14.3	9.6	11.4
Camp Hill	9.7	9.9	10.3	11.2	10.4	10.1
Canterbury	9.4	8.8	8.2	7.9	6.9	7.3
Cardiff	3.3	3.7	3.6	3.7	2.9	3.1
Castington	7.2	8.4	7.9	8.2	7.8	8.4
Channings Wood	5.8	8.0	8.3	8.1	8.6	7.5
Chelmsford	4.5	4.4	4.6	4.5	4.2	3.5
Coldingley	7.3	6.7	6.6	6.1	5.5	5.5
Cookham Wood	8.6	8.9	8.9	7.8	7.7	6.7
Dartmoor	4.2	5.4	5.0	5.4	5.4	5.3
Deerbolt	9.0	9.9	12.0	12.0	12.8	12.0
Doncaster	n/a	n/a	n/a	n/a	n/a	n/a
Dorchester	5.3	5.8	6.1	4.4	6.3	5.3
Dover	10.2	11.6	9.2	9.6	9.8	11.0
Downview	7.1	9.0	8.7	7.2	8.5	8.2
Drake Hall	6.9	8.8	7.2	7.7	7.4	7.0
Durham	3.9	3.9	3.5	3.3	3.6	3.7
East Sutton Park	10.4	13.5	11.9	10.7	10.7	12.3
Eastwood Park	10.4	9.5	9.5	10.0	9.0	10.5

(a) Average weekly hours spent in education per prisoner by prison for the financial year 1996–97 (April to September)

Prison name	*April 1996*	*May 1996*	*June 1996*	*July 1996*	*August 1996*	*September 1996*
Elmley	4.9	6.4	6.7	7.5	7.3	7.3
Erlestoke	9.6	11.0	11.3	12.7	10.2	9.7
Everthorpe	8.7	10.2	10.0	10.9	11.9	10.4
Exeter	3.4	3.5	3.8	3.8	4.0	4.0
Featherstone	5.9	6.6	6.7	6.6	6.2	6.3
Feltham	5.7	5.1	4.5	4.6	4.6	4.0
Ford	8.9	11.4	11.4	12.1	10.7	11.6
Frankland	5.4	5.9	6.4	6.5	5.2	6.0
Full Sutton	7.9	7.8	7.8	7.7	8.8	7.9
Garth	6.1	6.3	6.0	6.9	6.3	5.3
Gartree	n/a	n/a	8.5	7.5	9.1	9.8
Glen Parva	5.9	6.1	6.2	6.0	6.0	5.7
Gloucester	5.5	5.5	5.6	5.6	5.0	5.5
Grendon	5.6	5.9	6.4	4.8	4.3	4.8
Guys Marsh	10.9	13.5	14.0	13.6	8.3	11.7
Haslar	12.4	14.5	11.3	12.2	9.5	13.5
Hatfield	16.4	15.1	16.0	18.3	15.6	13.8
Haverigg	7.3	8.4	7.8	7.7	7.9	7.1
Hewell Grange	13.4	15.6	14.6	4.9	14.1	12.4
Highdown	7.5	7.2	7.7	7.1	7.8	7.2
Highpoint	5.7	6.4	6.2	6.5	3.9	3.7
Hindley	8.0	5.1	4.5	8.6	10.3	9.3
Hollesley Bay	6.8	7.0	8.1	5.8	5.7	6.1
Holloway	6.6	6.8	6.1	5.4	6.5	7.0
Holme House	6.5	6.4	6.1	5.1	6.0	6.4
Hull	6.7	7.6	6.4	8.0	7.7	7.1
Huntercombe	10.3	13.5	13.0	13.1	13.7	11.5
Kingston	8.0	8.1	8.9	8.8	6.7	8.8
Kirkham	7.5	9.5	10.2	9.7	8.8	8.3
Kirklevington	7.6	8.2	7.4	6.5	6.9	7.6
Lancaster	9.7	10.0	6.8	11.4	7.4	10.3
Lancaster Farms	10.9	12.0	11.3	11.6	12.4	10.6
Latchmere House	6.2	7.2	8.1	6.5	6.2	6.0
Leeds	2.2	2.6	2.9	2.0	1.5	2.4
Leicester	3.1	3.9	4.4	4.5	3.5	4.8
Lewes	6.2	6.9	6.9	6.6	5.8	6.0
Leyhill	5.5	6.3	6.4	6.9	7.5	7.6
Lincoln	3.6	3.7	3.8	4.0	3.6	2.6
Lindholm	9.5	10.0	10.3	10.5	10.9	9.9
Littlehey	8.6	9.9	10.9	10.3	10.6	10.0
Liverpool	2.7	3.1	2.6	3.0	2.7	2.5
Long Lartin	7.6	7.6	8.3	6.2	5.5	6.9
Low Newton	8.8	9.1	10.0	10.2	9.6	9.1
Maidstone	6.7	6.9	7.9	8.2	7.4	7.8
Manchester	1.2	1.6	1.7	1.9	1.8	2.2
Moorland	7.0	6.4	7.3	8.8	6.8	10.4
Morton Hall	14.2	14.5	14.3	14.4	15.5	15.1
Mount	7.5	8.2	7.6	8.0	7.3	6.4
New Hall	9.1	8.8	7.3	7.6	9.0	6.9
North Sea Camp	11.2	11.4	11.5	10.4	10.5	10.1
Northallerton	5.7	6.9	7.3	6.6	6.9	7.1
Norwich	8.3	8.4	6.5	5.4	5.5	4.5
Nottingham	9.7	9.4	9.7	8.3	9.2	10.0
Onley	n/a	7.6	8.6	9.4	8.4	8.5
Parkhurst	5.4	5.1	5.0	5.8	5.8	5.8
Pentonville	2.3	2.7	2.3	2.6	2.4	3.0
Portland	10.5	12.4	11.4	12.3	10.1	10.6
Prescoed	15.6	15.4	15.6	16.5	13.5	13.5
Preston	2.1	3.0	3.1	3.0	2.9	2.8
Ranby	4.6	6.6	7.4	7.7	6.6	7.3
Reading	9.2	9.2	8.5	7.7	8.4	7.4
Risley	7.8	8.6	6.2	8.0	7.2	6.5
Rochester	6.0	6.0	5.5	7.7	8.0	6.6
Send	9.1	10.7	10.0	9.5	9.4	8.5
Shepton Mallet	6.9	8.9	8.3	9.0	8.8	9.2
Shrewsbury	7.0	6.6	5.9	5.7	3.6	5.7
Spring Hill	6.9	8.6	8.3	8.3	6.3	5.7
Stafford	7.1	8.1	7.2	7.5	7.4	7.1
Standford Hill	7.3	7.3	8.4	8.2	6.7	8.1
Stocken	10.0	11.6	10.0	9.6	9.7	8.5
Stoke Heath	7.2	7.6	8.0	8.7	8.1	7.5
Styal	4.3	7.5	7.8	8.5	7.4	7.7
Sudbury	17.9	19.9	19.5	20.6	20.1	18.1

(a) Average weekly hours spent in education per prisoner by prison for the financial year 1996–97 (April to September)

Prison name	April 1996	May 1996	June 1996	July 1996	August 1996	September 1996
Swaleside	n/a	n/a	n/a	n/a	n/a	n/a
Swansea	3.8	3.8	3.9	6.1	3.7	3.6
Swinfen Hall	8.6	11.9	12.4	12.0	9.9	12.3
Thorn Cross	19.2	20.1	20.3	19.6	20.8	19.5
Usk	10.9	10.5	11.2	13.2	11.9	11.0
Verne	7.3	8.5	8.6	8.4	8.8	8.8
Wakefield	6.0	5.5	6.1	5.2	3.8	5.3
Wandsworth	2.8	3.1	2.0	2.9	3.0	3.0
Warren Hill	9.8	10.0	11.1	10.6	8.8	8.0
Wayland	9.3	11.0	11.2	11.4	10.8	10.2
Wealstun Closed	11.1	11.0	11.5	11.7	10.3	8.8
Wealstun Open	6.5	8.0	7.9	8.4	8.2	9.0
Wellingborough	13.3	14.3	14.6	14.2	12.5	11.7
Werrington	17.9	15.5	16.8	16.7	15.5	17.9
Wetherby	15.5	15.8	17.2	19.2	18.9	18.5
Whatton	14.3	13.0	13.8	11.3	12.5	14.2
Whitemoor	7.7	7.3	7.5	6.9	5.8	6.1
Winchester	3.0	4.5	4.1	3.2	4.9	3.5
Wolds	n/a	n/a	n/a	n/a	n/a	n/a
Woodhill	5.2	5.6	6.1	6.3	6.2	5.8
Wormwood Scrubs	1.6	2.3	2.3	2.4	1.2	2.4
Wymott	6.4	6.9	7.2	7.4	7.1	7.7

(b) Average weekly hours spent in education per prisoner by type for the financial years 1995–96 and 1996–97 (April to September)

Prison type	April 1995	May 1995	June 1995	July 1995	August 1995	September 1995
Category B	6.6	7.2	7.1	7.3	6.6	6.9
Category C	8.5	9.6	9.7	9.8	9.6	9.1
Dispersal	6.9	7.2	7.4	7.5	8.8	7.1
Female closed	7.4	9.2	9.2	8.8	9.0	9.5
Female local	6.3	6.4	7.8	7.3	6.1	6.9
Female open	8.9	10.1	10.0	10.8	9.7	10.0
Male closed young offender	9.5	10.4	10.7	10.7	10.2	10.3
Male juvenile institution	18.2	20.8	18.1	20.2	19.5	17.3
Male local	4.8	4.8	4.9	5.0	4.6	4.6
Male open	10.0	11.4	12.2	11.8	10.9	10.9
Male open young offender	16.2	16.5	16.9	17.3	16.6	17.5
Male remand centre	8.6	9.0	8.9	8.7	8.6	8.8

Prison type	October 1995	November 1995	December 1995	January 1996	February 1996	March 1996
Category B	7.1	7.4	6.2	7.2	7.1	7.2
Category C	9.6	9.8	8.1	9.0	9.6	9.4
Dispersal	7.3	6.8	5.6	7.0	7.2	7.0
Female closed	8.2	8.8	6.9	7.0	8.0	8.5
Female local	6.8	5.7	5.5	6.6	6.7	6.5
Female open	10.9	10.5	7.8	10.7	11.7	10.0
Male closed young offender	10.7	10.9	9.1	10.5	10.6	10.5
Male juvenile institution	20.1	20.3	18.6	19.1	17.9	17.9
Male local	4.8	4.7	3.9	4.7	4.8	4.8
Male open	11.8	11.6	9.6	11.7	11.6	11.9
Male open young offender	16.2	18.6	17.0	19.4	18.7	19.0
Male remand centre	9.0	8.7	7.3	8.3	8.2	8.8

Prison Type	April 1996	May 1996	June 1996	July 1996	August 1996	September 1996
Category B	6.0	6.1	6.3	6.6	6.3	6.2
Category C	7.8	8.7	8.5	8.8	8.3	8.2
Dispersal	6.9	6.7	7.1	6.5	5.8	6.4
Female closed	7.9	9.5	9.5	9.7	8.0	8.3
Female local	7.7	7.6	6.8	6.5	7.5	7.5
Female open	8.4	10.0	9.1	9.0	8.4	8.9
Male closed young offender	8.8	9.8	10.0	10.2	9.3	9.5
Male juvenile institution	17.9	15.5	16.8	16.7	15.5	17.9

Prison Type	April 1996	May 1996	June 1996	July 1996	August 1996	September 1996
Male local	4.0	4.3	4.2	4.2	4.0	4.0
Male open	9.6	11.0	11.2	10.7	10.7	10.4
Male open young offender	17.5	17.4	17.7	18.6	18.0	16.5
Male remand centre	7.6	7.4	7.0	7.5	7.8	7.0

(c) Average weekly hours spent in education per prisoner for the financial years 1995–96 and 1996–97

Month	Education hours per inmate
April 1995	7.2
May 1995	7.7
June 1995	7.8
July 1995	7.9
August 1995	7.6
September 1995	7.4
October 1995	7.7
November 1995	7.7
December 1995	6.4
January 1996	7.4
February 1996	7.6
March 1996	7.7
April 1996	6.6
May 1996	7.1
June 1996	7.1
July 1996	7.1
August 1996	6.7
September 1996	6.7

Prison Behaviour Programmes

Mr. George Howarth: To ask the Secretary of State for the Home Department (1) if he will list the average number of prisoners *(a)* taking part in and *(b)* completing offending behaviour programmes in each month of the financial year 1995–96 and each available month so far during 1996–97 (i) in each prison, (ii) by prison type and (iii) in the whole Prison Service; [9677]

(2) if he will list the average number of prisoners *(a)* taking part in and *(b)* completing sex offender treatment programmes in each month of the financial year 1995–96 and each available month so far during 1996–97 (i) in each prison, (ii) by prison type and (iii) in the whole Prison Service; [9679]

(3) if he will list the average amount of time prisoners on such programmes spent in sex offender treatment programmes in each month of the financial year 1995–96 and each available month so far during 1996–97 *(a)* in each prison, *(b)* by prison type and *(c)* in the whole Prison Service; [9678]

(4) if he will list the average amount of time prisoners on such programmes spent in offending behaviour programmes in each month of the financial year 1995–96 and each available month so far during 1996–97 *(a)* in each prison, *(b)* by prison type and *(c)* in the whole Prison Service. [9676]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A.J. Pearson to Mr. George Howarth, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your Questions about how many prisoners have completed (a) offending behaviour programmes, (b) sex offender programmes for each month in 1995–96 and for this financial year so far and the average amount of time spent on these programmes.

You asked for this information for each prison, by prison type and for the whole of the Prison Service. I am afraid this information is not available in the form requested and could only be provided at disproportionate cost.

However for the year ending 31 March 1996, 406 prisoners completed the core module 3 of the sex offender treatment programme (SOTP). A further 33 completed the SOTP booster programme (designed for men about to be released from very long sentences).

746 prisoners completed cognitive skills programmes, 115 of these completed the reasoning and rehabilitation programme and 631 the in-house thinking skills.

In order to meet the criteria set for programmes to be accredited the standards of existing programmes have had to be improved. The Sex Offender Core Programme was revised during 1995 from 70 to 180 hours and the length of the Thinking Skills programme was increased from 28 hours to 40 hours from April 1996.

I attach two tables containing information received from establishments which indicate the number of prisoners completing each of the accredited programmes so far this financial year, the programme length and the type of establishments running these programmes. There are a number of courses in progress which are not included in these figures.

There are other offending behaviour programmes run in prisons according to prisoners need and the skills of staff available to deliver them. These are not recorded centrally and could only be provided at disproportionate cost.

Completions of the SOTP core programme from April to November 1996 by establishment and establishment type

	Number
Young offenders institution	
Castington	7
Feltham	16
Total	23
Category C	
Acklington	15
Channings Wood	16
Littlehey	21
Risley	8
Rochester	5
Usk	21
Wayland	24
Whatton	36
Wymott	13
Total	159
Local	
Wandsworth	21
Woodhill	7
Total	28

Completions of the SOTP core programme from April to November 1996 by establishment and establishment type

	Number
Category B/dispersal	
Albany	14
Dartmoor	20
Frankland	7
Maidstone	14
Wakefield	12
Whitemoor	11
Total	78
Grand total	288

The Core programme consists, on average, of 180 hours session time.

Completions of the SOTP booster (relapse prevention) programme from April to November 1996 by establishment and establishment type

	Number
Category D	
Leyhill	20
Total	20
Category C	
Channings Wood	8
Wymott	7
Total	15
Grand total	35

The Booster programme consists, on average, of 60 hours session time.

Completions of the enhanced thinking skills programme from April to Novemebr 1996 by establishment and establishment type

	Number
Young offenders institution	
Feltham	9
Lancaster Farms	43
Moorland	15
Thorn Cross	43
Total	110
Category C	
Blantyre House	18
Total	18
Local	
Bedford	7
Brixton	40
High Down	33
Pentonville	6
Wandsworth	20

Completions of the enhanced thinking skills programme from April to Novemebr 1996 by establishment and establishment type

	Number
Wormwood Scrubs	30
Total	136
Category B/dispersal	
Albany	15
Dartmoor	17
Long Lartin	7
Wakefield	15
Whitemoor	25
Total	79
Grand total	343

The enhanced thinking skills programme consists, on average, of 40 hours session time.

Completions of the reasoning and reasoning and rehabilitation programme from April to November 1996 by establishment and establishment type

	Number
Young offenders institution	
Aylesbury	16
Brinsford	9
Swinfen Hall	12
Total	37
Female	
Holloway	12
Total	12
Category D	
Spring Hill	7
Total	7
Category C	
Featherstone	11
Wymott	10
Total	21
Local	
Wolds	26
Total	26
Category B/Dispersal	
Full Sutton	21
Total	21
Grand total	124

The Reasoning and Rehabilitation Programme consists, on average, of 70 hours session time.

Sex Offences

Mr. Waterson: To ask the Secretary of State for the Home Department what plans he has to review the current maximum penalties for sex offences. [11766]

Mr. Howard: I have decided, in consultation with my right hon. and learned Friend the Secretary of State for Northern Ireland and my right hon. Friend the Secretary of State for Scotland, to undertake a review of the existing maximum penalties for sex offenders. The object of the review will be to identify any anomalies in existing penalties, and to ensure that penalties properly reflect the comparative gravity of different offences.

Prison Medical Service

Dr. Goodson-Wickes: To ask the Secretary of State for the Home Department what assessment he has made of the merits of privatising the prison medical service. [10450]

Miss Widdecombe: We have no plans to privatise the prison health care service. We are committed to pursuing a policy where health care for prisoners will be purchased from the national health service or the private sector, rather than be provided directly, where this makes sense in terms of a better level of service and better value for money.

Asylum and Immigration Appeals Act

Mrs. Roche: To ask the Secretary of State for the Home Department if he will list the estimated *(a)* set up and *(b)* monthly and annual running costs of the helpline to be introduced for employers regarding the Asylum and Immigration Appeals Act 1993. [10667]

Mr. Kirkhope: The cost of setting up the helpline for employers about section 8 of the Asylum and Immigration Act 1996 was approximately £23,000. The annual running costs would be approximately £3,500.

Prisoners (Purposeful Activity)

Mr. George Howarth: To ask the Secretary of State for the Home Department if he will list the average amount of time prisoners spent in purposeful activity in each month of the financial year 1995–96 and each available month so far during 1996–97 *(a)* in each prison, *(b)* by prison type and *(c)* in the whole Prison Service. [9674]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. George Howarth, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking for the average amount of time prisoners spent in purposeful activity in each month of the financial year 1995–96 and each month so far during 1996–97 (a) in each prison, (b) by prison type and (c) in the whole Prison Service.

The attached tables summarise the average number of hours per week that prisoners spent in purposeful activity from April 1995 to September 1996, by prison, by prison type and in the whole Prison Service. I have arranged for copies of the tables to be placed in the Library.

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1995–96

Prison name	*April 1995*	*May 1995*	*June 1995*	*July 1995*	*August 1995*	*September 1995*
Acklington	24.0	26.3	26.0	26.0	23.4	21.4
Albany	24.7	25.7	26.5	26.1	25.1	20.8
Aldington	n/a	n/a	n/a	n/a	n/a	n/a
Ashwell	31.6	33.4	33.4	34.9	33.8	32.6
Askham Grange	40.4	38.1	40.8	40.6	41.7	38.9
Aylesbury	26.2	26.5	24.9	26.9	24.1	26.8
Bedford	24.6	25.3	25.7	26.2	26.7	26.3
Belmarsh	15.9	15.7	15.6	16.2	15.6	16.2
Birmingham	17.6	18.7	19.6	19.6	18.3	16.1
Blakenhurst	n/a	n/a	n/a	n/a	n/a	n/a
Blantyre House	30.8	31.2	33.2	35.5	33.8	33.2
Blundeston	21.8	22.4	21.2	22.5	21.1	20.4
Brinsford	23.6	23.1	22.1	22.6	22.0	21.4
Bristol	21.2	23.7	21.9	22.7	20.6	21.0
Brixton	7.8	8.3	7.1	7.3	7.9	7.8
Brockhill	33.4	34.6	35.2	34.4	35.1	34.9
Buckley Hall	n/a	n/a	n/a	n/a	n/a	n/a
Bullingdon	27.4	30.5	29.4	30.1	27.3	25.7
Bullwood Hall	28.6	30.6	30.2	31.2	29.3	29.0
Camp Hill	27.4	28.6	27.6	29.0	29.4	29.1
Canterbury	25.6	24.7	24.8	26.0	23.3	24.9
Cardiff	19.2	21.0	23.3	17.3	20.0	22.1
Castington	23.6	24.9	24.4	24.5	25.1	24.6
Channings Wood	24.3	27.3	29.3	30.6	30.1	29.7
Chelmsford	15.9	14.7	15.5	16.1	16.7	17.2
Coldingley	22.9	26.3	27.0	27.8	27.6	26.8
Cookham Wood	14.9	15.2	15.7	16.1	15.6	13.6
Dartmoor	21.7	23.0	22.6	22.5	22.6	21.9
Deerbolt	20.9	21.5	24.7	25.4	24.1	22.6
Doncaster	n/a	n/a	n/a	n/a	n/a	n/a

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1995–96

Prison name	*April 1995*	*May 1995*	*June 1995*	*July 1995*	*August 1995*	*September 1995*
Dorchester	19.1	22.4	22.1	22.4	21.1	21.0
Dover	22.5	23.9	24.5	23.1	23.5	24.5
Downview	26.8	30.2	30.2	30.5	30.8	30.3
Drake Hall	34.5	36.1	38.0	39.8	40.2	37.9
Durham	14.2	18.5	19.2	20.1	18.9	20.0
East Sutton Park	n/a	n/a	n/a	n/a	n/a	n/a
Eastwood Park	n/a	n/a	n/a	n/a	n/a	n/a
Elmley	21.1	23.0	23.0	23.2	23.4	24.8
Erlestoke	28.7	32.1	33.0	32.6	33.5	33.1
Everthorpe	29.4	32.8	30.2	30.2	29.8	31.1
Exeter	22.7	24.3	23.9	23.0	22.8	21.41
Featherstone	26.6	27.5	27.7	27.8	27.5	27.1
Feltham	26.1	26.3	25.7	24.3	23.0	22.6
Ford	32.1	35.4	39.3	39.8	36.9	36.4
Frankland	19.3	21.1	20.5	20.2	19.2	20.3
Full Sutton	25.1	24.3	26.3	26.4	25.0	24.5
Garth	21.0	21.2	19.4	22.3	18.0	19.7
Gartree	26.1	25.7	26.9	26.0	27.5	27.9
Glen Parva	20.1	22.4	21.8	22.4	21.1	20.6
Gloucester	20.1	20.0	21.5	22.4	23.6	20.7
Grendon	30.3	29.5	28.9	29.7	29.8	31.5
Guys Marsh	40.6	37.9	37.7	37.1	37.3	35.2
Haslar	26.4	32.9	30.2	30.3	27.2	31.4
Hatfield	36.7	38.2	38.8	40.3	39.2	38.9
Haverigg	31.1	36.2	35.0	36.9	36.5	35.3
Hewell Grange	42.6	43.3	43.3	44.7	45.8	43.4
Highdown	17.9	18.1	20.6	20.2	21.2	20.5
Highpoint	24.6	26.0	25.1	26.1	26.9	25.4
Hindley	23.0	23.8	22.4	22.9	23.3	23.9
Hollesley Bay	25.1	25.9	26.6	25.6	25.4	25.7
Holloway	18.2	18.1	19.3	18.4	17.1	17.1
Holme House	15.0	15.4	16.2	15.4	16.4	16.3
Hull	21.1	24.3	23.8	25.1	24.4	23.8
Huntercombe	21.7	23.9	25.5	25.9	26.2	24.6
Kingston	28.0	32.5	30.7	27.8	34.6	32.8
Kirkham	46.0	46.8	50.5	49.8	51.4	48.1
Kirklevington	45.6	47.1	45.4	45.2	47.3	44.8
Lancaster	23.9	27.3	27.0	26.5	25.2	25.9
Lancaster Farms	22.4	23.2	26.6	25.8	25.5	26.2
Latchmere House	55.6	57.4	56.7	59.1	58.8	56.0
Leeds	14.2	14.8	14.6	14.6	13.9	14.0
Leicester	22.9	22.8	24.7	23.8	24.6	22.8
Lewes	21.6	21.6	21.8	22.8	21.6	21.8
Leyhill	36.8	38.0	39.4	39.9	39.6	38.4
Lincoln	18.1	20.5	19.0	21.0	20.5	20.9
Lindholme	27.3	28.2	29.8	27.8	28.8	28.3
Littlehey	29.7	33.3	32.8	33.5	31.9	31.5
Liverpool	14.4	16.2	16.0	16.7	17.2	17.5
Long Lartin	22.5	20.3	21.1	21.3	22.6	22.9
Low Newton	21.2	21.1	22.7	21.0	21.3	23.1
Maidstone	22.4	24.2	24.1	26.0	22.0	22.1
Manchester	21.5	22.4	21.8	22.9	21.8	22.2
Moorland	24.1	26.3	26.5	26.1	25.6	24.6
Morton Hall	39.6	43.3	41.2	43.7	43.8	44.2
Mount	24.0	26.9	26.4	24.9	27.5	27.8
New Hall	25.9	25.3	32.2	33.0	31.4	30.7
North Sea Camp	n/a	n/a	n/a	n/a	n/a	n/a
Northallerton	22.2	23.9	21.9	21.7	21.6	22.6
Norwich	24.4	25.4	24.2	21.6	19.4	21.2
Nottingham	20.9	24.0	25.1	24.8	24.6	25.4
Onley	21.6	20.5	23.1	23.5	21.8	21.9
Parkhurst	13.4	13.2	16.5	16.0	16.3	15.9
Pentonville	25.4	10.8	15.0	13.9	13.6	13.0
Portland	23.8	27.5	28.7	30.3	29.2	28.5
Prescoed	43.5	47.1	47.4	44.6	45.7	44.5
Preston	18.7	19.7	20.3	20.6	20.7	20.8
Ranby	31.2	33.6	33.7	34.4	34.1	31.4
Reading	31.9	34.0	30.7	30.5	27.9	29.5
Risley	26.8	29.4	29.3	29.4	29.9	28.2
Rochester	23.2	25.3	25.1	27.0	25.1	26.8

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1995–96

Prison name	*April 1995*	*May 1995*	*June 1995*	*July 1995*	*August 1995*	*September 1995*
Send	31.4	31.6	32.7	33.9	34.5	32.8
Shepton Mallet	24.4	25.3	28.3	29.1	27.5	25.1
Shewsbury	19.0	20.5	20.3	21.4	19.3	21.9
Spring Hill	36.2	35.2	37.0	37.0	37.6	36.8
Stafford	27.5	30.4	29.5	29.7	28.3	24.8
Standford Hill	41.2	41.6	45.0	46.0	44.7	44.8
Stocken	32.7	33.4	33.0	32.8	31.6	32.9
Stoke Heath	26.2	27.5	26.5	26.7	27.0	27.6
Styal	33.1	34.9	34.2	34.7	33.5	37.4
Sudbury	49.0	47.0	50.4	49.3	52.8	49.0
Swaleside	18.8	n/a	n/a	n/a	n/a	n/a
Swansea	21.2	21.9	21.2	19.0	18.7	19.8
Swinfen Hall	30.0	30.0	30.7	27.4	31.7	30.1
Thorn Cross	43.5	39.5	47.6	49.7	49.6	47.3
Usk	30.6	33.5	31.8	32.9	34.1	32.2
Verne	30.0	30.3	31.4	31.5	31.9	32.3
Wakefield	18.8	21.6	21.3	21.4	27.1	19.6
Wandsworth	23.4	22.1	23.9	24.7	22.9	21.8
Warren Hill	37.2	38.3	41.4	40.0	36.0	37.2
Wayland	23.8	24.8	27.1	27.7	27.2	25.4
Wealstun Closed	31.8	31.6	30.9	33.5	32.2	28.4
Wealstun Open	42.9	36.0	42.4	42.0	41.7	43.7
Wellingborough	26.6	31.6	29.9	32.4	29.8	27.2
Werrington	39.6	44.8	41.5	43.9	43.2	41.8
Wetherby	36.4	38.0	39.0	37.0	38.3	37.0
Whatton	30.3	32.3	33.1	31.1	32.1	32.8
Whitemoor	19.1	19.9	20.5	22.5	22.0	21.2
Winchester	21.8	22.0	21.9	22.8	21.5	18.7
Wolds	n/a	n/a	n/a	n/a	n/a	n/a
Woodhill	n/a	n/a	n/a	23.2	23.6	n/a
Wormwood Scrubs	21.5	22.3	20.3	21.7	18.3	17.2
Wymott	34.6	37.0	37.5	37.7	39.1	38.0

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1995–96

Prison name	*October 1995*	*November 1995*	*December 1995*	*January 1996*	*February 1996*	*March 1996*
Acklington	27.6	28.8	23.7	26.5	27.6	29.0
Albany	26.1	26.8	23.7	22.0	22.4	24.9
Aldington	n/a	n/a	n/a	n/a	n/a	n/a
Ashwell	33.5	34.1	30.4	34.4	33.8	33.4
Askham Grange	40.3	39.2	29.1	37.4	32.4	36.3
Aylesbury	26.7	27.9	24.4	26.6	27.1	25.8
Bedford	26.9	26.8	26.6	29.5	28.7	28.1
Belmarsh	16.1	15.4	15.2	15.6	16.1	16.6
Birmingham	16.4	14.2	13.3	15.6	15.7	13.4
Blakenhurst	n/a	n/a	n/a	n/a	n/a	n/a
Blantyre House	34.5	34.6	29.1	33.9	34.6	36.2
Blundeston	20.5	21.2	19.9	21.8	22.2	22.1
Brinsford	21.5	20.6	20.2	21.5	20.0	21.2
Bristol	20.4	20.5	19.9	19.6	20.0	20.9
Brixton	8.3	8.4	n/a	n/a	n/a	n/a
Brockhill	36.1	35.9	32.2	35.3	35.0	35.0
Buckley Hall	n/a	n/a	n/a	n/a	n/a	n/a
Bullingdon	27.7	28.4	24.9	24.7	27.8	29.9
Bullwood Hall	30.2	29.2	25.1	25.6	26.4	30.0
Camp Hill	27.7	29.7	28.4	26.7	30.4	27.9
Canterbury	25.0	21.1	22.1	24.8	22.4	24.2
Cardiff	25.3	25.6	24.8	25.9	26.3	27.3
Castington	25.7	26.9	21.5	23.7	24.6	24.0
Channings Wood	30.8	30.5	24.8	27.6	28.8	28.1
Chelmsford	15.2	14.8	14.6	16.0	17.1	18.7
Coldingley	30.1	29.2	27.8	28.2	33.0	31.7
Cookham Wood	13.3	14.5	12.4	14.0	14.5	14.4
Dartmoor	21.1	23.4	19.4	20.9	20.6	18.7
Deerbolt	20.8	22.2	19.3	24.2	24.2	23.2
Doncaster	n/a	n/a	n/a	n/a	n/a	n/a
Dorchester	21.5	21.6	19.9	23.2	20.1	20.6
Dover	26.4	28.5	26.5	28.5	28.0	27.8

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1995–96

Prison name	*October 1995*	*November 1995*	*December 1995*	*January 1996*	*February 1996*	*March 1996*
Downview	30.3	26.8	25.6	26.6	28.6	29.4
Drake Hall	40.2	39.3	35.7	37.1	39.0	39.1
Durham	20.4	19.1	18.7	19.9	20.4	20.4
East Sutton Park	n/a	n/a	n/a	n/a	n/a	n/a
Eastwood Park	n/a	n/a	n/a	n/a	n/a	n/a
Elmley	22.1	20.6	18.2	19.9	19.4	19.1
Erlestoke	31.5	31.8	26.7	28.9	31.5	31.0
Everthorpe	31.6	31.0	27.3	28.9	30.0	27.3
Exeter	21.3	21.9	20.0	20.2	20.1	21.0
Featherstone	29.5	29.8	26.7	27.8	27.5	26.7
Feltham	23.5	23.9	21.6	22.4	22.6	21.6
Ford	36.8	35.9	30.8	n/a	n/a	n/a
Frankland	19.6	18.9	16.2	13.9	19.4	17.3
Full Sutton	26.2	22.8	21.5	24.4	23.9	24.2
Garth	n/a	n/a	n/a	n/a	n/a	n/a
Gartree	28.4	27.9	25.3	26.0	26.3	26.6
Glen Parva	22.1	21.1	20.7	22.5	21.9	20.7
Gloucester	22.8	22.6	23.3	23.0	23.2	21.7
Grendon	32.4	32.7	29.5	31.1	n/a	n/a
Guys Marsh	35.1	33.8	33.0	32.4	35.6	34.3
Haslar	34.6	34.2	28.7	27.9	30.3	30.9
Hatfield	38.7	n/a	n/a	n/a	n/a	n/a
Haverigg	37.2	36.3	33.1	35.1	34.3	35.8
Hewell Grange	44.6	45.3	38.9	40.7	42.9	46.9
Highdown	22.4	21.8	17.3	19.5	20.4	21.2
Highpoint	19.8	20.1	17.6	19.1	19.4	19.5
Hindley	22.8	21.5	18.9	21.8	21.5	21.9
Hollesley Bay	28.2	26.6	24.3	24.6	25.8	27.7
Holloway	15.7	14.4	15.4	19.0	20.1	20.5
Holme House	14.9	14.1	15.3	15.6	15.7	15.5
Hull	23.6	24.2	21.9	23.7	24.3	24.5
Huntercombe	26.0	24.0	n/a	n/a	n/a	n/a
Kingston	35.6	33.4	30.2	32.0	33.4	33.6
Kirkham	52.3	50.3	46.8	49.3	50.7	48.7
Kirklevington	45.1	44.4	42.1	42.7	45.2	45.0
Lancaster	27.3	28.6	23.5	26.0	22.8	25.7
Lancaster Farms	25.2	25.9	22.9	23.8	23.8	26.4
Latchmere House	58.1	61.3	66.8	66.3	70.0	73.2
Leeds	14.3	14.9	16.5	16.2	15.5	15.9
Leicester	23.0	24.2	24.5	24.9	26.8	23.7
Lewes	22.4	22.2	21.7	21.2	21.9	22.6
Leyhill	39.7	39.7	37.0	35.1	39.9	40.5
Lincoln	21.9	21.2	20.8	20.8	21.4	20.9
Lindholme	29.1	28.2	25.2	26.5	27.8	27.8
Littlehey	32.7	33.5	30.7	30.1	33.0	34.1
Liverpool	19.0	19.8	16.7	18.6	20.0	20.8
Long Lartin	22.2	20.3	18.9	20.2	21.7	21.6
Low Newton	23.0	23.2	18.7	21.3	22.2	23.8
Maidstone	22.0	22.7	20.2	22.0	22.0	22.6
Manchester	23.8	21.7	21.5	21.8	20.1	20.3
Moorland	25.0	n/a	n/a	n/a	n/a	n/a
Morton Hall	44.6	45.1	34.4	44.7	40.5	44.1
Mount	29.3	29.3	27.4	28.0	25.6	27.0
New Hall	29.8	33.2	29.6	28.9	30.2	n/a
North Sea Camp	n/a	n/a	n/a	n/a	n/a	n/a
Northallerton	24.5	24.2	22.2	22.8	22.0	21.2
Norwich	21.8	20.9	20.1	23.0	19.5	20.9
Nottingham	25.7	24.1	23.8	27.8	26.9	29.2
Onley	21.9	23.9	19.2	21.9	22.8	21.3
Parkhurst	16.1	17.0	15.5	16.8	17.0	17.4
Pentonville	13.5	13.7	12.9	13.1	13.0	14.1
Portland	28.9	29.8	25.8	27.1	28.6	26.3
Prescoed	44.5	46.6	40.2	43.6	41.9	42.8
Preston	20.2	20.6	20.6	20.8	20.4	20.9
Ranby	32.7	33.6	31.3	32.7	33.7	29.8
Reading	29.3	30.8	29.8	32.6	33.2	31.0
Risley	29.7	29.4	26.8	29.4	29.8	29.0
Rochester	23.6	22.6	23.4	n/a	n/a	n/a
Send	34.7	33.5	28.9	31.2	34.3	34.1
Shepton Mallet	27.2	26.5	24.9	26.4	24.5	25.3
Shrewsbury	20.0	21.6	19.8	20.6	20.5	23.2
Spring Hill	40.0	39.4	32.8	39.3	n/a	n/a
Stafford	24.6	27.3	22.5	27.3	27.5	28.8

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1995–96

Prison name	*October 1995*	*November 1995*	*December 1995*	*January 1996*	*February 1996*	*March 1996*
Standford Hill	46.8	43.2	42.6	43.0	43.2	45.9
Stocken	34.3	33.9	34.7	24.6	33.4	n/a
Stoke Heath	28.6	27.1	26.1	27.1	27.2	29.3
Styal	34.9	36.2	31.1	31.2	34.5	31.5
Sudbury	50.6	49.2	47.8	47.9	48.8	50.7
Swaleside	n/a	n/a	n/a	n/a	n/a	n/a
Swansea	17.5	16.1	15.6	17.2	18.1	19.4
Swinfen Hall	30.9	31.0	24.9	25.0	28.3	29.0
Thorn Cross	47.2	45.0	45.2	49.6	46.9	47.2
Usk	33.6	33.4	30.9	31.0	31.0	31.4
Verne	33.1	31.4	28.4	29.0	31.0	n/a
Wakefield	21.1	21.4	18.1	19.5	18.7	19.5
Wandsworth	21.7	22.7	21.9	23.9	25.1	26.0
Warren Hill	36.9	35.2	34.7	35.0	37.6	36.4
Wayland	27.6	27.3	24.2	26.6	25.7	27.4
Wealstun Closed	37.7	37.2	33.8	35.7	36.6	35.3
Wealstun Open	43.9	44.9	41.8	46.7	44.8	45.7
Wellingborough	29.6	29.5	26.0	28.1	27.3	27.1
Werrington	40.8	41.7	37.9	40.0	42.2	40.6
Wetherby	37.7	38.2	33.8	37.7	39.8	37.6
Whatton	33.8	34.5	27.5	31.2	33.9	34.8
Whitemoor	21.1	19.5	17.9	20.7	17.2	21.8
Winchester	19.6	19.4	18.2	19.2	19.5	19.7
Wolds	n/a	n/a	n/a	n/a	n/a	n/a
Woodhill	n/a	n/a	n/a	23.4	25.0	26.4
Wormwood Scrubs	20.4	20.1	6.8	20.5	19.6	n/a
Wymott	37.7	37.7	36.0	36.7	37.8	38.6

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1996–97 (April to September)

Prison name	*April 1996*	*May 1996*	*June 1996*	*July 1996*	*August 1996*	*September 1996*
Acklington	25.7	27.0	27.8	28.5	26.2	25.8
Albany	18.0	18.0	14.6	20.8	20.1	18.9
Aldington	29.8	28.9	25.3	32.1	30.8	29.4
Ashwell	30.3	32.5	33.3	33.0	34.3	33.1
Askham Grange	40.2	38.9	40.4	39.2	39.9	44.0
Aylesbury	25.6	26.7	26.3	25.8	25.5	26.6
Bedford	25.7	26.4	26.9	27.5	26.4	26.8
Belmarsh	14.8	16.1	14.6	14.1	13.2	12.6
Birmingham	16.0	14.1	12.6	11.9	12.8	12.1
Blakenhurst	24.4	24.5	24.2	24.2	24.1	23.1
Blantyre House	33.5	34.0	34.2	36.0	34.8	34.8
Blundeston	20.2	21.1	21.3	21.7	22.7	22.4
Brinsford	18.9	18.7	18.0	18.1	17.6	15.8
Bristol	18.6	20.1	18.8	19.5	18.4	17.7
Brixton	17.1	11.6	16.1	15.6	14.7	15.2
Brockhill	33.6	35.4	35.6	37.4	36.0	27.2
Buckley Hall	25.8	28.4	28.4	29.0	29.6	28.1
Bullingdon	24.2	26.2	26.1	28.0	25.3	22.6
Bullwood Hall	29.0	29.0	28.4	28.2	21.6	26.3
Camp Hill	26.6	27.7	27.3	29.2	26.6	26.4
Canterbury	24.2	23.3	23.3	23.1	19.0	20.3
Cardiff	24.3	25.4	23.4	26.0	23.4	22.4
Castington	20.5	23.3	22.8	21.8	21.7	21.8
Channings Wood	24.0	26.0	27.4	27.6	27.4	25.5
Chelmsford	17.5	18.0	20.5	21.3	20.1	19.3
Cordingley	32.4	32.7	35.7	34.8	31.9	33.9
Cookham Wood	26.3	28.4	28.2	27.8	26.9	23.9
Dartmoor	18.8	20.1	19.6	20.9	20.8	19.7
Deerbolt	20.5	19.0	21.8	22.4	23.5	23.0
Doncaster	27.3	28.5	28.1	28.6	30.4	22.9
Dorchester	20.3	21.6	21.4	15.6	22.0	21.1
Dover	24.5	26.6	23.4	24.5	24.7	25.1
Downview	26.3	29.5	32.0	30.4	31.3	30.0
Drake Hall	36.3	37.3	37.2	36.7	36.8	35.7
Durham	15.8	21.3	20.1	18.6	18.6	18.2
East Sutton Park	32.8	35.9	37.6	37.5	39.3	35.8
Eastwood Park	22.5	22.8	23.4	23.1	21.3	23.5
Elmley	16.6	18.8	18.4	21.0	21.0	21.0
Erlestoke	27.5	29.7	29.4	31.7	28.6	28.9

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1996–97 (April to September)

Prison name	*April 1996*	*May 1996*	*June 1996*	*July 1996*	*August 1996*	*September 1996*
Everthorpe	21.5	23.9	23.2	24.1	24.9	23.1
Exeter	18.6	19.9	19.5	19.2	19.9	20.1
Featherstone	24.9	25.7	25.7	26.3	25.1	23.6
Feltham	22.7	21.4	19.9	14.8	14.9	18.2
Ford	32.9	37.3	36.6	38.6	36.1	36.4
Frankland	15.7	18.9	19.3	20.7	18.9	18.5
Full Sutton	21.2	24.7	23.9	23.9	23.9	23.5
Garth	19.6	20.7	20.5	21.2	19.8	16.5
Gartree	n/a	n/a	21.8	22.1	25.9	26.9
Glen Parva	20.3	20.6	20.0	19.2	18.9	18.4
Gloucester	24.4	23.7	24.1	22.4	22.3	23.3
Grendon	28.9	30.2	30.9	28.3	24.0	28.1
Guys Marsh	31.2	32.6	33.4	34.6	19.9	30.5
Haslar	28.8	29.0	26.6	28.1	23.8	28.0
Hatfield	37.8	38.7	39.6	42.3	40.3	38.7
Haverigg	33.8	36.1	36.4	37.9	38.3	35.5
Hewell Grange	41.5	44.0	42.5	14.7	43.3	41.3
Highdown	19.7	19.9	19.9	19.3	19.9	19.3
Highpoint	18.4	18.7	18.0	18.1	16.6	12.3
Hindley	20.1	18.4	17.2	19.7	21.6	20.8
Hollesley Bay	36.0	34.2	34.2	34.2	32.7	36.2
Holloway	19.3	19.1	17.4	17.7	21.1	21.5
Holme House	15.0	15.8	15.0	14.0	16.0	16.5
Hull	21.5	23.6	19.6	24.2	23.7	22.5
Huntercombe	23.5	28.9	27.2	27.7	26.3	24.1
Kingston	31.4	29.8	30.5	29.9	27.4	29.3
Kirkham	45.5	46.8	47.7	49.6	49.1	48.4
Kirklevington	45.0	45.4	45.2	44.8	44.2	45.0
Lancaster	23.9	24.7	17.6	25.0	21.2	24.3
Lancaster Farms	24.9	27.4	27.2	27.1	26.2	24.9
Latchmere House	72.3	69.7	73.9	78.5	76.3	73.3
Leeds	17.3	17.0	17.2	17.1	16.2	17.7
Leicester	20.4	21.1	21.1	21.4	20.4	21.5
Lewes	22.6	23.4	23.4	23.7	22.3	21.9
Leyhill	33.9	35.9	37.2	40.4	41.2	40.3
Lincoln	15.6	20.5	20.7	20.2	18.9	15.0
Lindholme	24.8	25.4	26.5	26.3	27.4	25.7
Littlehey	30.7	32.4	33.3	34.0	32.8	28.9
Liverpool	18.9	20.6	18.7	19.0	18.8	17.3
Long Lartin	20.9	20.2	21.5	16.2	17.9	19.7
Low Newton	23.9	23.5	24.9	25.1	24.8	25.0
Maidstone	20.7	22.1	23.1	23.5	21.9	22.4
Manchester	19.7	20.2	19.8	20.9	20.2	24.3
Moorland	21.6	21.5	23.0	23.7	20.9	25.6
Morton Hall	41.0	39.8	40.5	41.3	41.1	40.4
Mount	20.1	20.7	19.8	21.1	19.8	19.0
New Hall	28.6	28.9	28.0	27.1	28.5	24.4
North Sea Camp	46.5	44.5	47.7	43.6	43.2	38.8
Northallerton	18.7	19.5	20.2	19.7	18.8	18.7
Norwich	19.9	19.7	17.4	14.9	13.5	11.5
Nottingham	24.4	24.8	25.4	23.1	25.2	26.2
Onley	n/a	20.6	23.0	24.1	20.1	21.3
Parkhurst	17.2	16.5	17.1	18.2	19.0	19.1
Pentonville	13.5	15.5	13.9	17.7	18.4	18.7
Portland	23.7	25.4	25.2	27.1	25.0	24.7
Prescoed	43.2	44.3	42.5	46.0	41.5	43.1
Preston	19.4	22.3	22.1	21.2	21.6	19.9
Ranby	25.8	30.1	30.4	30.1	29.4	31.1
Reading	30.5	30.5	28.7	27.7	29.0	26.4
Risley	26.1	27.1	20.5	24.5	24.3	22.6
Rochester	22.3	21.0	18.9	23.5	24.2	22.2
Send	33.9	36.1	36.8	38.0	39.2	36.3
Shepton Mallet	23.9	25.8	24.7	25.8	25.3	25.6
Shrewsbury	21.5	21.4	19.7	20.0	17.7	20.5
Spring Hill	34.1	37.9	38.4	40.2	39.8	39.8
Stafford	26.5	28.5	28.4	28.3	27.7	25.6
Standford Hill	43.7	43.2	45.1	45.5	45.8	45.9
Stocken	28.4	30.7	28.8	29.4	28.2	26.4
Stoke Heath	28.0	28.9	27.4	30.2	28.2	27.9
Styal	26.0	29.1	29.2	30.8	31.0	30.9
Sudbury	46.9	49.0	48.3	48.7	51.0	48.0
Swaleside	22.6	22.6	23.5	22.1	23.0	23.8
Swansea	19.5	18.6	17.0	16.0	17.9	18.4

(a) Average weekly hours spent in purposeful activity per prisoner by prison for the financial year 1996–97 (April to September)

Prison name	April 1996	May 1996	June 1996	July 1996	August 1996	September 1996
Swinfen Hall	21.3	28.3	28.5	27.2	23.8	25.7
Thorn Cross	43.1	44.7	48.3	46.2	49.1	50.2
Usk	31.7	32.5	33.5	36.2	31.6	32.4
Verne	27.8	30.6	31.2	30.5	31.7	31.0
Wakefield	18.5	18.5	17.7	18.0	13.0	16.4
Wandsworth	23.3	22.1	17.4	26.8	25.3	25.6
Warren Hill	24.1	20.4	24.9	25.5	22.1	19.8
Wayland	24.6	27.2	27.1	27.5	27.9	25.7
Wealstun Closed	29.9	33.2	33.5	32.3	32.2	26.4
Wealstun Open	40.5	44.4	43.4	45.6	44.4	36.9
Wellingborough	26.2	27.4	28.0	27.8	27.2	24.9
Werrington	40.1	40.8	38.1	40.2	35.1	37.6
Wetherby	33.7	36.4	37.7	39.4	39.4	37.6
Whatton	32.2	31.4	32.8	31.0	30.6	32.1
Whitemoor	21.2	20.8	21.7	20.6	16.7	19.1
Winchester	14.3	19.2	18.6	18.4	19.1	17.1
Wolds	31.0	31.2	32.8	31.7	31.3	31.3
Woodhill	22.1	26.0	24.0	25.0	27.7	23.9
Wormwood Scrubs	15.7	17.8	17.8	16.7	15.7	15.3
Wymott	34.2	35.4	34.6	33.2	34.5	33.0

(b) Average weekly hours spent in purposeful activity per prisoner by type for the financial years 1995–96 and 1996–97 (April to September)

Prison type	April 1995	May 1995	June 1995	July 1995	August 1995	September 1995
Male local	19.5	19.9	20.1	20.4	19.8	19.5
Dispersal	20.9	21.6	22.1	22.5	23.8	21.6
Category B	22.1	23.6	23.5	24.1	22.9	22.6
Category C	27.9	30.1	30.2	30.6	30.3	29.3
Male Open	40.1	40.2	42.9	43.1	43.4	42.0
Male remand centre	24.3	24.7	24.6	23.9	23.3	23.6
Male closed young offender institution	24.9	26.0	26.8	27.0	26.4	25.9
Male open young offender institution	40.9	40.4	44.1	44.6	44.3	43.2
Male juvenile institution	39.6	44.8	41.5	43.9	43.2	41.8
Female local	20.3	20.0	22.8	22.5	20.9	20.9
Female closed	24.5	25.7	25.7	26.4	25.3	25.5
Female open	36.4	36.8	39.0	40.1	40.6	38.2

(b) Average weekly hours spent in purposeful activity per prisoner by type for the financial years 1995–96 and 1996–97 (April to September)

Prison type	October 1995	November 1995	December 1995	January 1996	February 1996	March 1996
Male local	20.0	19.7	18.2	20.0	20.3	20.7
Dispersal	22.1	20.8	18.6	20.1	20.1	20.9
Category B	24.0	24.6	21.9	23.2	22.6	22.9
Category C	30.4	30.8	27.7	29.1	30.1	30.0
Male open	43.9	43.0	39.3	42.6	44.2	45.3
Male remand centre	23.7	23.7	21.5	23.0	22.8	23.1
Male closed young offender institution	26.5	26.8	24.2	26.0	26.8	25.9
Male open young offender institution	43.0	45.4	43.8	47.6	45.5	46.0
Male juvenile institution	40.8	41.7	37.9	40.0	42.2	40.6
Female local	19.6	19.6	19.4	21.7	22.9	20.5
Female closed	24.8	25.8	22.2	23.2	24.8	24.2
Female open	40.2	39.3	33.6	37.2	36.5	38.1

(b) Average weekly hours spent in purposeful activity per prisoner by type for the financial years 1995–96 and 1996–97 (April to September)

Prison type	April 1996	May 1996	June 1996	July 1996	August 1996	September 1996
Male local	19.6	20.6	19.8	20.4	20.2	19.4
Dispersal	19.5	20.6	20.7	20.0	18.0	19.4
Category B	20.8	21.5	21.5	22.1	22.1	21.9

(b) Average weekly hours spent in purposeful activity per prisoner by type for the financial years 1995–96 and 1996–97 (April to September)

Prison type	*April 1996*	*May 1996*	*June 1996*	*July 1996*	*August 1996*	*September 1996*
Category C	27.0	28.6	28.5	29.1	28.5	27.4
Male open	40.8	42.4	42.7	42.3	43.6	42.3
Male remand centre	22.4	22.1	21.4	19.9	20.2	20.5
Male closed young offender institution	23.7	24.5	24.8	25.3	23.2	23.7
Male open young offender institution	41.2	42.5	43.8	44.8	44.8	45.2
Male juvenile institution	40.1	40.8	38.1	40.2	35.1	37.6
Female local	22.0	22.0	20.8	20.7	22.9	22.5
Female closed	26.8	28.9	28.8	29.3	27.6	27.9
Female open	36.6	37.4	38.1	37.5	38.1	37.9

(c) Average weekly hours spent in purposeful activity per prisoner for the financial years 1995–96 and 1996–97

Month	*Purposeful activity hours*
April 1995	24.4
May 1995	25.4
June 1995	25.7
July 1995	26.0
August 1995	25.5
September 1995	25.0
October 1995	25.7
November 1995	25.6
December 1995	23.2
January 1996	24.8
February 1996	25.3
March 1996	25.7
April 1996	23.9
May 1996	25.0
June 1996	24.6
July 1996	25.0
August 1996	24.5
September 1996	24.0

Imprisonment Statistics

Mr. Cohen: To ask the Secretary of State for the Home Department what proportion of the male population has experienced imprisonment. [10632]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Harry Cohen, dated 16 January 1997:

The Home Secretary has asked me to reply to your recent Question about the proportion of the male population who experienced imprisonment.

The most recent available information was published in Home Office Statistical Bulletin "Criminal careers of those born between 1953 and 1973" (14/95). A copy of this bulletin has been placed in the Library.

This bulletin gives estimates of the proportion those born in 1953, 1958, 1963, 1968 and 1973 who had been convicted for at least one standard list offence (standard list offences consist of all indictable offences and some of the more serious summary offences—see Appendix 5 of "Criminal statistics, England and Wales, 1995" (Cm. 3421) for further details). Table 4 in this bulletin contains estimates of the cumulative percentage of the population with a custodial sentence for a standard list offence by gender and age.

Before the age of 40 (the highest age for which figures based on complete conviction histories are currently available) it is estimated that just under 7 per cent. of males born in 1953 had been sentenced to custody.

Roisin McAliskey

Mr. McNamara: To ask the Secretary of State for the Home Department what were the number of strip searches undergone by Miss Roisin McAliskey on her journey from HM prison Holloway to the magistrates court on 13 December. [10638]

Miss Widdecombe *[holding answer 13 January 1997]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Hugh Taylor to Mr. Kevin McNamara, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about strip searches undergone by Miss Roisin McAliskey on her journey to court on 13 December.

Miss McAliskey was subject to two strip searches in connection with her journey to court. In accordance with normal practice, she was strip searched on her departure for court and again on her arrival back at the prison. Both searches were conducted in the reception area at Holloway.

Mr. McNamara: To ask the Secretary of State for the Home Department if he will list the number of daily strip searches undergone by Miss Roisin McAliskey since her transfer from Northern Ireland to HMPs Belmarsh and Holloway; what were the intervals between each search; what *(a)* contraband goods and *(b)* other materials were found on her body; and if such searches included the bodily orifices. [10639]

Miss Widdecombe *[holding answer 13 January 1997]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Hugh Taylor to Mr. Kevin McNamara, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about strip searches undergone by Miss Roisin McAliskey.

Miss McAliskey has not been subject to daily strip searches. She has been strip searched whenever she has moved in or out of the prison to court, hospital or transfer. She has also been strip searched before and after every visit. This is the normal practice for a prisoner of her security category. At Belmarsh, Miss McAliskey was strip searched four times in connection with visits and four times in the

course of movements in or out of the prison. Up to 20 December, she had been strip searched 31 times at Holloway, 24 in connection with visits and seven in the course of movements.

No contraband or other items have been found. Her mouth and ears have been searched, but she has not been subject to any internal body searches.

Strip Searches

Mr. McNamara: To ask the Secretary of State for the Home Department for what reason it is necessary for remand prisoners to be strip searched before receiving closed visits. [10651]

Miss Widdecombe *[holding answer 13 January 1997]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Kevin McNamara, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the strip searching of remand prisoners prior to closed visits.

Governors have discretion under Prison Standing Order 5 to impose closed visits on any prisoner where security or control considerations so require. Under normal circumstances, prisoners who are subject to closed visits are not given a strip search prior to receiving such a visit.

A policy of mandatory closed visits for all exceptional risk category A prisoners held in special secure units (including those held on remand) was introduced in June 1995. Special secure units (SSUs) operate in accordance with national operating standards. The standards state that prisoners in the SSUs at Full Sutton and Whitemoor must be subjected to a rub down search before a closed visit. The standards also state that prisoners in the SSU at Belmarsh must be strip searched before and after all visits.

In the SSUs at Full Sutton and Whitemoor exceptional risk prisoners do not come into contact with prisoners from outside the unit. Prisoners in the Belmarsh SSU are held in the same building as high risk prisoners who are not subject to the restrictions imposed on exceptional risk prisoners. Exceptional risk prisoners at Belmarsh (whether convicted or on remand) are therefore strip searched to ensure that illicit items are not passed between prisoners on the way to or from visits.

High Intensity Regimes

Mr. Alex Carlile: To ask the Secretary of State for the Home Department (1) what research has been undertaken by the Prison Service on *(a)* high intensity regimes and *(b)* boot camps; when it will be published; and if he will make a statement; [10783]

(2) from what areas the high intensity regime to be based at Colchester will draw inmates; and if he will make a statement; [10785]

(3) when the high intensity regime at Colchester will open; and if he will make a statement; [10784]

(4) what are the reasons for the delay in opening the high intensity regime at Colchester; and if he will make a statement. [10786]

Miss Widdecombe *[holding answer 13 January 1997]:* Colchester young offender institution and the high intensity training programme at Thorn Cross young offender institution are both pilots. They will be the source of evidence of the effectiveness of the new approaches adopted. There are no directly parallel initiatives to provide evidence at present on likely reconviction rates.

In 1994, Prison Service officials prepared a report on American boot camps as advice to Ministers. Following the long established convention this advice was not published, nor will it be. Copies of readily available published research into American boot camps were placed in the Library in 1995. I must stress, however, that our two initiatives are not copies of American boot camps.

We intend the young offenders at Colchester to come predominantly from East Anglia and the south-east of England.

As I explained in the answer which I gave the hon. Member on 14 November, *Official Report*, column *299*, this is a unique initiative requiring careful preliminary work and much progress has already been made. Since then, we have proceeded with the staff appointments to which I referred on that occasion, and I hope shortly that we will agree the final details of the regime. When we have done so we will set an opening date.

High Security Prisons

Mr. Waterson: To ask the Secretary of State for the Home Department what plans he has for changes in the high security prison estate. [11767]

Miss Widdecombe: The director general of the Prison Service announced yesterday that the following eight prisons will be released from the high security category A estate:

Birmingham, Bullingdon, Elmley, Leeds, Liverpool, Swaleside, Winchester and Wormwood Scrubs.

The high security category A estate will comprise the following 13 prisons:

Belmarsh, Frankland, Full Sutton, Long Lartin, Wakefield, Whitemoor, Altcourse, Bristol, Doncaster, Durham, High Down, Manchester and Woodhill.

In addition, Hull prison will be available on occasion to take category A prisoners in its control review committee unit for disruptive prisoners but only until alternative accommodation can be provided elsewhere. There will also be some other occasions when individual category A prisoners will have to be held temporarily outside the category A estate for reasons of operational necessity.

Funding has been made available to complete the upgrading of physical and procedural security at the 13 prisons, in accordance with the recommendations in the Woodcock report. The work will be completed at 11 of the 13 prisons by May 1997, in accordance with the timetable published in February 1995, at Doncaster by September 1997 and at Altcourse when the prison opens in spring 1998.

The director general is also announcing the implementation of a further 11 recommendations of the Learmont report, in addition to the 100 recommendations set out in the implementation progress report published in July 1996.

Details are set out in a further implementation progress report which has been placed in the Library.

"Custody Care and Justice"

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what progress has been made on the implementation of paragraph 4.12 concerning staff development in the document, "Custody Care and Justice", published in 1991 (Cm. 1647); and if he will make a statement. [10787]

Miss Widdecombe *[holding answer 13 January 1997]:* Responsibility for this matter has been delegated to the Director General of Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 16 January 1997:

The Home Secretary has asked me to reply to your recent Question about the implementation of paragraph 4.12 concerning staff development in the document Custody, Care and Justice, published in 1991. Addressing the 11 points under their respective headings the points on each is as follows:

1. Pursue a Better Jobs initiative

The Better Jobs initiative continued as a method of improving staff motivation and achieving high quality work by means of collecting and publishing information on good practices in these areas. An evaluation in 1994 gave satisfactory results.

Last year saw a gradual change of focus to Investors in People support. This scheme shares many of the Better Jobs aims, but leads to accreditation to a National Standard. Achieving Investors status has been made a government requirement for the Civil Service. Most prisons now have some involvement with work on the Standard and five are already accredited.

2. Increase the opportunities for providing more fulfilling work for prison officers with prisoners

A revised sentence planning model is being launched across the Service during 1997. This will enhance the assessment of risk in prisoners and identify aspects of offending behaviour which should be addressed during the course of their sentence. Prison Officers have a key role in this in partnership with the Probation Service. A review of the Personal Officer Schemes is currently underway with a view to better equipping Prison Officers to meet the demands of advising and challenging prisoners' offending behaviour. Together with the Incentives and Privileges Scheme, this will provide a means by which staff gain constructive authority over prisoners as well as enhancing the Prisoner Officer role, providing a worthwhile service to prisoners.

3. Continue to encourage Governors to identify jobs which can be undertaken by staff other than prison officers

The Service has continued to identify jobs, where appropriate, that can be undertaken by staff other than prison officers. The Criminal Justice and Public Order Act 1994 enabled the widening of duties of such staff. Proposals have been put to the Prison Officers Association for the introduction of an Operational Support Grade to further help free prison officers for the work requiring their particular skills.

4. Consider the position of staff working in prisons who were not included in the initial "Fresh Start" arrangements

Following negotiation with unions representing industrial staff, the Service has introduced a new pay structure for those staff. Discussion with unions representing non-industrial staff have not been able to identify the necessary efficiency savings along the principles of Fresh Start.

The Prison Service pay and grading review is continuing to develop proposals which might go some way to improving the position of Heads of Management Services (which posts were specifically mentioned in the Woolf report).

5. Produce a new handbook for all staff setting out standards for the treatment and care of prisoners

The work of providing staff with guidance about the practical implementation of standards has been taken forward in the following ways.

(a) Suicide prevention strategies were extensively reviewed between 1991 and 1994. New research was commissioned from the Institute of Criminology, Cambridge and best practice was drawn upon. A revised strategy was launched in 1994 which focuses upon a multi-disciplinary approach to identifying those prisoners at risk and providing support. A new modular staff training programme in suicide awareness was drawn up which includes identification or risk factors; high risk stages in custody; and signs and symptoms of suicidal behaviour. Training and instructions are re-inforced by a detailed guidance pack on Caring for the Suicidal in Custody.

It is the responsibility of all staff to be alert to the risk of self-harm and suicide. The process of providing support through a multi-disciplinary approach centres around the use of the Form F2052SH which activates a case-conference approach. Where appropriate, external agencies such as the Samaritans are involved either as individual befrienders or in training and supporting prisoners as Listeners.

(b) Since 1993, the Directorate of Health Care in collaboration with operational colleagues has produced and promulgated Health Care Standards on the following 9 topics:

Health Assessment at First Reception

Mental Health Services in local prisons and remand centres

Primary and Out-patient Care

In-patient Care

Reception, Transfer and Discharge

Clinical and related Services for Promoting Health

Clinical AIDS/HIV Service

The Use of Medicines

Two further standards, on Forensic Psychiatry and Throughcare are planned.

(c) The Prison Service has also developed a National Vocational Qualification (NVQ), Level Two, in Custodial Care. 700 staff in 40 establishments are working towards this award. A further 400 applications have been made by staff in 1997–98. The award provides operating standards for staff to achieve eg in challenging aggressive and abusive behaviour while maintaining control.

It is expected that an NVQ Level Three award will be accredited by Spring 1997. This award will offer a flexible approach and cover other aspects of Prison Officer duties such as personal officer, reception and gate duties as well as imparting some units from other NVQ Lead Bodies, in the Care Sector Consortium eg units in Criminal Justice, Management and Supervision, Training and Development.

6. Issue shortly a new Guide for Line Managers on Service Induction with a clearer and more readable Guide for New Staff

A welcome to the Prison Service Pack was introduced comprising a series of 10 small brochures entitled:

Introduction to the Service

Caring for staff

Matching Prisoners to Places

Working for the Prison Service

Running Prisons

Industrial Relations

Caring for Prisoners

Information

Your Career

Glossary of Terms

Prison Service Internal communications is presently looking at the redrafting and redesign of the Welcome Pack.

In the event, it was decided to incorporate the Guide for Line Managers into the Staff Handbook. A new version is due to be published early this year. Where items are not covered, reference will be made in the Handbook to particular pieces of guidance in existence.

7. Provide staff in prisons with a statement of the facilities for and the standards expected of them

The Realising our Potential project of the Pay Grading and Performance Review identified a number of areas to be developed into "Standards" for delivery to staff. Work is well advanced on one of these, Communications, and the Communications Standard will be audited by the Standards Audit Unit.

8. Continue to improve the performance of all staff in treating prisoners fairly and without discrimination on grounds of race or religion

The Prison Service is committed to equality of opportunity and the elimination of discrimination on improper grounds. Comprehensive structures are in place to implement the Service's race relations policies. Prisons are required to have a Race Relations Management Team to develop and monitor progress and a Race Relations Liaison Officer to offer advice and support. The Service continues to up date procedures and develop mew initiatives, including revised guidance on the handling of racial incidents.

9. Introduce a Prison Officer Development Scheme

The Prison Service is piloting a Developing Managers Programme which is open to all Prison Service staff up to Governor 5 and equivalent. The programme aims to provide meaningful, high quality development opportunities for staff identified as having sufficient potential to progress to higher ranks. Subject to the outcome of the pilot and sufficient resources being available the programme will be launched during 1997.

10. Increase the posting of female staff to male establishments and vice versa

Opposite sex postings have been governed by a management/trade union agreement since 1988. On 9 May 1988 there were 101 female staff in the prison officer grades employed in male establishments (9% of all female officers), and 67 male officers posted to female establishments (0.4% of all male staff). The corresponding opposite sex postings figures as at 7 February 1996 (the latest available) are 1–579 (73% of all female officers) and 216 (1% of all male officers). Opposite sex postings have thus increased substantially over the last 8–9 years and are now well established within the Prison Service.

11. Broaden the experience of Prison Service staff

To facilitate this initiative, provision was made within the Personnel Directorate salaries budget to finance secondments of senior staff to other organisations. This has included placements with Kingfisher PLC, Newcastle NHS Trust, NACRO, The Church of England, The Prince's Trust, Thames Valley Safer Communities Partnership, Birmingham Institute for the Deaf, Action in the Community and The Lord Chancellor's Department.

In addition, the Prison Service has continued to work closely with other Government Departments and Agencies Personnel Sections in order to maximise interchange.

Prison Report

Mr. Alex Carlile: To ask the Secretary of State for the Home Department when he will publish his response to the chief inspector of Her Majesty's prisons annual report; and if he will make a statement. [10789]

Miss Widdecombe *[holding answer 13 January 1997]:* It is not our practice to publish a response to the chief inspector's annual report. The Government are grateful to the chief inspector for producing this considered and informative annual report, and have noted its contents.

Prison Cells

Mr. Cox: To ask the Secretary of State for the Home Department if he will list those prisons in England and Wales with prison cells designed for one person and holding two inmates on 1 January 1997. [10773]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Tom Cox, dated 16 January 1997:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners sharing two to a cell designed for one on 1st January 1997.

The information requested is given in the attached table. As the data is collected on the last Friday of each month the information is for 27 December 1996.

Two inmates sharing a cell designed for one

Establishment	*27 December 1996*
Bedford	186
Birmingham	544
Blakenhurst	130
Bristol	88
Brixton	362
Buckley Hall	20
Camp Hill	80
Canterbury	218
Cardiff	458
Channings Wood	208
Chelmsford	78
Cookham Wood	40
Doncaster	416
Dorchester	172
Down View	12
Durham	698
Everthorpe	58
Exeter	338
Glen Parva	232
Gloucester	130
Guys Marsh	32
Highpoint	14
Hull	200
Lancaster Farms	42
Leeds	214
Leciester	224
Lewes	26
Lincoln	480
Littlehey	28
Liverpool	220
Low Newton	188
Maidstone	30
Manchester	478
Moorland	60
Northallerton	262
Nottingham	4
Pentonville	708
Portland young offenders institution	68
Preston	362
Reading	112
Risley	18
Rochester	8
Shepton Mallet	100
Shrewsbury	278
Stocken	52
Swaleside	30
Swansea	202
The Mount	78
Usk	104
Verne	32
Wakefield	110
Wandsworth	180
Wayland	32
Wealstun	6
Winchester	276
Woodhill	72
Wormwood Scrubs	260

Asylum

Mr. John Marshall: To ask the Secretary of State for the Home Department how many applications were received for asylum in October 1996 and November 1996; and what were the equivalent figures for 1995. [10778]

Mr. Kirkhope: A total of 2,150 applications for asylum in the United Kingdom were lodged in October 1996 and 1,920 were lodged in the following month. The equivalent figures for the same months in 1995 were 4,595 and 4,715 respectively.

RAF Finningley

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what progress has been made towards opening a prison on the site of RAF Finningley; and if he will make a statement. [10788]

Miss Widdecombe *[holding answer 13 January 1997]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Alex Carlile, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the opening of a temporary prison on the RAF Finningley site.

In order to respond to the increase in prisoner population currently being experienced, several options have been considered. As part of this approach the Home Secretary asked the Secretary of State for Defence about sites no longer needed by the Ministry of Defence. RAF Finningley was found to be suitable for conversion into a temporary prison, particularly in the light of the immense pressure on other prisons in the north.

The planning application for part of the Finningley site to be converted into a temporary prison was lodged with Doncaster Metropolitan Borough Council on 15 November 1996. The Council considered our proposal at a planning meeting on 23 December 1996 and has made clear its objections to our plans.

We are now considering whether to pursue further out planning application for use of part of Finningley as a temporary prison.

Air Weapons

Mr. Hinchliffe: To ask the Secretary of State for the Home Department how many offences involving air weapons were recorded in the last five years for which figures are available. [10255]

Miss Widdecombe *[holding answer 14 January 1997]:* The information requested is published in chapter 3 (table 3.3) of "Criminal Statistics, England and Wales 1995".

A copy of this publication has been placed in the Library.

Mr. Hinchliffe: To ask the Secretary of State for the Home Department what estimate he has made of the number of air weapons held in the United Kingdom. [10256]

Miss Widdecombe *[holding answer 14 January 1997]:* No realistic estimate has been made centrally.

Prisons (Drugs)

Mr. Flynn: To ask the Secretary of State for the Home Department how many *(a)* prescription and *(b)* over-the-counter medicinal drugs were consumed in each of the past three years in (i) Cardiff prison, (ii) Downview prison, (iii) Everthorpe prison and (iv) Swansea prison. [9849]

Miss Widdecombe *[holding answer 13 January 1997]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Paul Flynn, dated 16 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about medicines issued at Cardiff, Downview, Everthorpe and Swansea prisons.

The information is not available in the form requested. However we are able to provide figures for the number of prescription sheets issued in 1996 for each of the prisons listed. Each prescription sheet may cover one or more medicines.

Cardiff: 12,168

Downview: 3,900

Everthorpe: 2,080

Swansea: 11,960.

Prison Officers

Mr. Cox: To ask the Secretary of State for the Home Department how many prison officers have taken retirement under the new voluntary early retirement and severance scheme; and if he will indicate the numbers for each prison in England and Wales and the officers that have left that prison under this system. [10772]

Miss Widdcombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Tom Cox, dated 16 January 1997:

The Home Secretary has asked me to reply to your recent Question about the numbers of prison officers who have taken retirement under the VERSE scheme.

The total number of prison officers who have left to date under VERSE is 727. This is broken down as follows:

	Number
Prison Auxiliary	5
Prison Officer	404
Prison Officer (Works)	25
Prison Officer Instructor	8
Senior Officer	139
Senior Officer (Works)	14
Senior Officer Instructor	3
Principal Officer	129

The information by establishment that you requested is given in the attached tables and I have arranged for copies to be placed in the Library.

Grade ESTAB	Total	Prison auxiliary	Prison officer	Prison officer (works)	Prison officer instructor	Senior officer	Senior officer (works)	Senior officer instructor	Principal officer
Acklington	6		2			2			2
Albany	7		2	1		3			1
Aldington	2		2						
Ashwell	3		2			1			
Askham Grange	5		4	1					
Aylesbury	2	1	1						
Bedford	8		1	1		5			1
Belmarsh	2		1						1
Birmingham	31	1	20	1		6			3
Blantyre House	3		2			1			
Blundeston	1								1
Brinsford	9		3			5			1
Bristol	2		1			1			
Brixton	29		22			3	1		3
Bullingdon	9		5	1		1	1		1
Bullwood Hall	2					1			1
Camp Hill	8		3			1	1		3
Canterbury	7		4			1	1		1
Cardiff	3		2						1
Castington	1		1						
Channings Wood	1					1			
Chelmsford	12		8	2					2
Coldingley	2		1						1
Dartmoor	8		5	1		1			1
Deerbolt	2		1						1
Dorchester	6		4			1			1
Dover	7		5			2			
Downview	1		1						
Drake Hall	4		2			1			1
Durham	11		7			1			3
Eastwood Park	1		1						
Erlestoke	2		1			1			
Everthorpe	5		2	1		1			1
Exeter	14		7		2	3			2
Featherstone	2		1		1				
Feltham	2		1						1
Finnamore wood	4		2			1			1
Ford	14		9			3	1		1
Frankland	19		12			2		1	4
Full Sutton	21		15			4			2
Garth	6				1	4			1
Gartree	5		2	1					2
Glen Parva	17		7	1		5			4
Gloucester	5		4						1
Grendon	6		3			2	1		
Guys Marsh	5		2	1					2
Haslar	4		4						
Hatfield	3	1	2						
Haverigg	10		4		1	2			3
Hewell Grange	1					1			
Highpoint	4		1			1			2
Hindley	4		2						2
Hollesley Bay	1					1			
Holloway	2		1			1			
Holme House	3		1			1			1
Hull	10		6	1		2			1
Huntercombe	3		2						1
Kingston	7		3			3			1
Kirkham	2		1			1			
Kirklevington	2		2						
Lancaster Castle	2		1			1			
Lancaster Farms	6		2	2		1			1
Latchmere House	5		3			1			1
Leeds	24		15	1	1	1			6
Leicester	5		2			2			1
Lewes	9		5			2			2

Grade ESTAB	Total	Prison auxiliary	Prison officer	Prison officer (works)	Prison officer instructor	Senior officer	Senior officer (works)	Senior officer instructor	Principal officer
Leyhill	1					1			
Lilleshall (PE)	2								2
Lincoln	17		10			4			3
Lindholme	12		8			3			1
Littlehey	8		4						4
Liverpool	1		1						
Long Lartin	6		1			2	2		1
Low Newton	11		5			4	1		1
Maidstone	4		3						1
Moorland	13		9	1		2			1
The Mount	2		1				1		
New Hall	1		1						
North Sea Camp	2		2						
Northallerton	6		3			1			2
Norwich	14		13						1
Nottingham	6		5				1		
Parkhurst	13		8	3		1		1	
Pentonville	1		1						
Portland	3		1			2			
Preston	1								1
Ranby	4		2	1					1
Reading	2			1		1			
Risley	3								3
Rochester	5		3	1		1			
Send	1					1			
Shepton Mallet	2		1	1					
Shrewsbury	6		5			1			
Stafford	8		5			1			2
Standford Hill	5		2			2			1
Stocken	3		2						1
Stoke Heath	1					1			
Styal	1						1		
Sudbury	7	1	2		1	2			1
Swaleside	1								1
Swansea	3		1				2		
Swinfen Hall	5		2			3			
Thorn Cross	3		3						
Usk	2		2						
The Verne	1								1
Wakefield	28		15			9			4
Wandsworth	28		18			2		1	7
Wayland	5		2			1			2
Wealstun	6	1	2			1			2
Wellingboro'	2		1		1				
Wetherby	1								1
Whatton	2		2						
Whitemoor	1								1
Winchester	15		9			4			2
Wormwood Scrubs	19		10			3			6
Wymott	4		2			1			1
Totals	727	5	404	25	8	139	14	3	129

WALES

St. David's Health Centre, Cardiff

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 17 December, *Official Report*, column *587*, if he will list for each of the parties concerned and their legal representatives the date on which his officials first made contact with them to propose a date for the oral hearing into the Triocare application. [10473]

Mr. Hague: The procedures for setting up an oral hearing require that dates are canvassed with panel members in advance. The parties to this hearing were advised of the date which had been set on 18 December 1996.

Welsh Development Agency (Redundancy Policy)

Mr. Ron Davies: To ask the Secretary of State for Wales on what date he approved a redundancy policy for the Welsh Development Agency. [11175]

Mr. Hague: The Welsh Office approved the policy on 20 September 1994.

TREASURY

Tax Revenue

13. **Mr. Terry Davis:** To ask the Chancellor of the Exchequer what estimate he has made of the total tax revenue generated by those taxes which have been introduced since 1992. [9528]

Mr. Waldegrave: Some £2.9 billion. However, of this, £1 billion was lottery duty, the rate of which was set to offset broadly the indirect tax lost from consumer spending diverted to the lottery.

Labour Statistics

14. **Mr. Devlin:** To ask the Chancellor of the Exchequer what proportion of Britain's working age population are in employment; and what is the figure in other European countries. [9529]

Mrs. Angela Knight: Total employment in autumn 1996 was almost 300,000 up on a year earlier, 900,000 million higher than at the end of 1992, and 1.5 million higher than at the end of 1979. Our impressive record on job creation means that, at 69 per cent., we have a higher proportion of our working age population in work, and a lower unemployment rate than any other major EU country.

Earnings

15. **Sir Fergus Montgomery:** To ask the Chancellor of the Exchequer what was the real take-home pay of a family on average earnings in 1978–79; and what he estimates it will be in 1997–98. [9530]

Mr. Jack: In today's prices, real take-home pay for a family on average earnings was £220 a week in 1978–79 and should rise to £318 a week in 1997–98. That is an increase of nearly £100 a week, over £5,000 a year.

16. **Mr. Bill Walker:** To ask the Chancellor of the Exchequer how much better off he estimates a family on average earnings will be in April 1997 compared with May 1992. [9531]

Mr. Jack: In 1997–98, a family on average earnings should be £1,100 better off than in 1991–92 after earnings growth, tax and inflation.

Illegal Imports

17. **Mr. Tony banks:** To ask the Chancellor of the Exchequer what seizures Customs and Excise made of illegally imported *(a)* alcohol and *(b)* tobacco in the last available month. [9532]

Mr. Oppenheim: In October 1996, Customs and Excise detected smuggled alcohol with a revenue value of £258,599 and tobacco products with a revenue value of £267,463.

Private Shareholders

18. **Mr. Hunter:** To ask the Chancellor of the Exchequer what estimates he has made of the current number of private shareholders in the privatised utilities. [9533]

Mr. Jack: The most recent Government survey suggested that the number of individual shareholders was around 10 million, three times higher than the figure in 1979. Well over half of this number owned shares in privatised companies.

European Single Currency

19. **Mr. Touhig:** To ask the Chancellor of the Exchequer if he will make a statement on the criteria for joining the European single currency. [9534]

Mr. Kenneth Clarke: The Maastricht convergence criteria are fully consistent with the Government's economic policy of achieving permanently low inflation and sound public finances. An assessment of which countries meet the conditions for joining the single currency on 1 January 1999 will be made by the Council of Ministers in early 1998. At present, there are considerable uncertainties surrounding this and other issues relating to the single currency.

27. **Mr. Pope:** To ask the Chancellor of the Exchequer what assessment he has made of the benefits of a European single currency to the United Kingdom economy. [9543]

Mr. Oppenheim: We cannot properly assess whether to join economic and monetary union until we know the key facts, including when it will begin, who will take part, and how strictly the economic criteria governing membership will be applied. This demonstrates the value of preserving our opt-out. It allows us to influence the negotiations to help ensure that the single currency proceeds only on a sustainable basis and that the UK's interests are protected, but it also allows us to reach our own decision at an appropriate time.

Airport Passenger Duty

20. **Mr. Simon Coombs:** To ask the Chancellor of the Exchequer what estimate he has made of the yield from airport passenger duty in the last two years; and what he expects the yield to be in 1997. [9535]

Mr. Oppenheim: Receipts of air passenger duty were £343 million in 1995–96 and are expected to reach £0.4 billion in 1996–97. I expect the yield in 1997–98 to be £0.5 billion. This corrects the earlier estimate of £0.8 billion, published in the November 1996 "Financial Statement and Budget Report".

I am also taking this opportunity to inform the House of a correction to the forecast of insurance premium tax receipts in 1997–98. I now expect the yield to be £1.1 billion, compared to £1.2 billion in the "Financial Statement and Budget Report".

Value Added Tax (Fuel)

21. **Mr. Jamieson:** To ask the Chancellor of the Exchequer what recent representations he has received relating to value added tax on fuel. [9536]

Mr. Oppenheim: I have received a number of representations on this subject.

Investment

22. **Ms Quin:** To ask the Chancellor of the Exchequer if he will make a statement on investment in the United Kingdom economy. [9537]

Mrs. Angela Knight: UK businesses have invested more in relation to gross domestic product in the 1990s than in the 1980s, having invested more in the 1980s than in the 1970s. In setting the right climate of low inflation and steady growth, the Government's economic policies are encouraging business to expand and invest with confidence.

Petrol Duty

23. **Mr. Timms:** To ask the Chancellor of the Exchequer what account his assessment of the Budget's impact on the overall level of taxation has taken of the increase in the duty on petrol. [9538]

Mr. Jack: The impact of the Budget on the overall level of taxation is set out in table 6.1 of the "Financial Statement and Budget Report" 1997–98.

Computer Systems

24. **Mr. David Atkinson:** To ask the Chancellor of the Exchequer what discussions he has had with his European Union counterparts about achieving single currency compliance and millennium compliance of computer systems before 2000; and if he will make a statement. [9539]

Mrs. Angela Knight: I refer my hon. Friend to the answer that I gave him on 13 January, column *19*.

Inland Revenue (Local Offices)

25. **Mr. Key:** To ask the Chancellor of the Exchequer what changes he plans to make to the network of local offices of the Inland Revenue. [9541]

Mr. Jack: Since 1993, the Inland Revenue has been carrying out a 10-year programme to reorganise its whole network of local offices. Firm plans exist for the period up to April 1998 and initial planning for the period from April 1998 is currently taking place.

Fixed Exchange Rates

26. **Mr. Michael Brown:** To ask the Chancellor of the Exchequer what is his policy in respect of fixed exchange rates. [9542]

Mrs. Angela Knight: The Government recognise the value of a stable exchange rate but do not have a target for sterling. The exchange rate is only one of many factors that has to be taken account of in policy decisions. Monetary policy is, and will continue to be, aimed at achieving the Government's inflation target of $2\frac{1}{2}$ per cent. or less.

Retail Sales (Brent Cross)

28. **Mr. John Marshall:** To ask the Chancellor of the Exchequer what plans he has to visit Brent Cross to discuss the level of retail sales. [9544]

Mrs. Angela Knight: My right hon. and learned Friend the Chancellor of the Exchequer has no plans to visit Brent Cross at present, but I am always happy to discuss the buoyant state of the British economy with my hon. Friend.

Economic and Monetary Union

Mr. Eric Clarke: To ask the Chancellor of the Exchequer if he will make a statement on the timetable for EMU. [9525]

Mr. Kenneth Clarke: The EC Treaty sets out the timetable for EMU. As I have said before—to the House of Lords Select Committee on 28 March 1996—it is too soon to say whether EMU will start on 1 January 1999, but member states will continue to prepare on that basis.

Take-home Pay

Mr. Barry Field: To ask the Chancellor of the Exchequer if he will make a statement about changes in real take-home pay since April 1992. [9540]

Mr. Jack: Next year, real take-home pay for a family on average earnings should be £1,100 a year higher than in 1991–92.

Treasury Building

Mr. Matthew Banks: To ask the Chancellor of the Exchequer if he will make a statement on the project to redevelop the Treasury building. [11768]

Mr. Jack: The Treasury has now taken another step forward in this project by agreeing commercial heads of terms with Exchequer Partnership plc. This completes a significant milestone in the negotiation process, and enables both parties to proceed with the project in principle, subject to final contract. That contract, known as the development framework agreement, is now being drafted.

The Treasury is likely to occupy around a third of the redeveloped building. The intention is that all essential building works will be completed in advance of occupation, and that the Treasury will pay as and when its accommodation needs are delivered to specified standards. The accommodation will all be towards the western end of the building which will enable the Treasury to occupy purpose-built, modern accommodation within the existing facade. It is for Exchequer Partnership plc to decide how best to utilise the non-Treasury space in the redeveloped building.

It is presently looking at various options including flats at the western end, and a hotel and/or additional offices at the eastern end. Other issues will necessitate satisfying the authorities on a wide variety of matters, including planning permission and listed building consent, and will be subject to security considerations. Further details will be available at DFA stage.

The present timetable, subject to planning permission and therefore necessarily tentative, remains for the Treasury temporarily to vacate the building towards the end of 1998, and to re-occupy part of it in the middle of 2001.

EU Contributions

Mr. Mike O'Brien: To ask the Chancellor of the Exchequer what factors underlie the discrepancies between his Department's assessment of the United Kingdom's net contribution to the European Union for 1994 and that of the European Court of Auditors. [10226]

Mr. Oppenheim *[holding answer 13 January 1997]:* The main reasons for the differences between the Government's estimate of the United Kingdom's net contribution in 1994 and the figures of the European Court of Auditors are as follows:

the European Commission introduced a supplementary and amending budget so late in 1993 that member states paid their contributions to this budget in early January 1994—in the UK's case £530 million. It would appear the Court of Auditors scored member states' contributions to the 1993 budgetary year. The Treasury scored these contributions to 1994;

the Court of Auditors 1994 figures would appear to include the bulk of the receipts which the UK received in January 1995—£245 million. Treasury estimates scored these receipts to 1995;

the Court of Auditors figures include payments by the Community direct to the UK private sector (£450 million). These were not taken into account in the Treasury's estimate which relates only to UK public sector transactions.

Mr. Budice: To ask the Chancellor of the Exchequer if he will list the net payments made by each EU member state to the European Union budget in 1995. [10516]

Mr. Oppenheim: I refer to the hon. Gentleman to the answer I gave to the right hon. Member for Tonbridge and Malling (Sir J. Stanley) on 11 December, *Official Report*, column *203*.

EU VAT Committee

Mr. Spearing: To ask the Chancellor of the Exchequer if he will indicate the composition of the VAT committee of the European Community; what representatives it has from the United Kingdom; what are *(a)* its terms of reference and *(b)* the matters currently under consideration; and who has access to its minutes. [10808]

Mr. Oppenheim: Article 29 of the sixth VAT directive provides for an advisory committee on value added tax. Its members are representatives of the member states and the Commission, which also chairs the committee. The United Kingdom is represented by officials of Her Majesty's Customs and Excise. The committee has no formal terms of reference. In practice, it examines matters concerning the application of EC VAT provisions referred for consideration by the chairman or at the request of a member state. Matters under consideration are generally technical questions on the correct application or interpretation of the sixth VAT directive. Minutes of the committee's proceedings are available only to the members of the committee.

Value Added Tax

Mr. O'Hara: To ask the Chancellor of the Exchequer what estimate he has made of the revenues to the Exchequer arising from recent changes in the application of VAT regulations. [9517]

Mr. Oppenheim: I refer the hon. Member to the answer I gave the hon. Member for Halifax (Mrs. Mahon) earlier today.

Mr. Spearing: To ask the Chancellor of the Exchequer if he will take steps to circulate to all interested statutory and non-statutory bodies the proposals of the European Commission contained in its document COM 96/328 relating to plans for completion of full harmonisation of VAT, together with its proposals for implementation of a system of centralised Community-wide collection; and if he will request observations on these proposals from the organisations concerned. [10879]

Mr. Oppenheim *[holding answer 15 January 1997]:* In August 1996, HM Customs and Excise issued an information paper covering a copy of the Commission's outline programme for a "common system" of VAT—COM 328/96—and invited observations on the Commission's ideas. The Commission's programme contains no legislative proposals. The information paper was issued to all members of Customs' Joint VAT Consultative Committee and Joint Customs Consultative Committee. These twin committees comprise a wide range of interests including representatives of large and small businesses, trade associations, lawyers and tax advisers. Customs is also engaged in a continuing dialogue with business and other interested parties about the Commission's ideas to ensure that the widest range of opinion is canvassed.

SOCIAL SECURITY

Disability Living Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many claimants there are currently of *(a)* attendance allowance and *(b)* disability living allowance; and how many in each case also receive (i) income support, (ii) housing benefit and (iii) council tax benefit. [6733]

Mr. Andrew Mitchell: The information is in the table.

Recipients of attendance allowance and disability living allowance who are beneficiaries of income support, housing benefit, council tax benefit: May 1995

	Recipients: August 1996	*Income support*[2]	*Housing benefit*[3]	*Council tax benefit*
Attendance allowance[1]	1,194,000	418,000	306,000	445,000
Disability living allowance[1]	1,768,000	506,000	390,000	499,000

Notes:

[1]5 per cent. sample for August 1996.

[2]Income Support Statistics Quarterly Enquiry: 5 per cent. sample as at May 1995.

[3]Housing Benefit Management Information System: 1 per cent. as at May 1995.

1. Numbers are rounded to the nearest thousand.

2. Beneficiaries are those adults and children who receive disability living allowance who are also a claimant, partner or child dependant in receipt of the means tested benefits shown.

3. There are overlaps between recipients of disability living allowance who receive either one or both components.

4. Not all housing benefit/council tax benefit dependants can be identified. Figures do not include second adult rebate cases.

5. There is considerable overlap between benefits shown.

Source:

Analytical services division.

Mr. Alfred Morris: To ask the Secretary of State for Social Security (1) how many deaf-blind people have applied for the disability living allowance; [9476]

(2) how many deaf-blind people have been awarded the disability living allowance; and at what levels; [9477]

(3) how many deaf-blind people have appealed against a disability living allowance decision; and how many of these appellants have been successful in reversing the original decision. [9478]

Mr. Mitchell: The information is not available in the format requested. Such information as is available is as follows.

Awards of disability living allowance to people whose main disabling condition is deafness and blindness[1]

Components awarded	*Number*
Higher rate care and higher rate mobility	46
Higher rate care and lower rate mobility	2
Higher rate care only	9
Middle rate care and higher rate mobility	73
Middle rate care and lower rate mobility	11
Middle rate care only	19
Lower rate care and higher rate mobility	75
Lower rate care and lower rate mobility	23
Lower rate care only	9
Higher rate mobility	47
Lower rate mobility	24
All awards	338

Notes:
[1] People with deafness and blindness, but for whom another condition was the main disabling condition, are not included.

Figures are for the period from 6 April 1992 up to 30 November 1996.
Source:
Analytical Services Division: 100 per cent. data.

Mr. Morris: To ask the Secretary of State for Social Security how many people with Usher syndrome have applied for the care component of the disability living allowance; and how many have been refused. [9479]

Mr. Mitchell: The information requested is not available.

Jobseeker's Allowance

Mr. Wilson: To ask the Secretary of State for Social Security what estimate he has made of the number of carers who are no longer entitled to sign on as unemployed as a result of the introduction of jobseeker's allowance and are also unable to obtain national insurance credits due to the cared–for person not being in receipt of disability living allowance at the middle rate. [8896]

Mr. Roger Evans: No such estimate has been made. Carers who care for someone who is in receipt of the highest or middle rate of disability living allowance care component are not required to be available for work and may be able to claim income support. People who receive income support as carers can take advantage of home responsibilities protection which will protect their basic pension rights.

All unemployed carers, whether caring for someone who is in receipt of disability living allowance or not, can choose to claim jobseeker's allowance and will receive either benefit and credits or credits alone, depending on their personal circumstances, so long as they fulfil the jobseeker's allowance conditions of being available for and actively seeking work. Under jobseeker's allowance, carers are able to restrict the hours for which they are available for work in line with their caring responsibilities, so long as they retain reasonable prospects of securing employment and are available for a minimum of 16 hours per week. Additionally, carers are not required to take up employment immediately but are instead allowed 48 hours notice before taking up a job.

Mr. Frank Field: To ask the Secretary of State for Social Security how much benefit expenditure has been saved as a result of the introduction of jobseeker's allowance. [11039]

Mr. Evans: The information is not yet available. However, we estimate that the new jobseeker's allowance will save £60 million in 1996–97 and £240 million in 1997–98.

German War Pensions

Mr. Alfred Morris: To ask the Secretary of State for Social Security how many German war pensions are paid to people resident in the United Kingdom; in what ways his Department acts as agent for those payments; what records his Department retains of the war service of those paid; and if he will make a statement. [9905]

Mr. Heald: The payment of German war pensions is a matter for the German authorities. However, I understand that, as at July 1996, 459 such pensions were in payment. The Department does not act in any way as agent for these pensions and consequently has no record of any sort of the individuals concerned.

Child Support Agency

Mr. Rooney: To ask the Secretary of State for Social Security which regulations cover the operation of the special payment unit of the Child Support Agency. [11177]

Mr. Andrew Mitchell: None, as the Department's special payments scheme operates on an extra-statutory basis.

Cold Weather Payments

Mrs. Ewing: To ask the Secretary of State for Social Security what changes there have been to the trigger points for cold climate payments in Scotland; for each new station what is the difference in recorded temperatures compared to the previous site for the last three months; how many payments have been triggered for the areas covered by new weather stations; and if he will make a statement. [10727]

Mr. Roger Evans: From November 1996, a number of changes were made to postcode links with weather stations in Scotland. Two additional weather stations were introduced at Aultbea and Loch Glascarnoch. Aultbea covers some postcodes formerly covered by Tiree weather station. Loch Glascarnoch covers some postcodes formerly linked to weather stations at Aviemore, Kinloss, Tiree and Wick airport.

So far this winter, Loch Glascarnoch has triggered payments five times. Aultbea has not triggered.

Based on the daily data used for the scheme, the mean monthly temperatures for the last three months are set out in the following table:

Mean temperatures Deg. C

	October 1996	*November 1996*	*December 1996*
Aultbea	11	5.8	4.7
Tiree	10.7	6.3	5.2
Loch Glascarnoch	9.0	2.2	1.0
Aviemore	9.4	2.1	0.4
Kinloss	10.8	4.3	2.4
Tiree	10.7	6.3	5.2
Wick airport	9.4	3.7	3.1

This winter, the starting date for the cold weather payments scheme was 4 November.

Visits to Pensioners

Mr. Winnick: To ask the Secretary of State for Social Security what visits he made to pensioners on low incomes during the recent cold weather. [11092]

Mr. Heald: My right hon. Friend the Secretary of State sees pensioners throughout the year, but he has had no meetings in an official capacity with pensioners in the recent period.

However, our commitment to help with periods of cold weather is reflected in the fact that more than 5 million cold weather payments, worth more than £43 million, have been made so far this winter.

Apart from cold weather payments, the total extra help above normal upratings made available to pensioners on income-related benefits since 1988 is worth around 1.2 billion pounds a year.

Expenditure on benefits for the elderly rose by almost 50 per cent. in real terms between 1978–79 and 1995–96.

NORTHERN IRELAND

Graffiti

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what measures have been taken to remove the sectarian graffiti on the subway between Cairnshill close and Newtonheights, Belfast; and if he will make a statement. [10803]

Mr. Moss: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. J. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from W. J. McCoubrey to Mr. John D. Taylor, dated 15 January 1997:

The Secretary of State for Northern Ireland has asked the Chief Executive to reply to your question about graffiti on the subway between Cairnshill Close and Newton Heights, Belfast and in his absence I am replying on his behalf.

As you may be aware this subway is subject to recurring graffiti. Work to have the latest graffiti removed commenced on 13 January.

Central Services Agency

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what has been the overspend by the legal directorate of the central services agency against its contract income for the year 1996–97; what measures he proposes to address the overspend; and what funding he proposes to make available to the legal directorate of the Central Services Agency in order to cover its overspend. [10876]

Mr. Moss: The information requested is not available.

The level of expenditure of the legal services directorate of the Central Services Agency against contract income for 1996–97 will not be known until the end of the financial year at 31 March 1997.

The legal services directorate is an integral part of the CSA and as such is required to live within its budget by breaking even on income and expenditure taking one year with another. Consequently, if an overspend were incurred, the legal services directorate would be required to identify and take the necessary measures to absorb the deficit. There are no plans at this stage to provide additional funding to the CSA's legal services directorate.

Independent Commission for Police Complaints

Mr. Maginnis: To ask the Secretary of State for Northern Ireland when he will lay before Parliament the 1994–97 triennial review of the Independent Commission for Police Complaints in Northern Ireland; and if he will make a statement. [11470]

Sir Patrick Mayhew: I have today arranged for the 1994–97 triennial review of the Independent Commission for Police Complaints to be laid before Parliament.

This is the third triennial review by the commission since it was established in 1988 and, although it largely follows the approach of the other two, it also considers the vexed issue of who should investigate the police. A chapter setting out the strengths and weaknesses of four possible models is included.

The commission makes seven recommendations for change, including on the nature of the disciplinary tribunal, the standard of proof, the commission's involvement in non-complaint cases and recording of complaints.

The Government will be considering the recommendations in the light of the report of the review of the police complaints system in Northern Ireland by Dr. Hayes which is due to be published later this month.

Written Answers to Questions

Friday 17 January 1997

AGRICULTURE, FISHERIES AND FOOD

Newcastle Disease

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the likelihood of the Ross on Wye outbreak of Newcastle disease spreading; what measures have been taken to prevent the spread of the disease; and if he will make a statement. [11551]

Mrs. Browning: All outbreaks of Newcastle disease pose a risk of the disease spreading. Following confirmation of the first outbreak of disease on premises near Ross on Wye, an order was made under the Animal Health Act 1981 imposing movement restrictions on poultry and hatching eggs within a 3 km protection zone and 10 km surveillance zone around the affected premises. The same action was taken following a further outbreak close to the original outbreak, and another outbreak—which may not be linked—in East Sussex. Restrictions are not lifted until 30 days after the infected premises have been disinfected assuming that there have been no further outbreaks. The State Veterinary Service is conducting investigations with the objective of tracing the source of the infection and preventing it from spreading.

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what guidelines his Department gives to farmers in respect of a suspected Newcastle disease outbreak; and if he will make a statement. [11555]

Mrs. Browning: All poultry farmers in the restricted areas are visited and given guidance as to the restrictions placed upon them, advice on the nature of the disease and how to avoid its being spread and the need to report to MAFF any suspicion of the disease.

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food (1) how many recognised outbreaks of Newcastle disease have been recorded on farms by area in each of the last five years; and if he will make a statement; [11550]

(2) how many *(a)* chickens, *(b)* turkeys and *(c)* other birds have been affected by Newcastle disease in each of the last five years; and if he will make a statement. [11548]

Mrs. Browning: Other than the current outbreaks this year, there has been one incident of Newcastle disease in Great Britain since 1984, in May 1996. Following the death of 11 farmed pheasants on a farm in East Sussex, the remaining flock of about 3,600 birds and chicks was slaughtered.

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what percentage of birds contracting Newcastle disease currently die; and if he will make a statement. [11554]

Mrs. Browning: The rates of mortality depend upon the species and age of the bird and the virulence of the virus concerned. The virus isolated from birds in the current incident near Ross on Wye has proved to be more virulent for chickens than for turkeys.

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* commissioned and *(b)* evaluated into the causes of Newcastle disease in (i) farmed poultry, (ii) other captive birds, (iii) wild birds, (iv) other species and (v) humans; and if he will make a statement. [11553]

Mrs. Browning: MAFF has funded a number of research projects into Newcastle disease in farmed poultry and continues to do so. The following research undertaken since 1991 into Newcastle disease virus has been completed and evaluated:

- Molecular mechanisms of pathogenicity of Newcastle disease virus;
- Evaluation of the antigenicity and immunogenicity of Newcastle disease virus;
- Development of techniques for the rapid diagnosis of Newcastle disease and the characterisation of the virus.

The following research projects into Newcastle disease virus are currently in progress:

- Evaluation of the molecular basis for the pathogenicity of Newcastle disease virus;
- Use of monoclonal antibodies in differentiation and assessment of the relationship between Newcastle disease isolates for rapid diagnosis;
- Virulence assessment of Newcastle disease virus utilising a non-radioactive probe;
- Molecular epidemiology of Newcastle disease virus based on phylogenetic analysis of sequences;
- Development of alternative methods for the virulence testing of Newcastle disease isolates.

The following research project into Newcastle disease virus will begin in the next financial year:

- Virulence assessment and epizootiological tracing of Newcastle disease in chickens using recombinant antibodies.

Research into Newcastle disease in humans is a matter for the Department of Health but I understand that no research in this area has been undertaken recently.

EDUCATION AND EMPLOYMENT

Jobsearch Assistance

Mr. Alan Howarth: To ask the Secretary of State for Education and Employment what is her estimate of the cost of extending eligibility for jobsearch assistance to *(a)* partners of (i) unemployed claimants and (ii) sick and disabled people, *(b)* lone parents and *(c)* sick and disabled claimants. [10962]

Mr. Forth: All of these people can get help in looking for a job from the employment service. In addition, subject to certain eligibility conditions, people in each of these groups are eligible for our employment and training programmes. Any individual is eligible if he or she has been *(a)* in direct or indirect receipt of one or more of a number of relevant benefits for a specified minimum period, and *(b)* out of work for a specified minimum

period. Some groups, including people with disabilities, are eligible for programmes whether or not they meet these conditions.

Assisted Places Scheme

Mr. William Powell: To ask the Secretary of State for Education and Employment how many assisted places have been financed for pupils in each education authority, and at what public cost, in each of the last five years. [11077]

Mrs. Gillan: Information on the local education authority area in which assisted pupils reside is not collected centrally. Schools participating in the scheme recruit widely beyond the area in which they are situated and admit pupils from a number of different LEA areas.

Teaching Methods

Mr. Robert G. Hughes: To ask the Secretary of State for Education and Employment how many maintained schools use *(a)* formal and *(b)* informal teaching methods. [11218]

Mr. Forth: Information is not collected in this form. Schools generally use a range of teaching methods. The Government's education reforms encourage the use of the most effective methods to maximise the attainment of pupils.

Science Teachers

Mr. Dalyell: To ask the Secretary of State for Education and Employment what plans she has for funding increased in-service training for *(a)* primary teachers teaching science and *(b)* science teachers in secondary schools. [10957]

Mr. Forth: The Government support in-service teacher training, for both primary and secondary school teachers, through elements of the grants for education support and training programme. GEST–supported expenditure will rise from £266.4 million in 1996–97 to £296.8 million in 1997–98. Schools generally have considerable flexibility in deciding how to spend GEST funds, although some is ring-fenced, including funding to enhance primary teachers' subject knowledge.

Reading Skills

Mr. Thurnham: To ask the Secretary of State for Education and Employment what is the current proportion of 11-year-olds achieving a reading age appropriate to their age; what the figure was two years ago in *(a)* England, *(b)* the north-west region and *(c)* Bolton; and what action she is taking to improve the reading abilities of 11-year-olds. [11032]

Mrs Gillan: National curriculum assessment results for English encompass reading, writing, speaking and listening. In 1995, the first year of national curriculum assessment for 11-year-olds, 48 per cent. achieved the level expected for their age in tests and 56 per cent. did so in teacher assessments. In 1996, these figures had improved to 58 per cent. and 60 per cent. respectively. The first primary school performance tables will report by school and LEA the 1996 key stage 2 results including English. In 1997, the key stage 2 reading test will generate separate optional national curriculum levels and age standardised scores. The Government have a range of strategies to improve literacy standards, including their network of literacy centres national curriculum for initial teacher training and family literacy initiative.

Personalised Number Plates (Executive Agencies)

Mr. Donohoe: To ask the Secretary of State for Education and Employment how many personalised number plates there are in the ownership of the executive agencies operated by her Department; and if she will list them. [11414]

Mr. Robin Squire: None.

TRADE AND INDUSTRY

Trade Fairs and Seminars

Mr. Waller: To ask the President of the Board of Trade if he will make a statement on the results of the bids for trade fair and overseas seminar support for 1997–89. [12007]

Mr. Nelson: I am pleased to announce that, under the trade fairs support scheme, about 260 groups of firms will be offered support totalling £17 million for exhibitions world-wide in 1997–98. This will be a major fillip, especially to small and medium firms which otherwise would not exhibit their products to potential customers in this way. In addition, this year, for the first time, similar export promotion activities will be eligible for the sector challenge competition, the results of which will be announced in March. I am pleased to report that a number of such applications have been invited to prepare full bids under the challenge.

Of the 260 exhibitions being announced now, nearly half will be in Europe, about one fifth in the Asia Pacific and another fifth in the Americas. The full programme will be published in my Department's overseas promotions guide later this week. Copies will be sent to business links and trade associations and copies will be placed in the Libraries of the House.

Against a background of considerable demand for this support and in order to maintain a substantial programme while containing public expenditure, I have decided to reduce the rate of grant on the approved cost of renting space and constructing stands at trade fairs from 50 per cent. to 45 per cent. I have also decided not to revalue the price levels on which construction grants are based. These changes will apply to all events for which my Department announces support from today. Offers of grant and firm announcements of support already made will continue to attract grant at current rates. I am not yet in a position to take decisions on supporting some events which would involve new expenditure in 1998–99.

Inclusion of the trade fairs programme in the sector challenge should bring significant benefits to exporters by allowing new and more flexible approaches to exhibiting. I will be reviewing the way that we support trade fairs after the first sector challenge but my intention is to make all support for the trade fairs after this round available through the sector challenge. Consequently, the existing understanding to support automatically a core programme of events will continue only up to 31 March 1999.

In the meantime, with the aim of making the current scheme more customer-friendly, I have decided to streamline its administration. My Department will be reducing the number of forms, simplifying those forms still needed and asking intermediaries to be more accountable to their customers and less to my Department. This will apply routinely to the events for which I am announcing support from today and, where practicable, to offers already made.

In addition, under the related overseas seminar scheme, my Department plans to support 31 events in 1997–98. Details of these too will be included in the overseas promotion guide.

Business Links

Mr. Waller: To ask the President of the Board of Trade, pursuant to the Government observations on the fifth report of the Trade and Industry Committee on business links—House of Commons 301 of Session 1995–96—what steps the Government have taken to reduce bureaucracy and relate funding to outputs; and what targets he intends to set for each business link. [12030]

Mr. Page: From 1997–98, each business link will have a single budget for the core services that it is required to provide and my Department will make its contribution to the cost of business link services against proposals set out in the relevant training and enterprise council business plan for meeting the needs of the area. Funding will no longer depend in a mechanistic way on the precise levels of activity on each service, but each business link partnership will need to meet targets related to *(a)* the fees paid to the business link by assisted businesses, *(b)* the number of businesses with at least one employee using business link services and *(c)* the number of businesses that have an established fee-based relationship with the business link. The numerical targets for each business link will depend on local circumstances such as how long the business link has been operating.

These targets reflect the fact that business links are commercial organisations operating in the private sector, although with a public purpose. If they are to be credible in providing business advice to their client customers, it is particularly important that they also operate commercially. Charging helps the assisted business to appreciate the value of the services provided and helps business links to generate additional funds so that the business link can increase the volume, quality and range of services it offers. In order to ensure that all business links make progress in this area, I have decided to set a minimum level for fee income from assisted businesses. Consequently, by their fifth year of operations—or by 1998–99 for business links that will reach their fifth year in 1997–98—business links should be earning at least 25 per cent. of their income from the assistance they provide to businesses. In earlier years, they will be expected to be making clear and defined progress towards this target. This approach gives business links considerable freedom in deciding how to charge their customers, while ensuring a broad minimum overall level of income from assisted businesses across all business link areas.

Overseas Projects Fund

Mr. Milburn: To ask the President of the Board of Trade how many projects have been won with overseas projects fund assistance in each of the last five years; and if he will identify each project. [11444]

Mr. Lang:

1991–92: 4
1992–93: 3
1993–94: 5
1994–95: 5
1995–96: 1
1996–97 to date: 3.

Information about individual projects is confidential between the company and the Department.

Mr. Milburn: To ask the President of the Board of Trade, pursuant to the answer to the hon. Member for Hyndburn (Mr Pope) of 11 November, *Official Report*, column *14*, on the overseas projects fund, if he will identify each of the projects assisted in each of the last five years. [11446]

Mr. Lang: Information about individual projects is confidential between the company and the Department.

Arbitration Act 1996

Mr. Waller: To ask the President of the Board of Trade when the Arbitration Act 1996 will come into force; and if he will make a statement. [12008]

Mr. Lang: I am pleased to announce that, before the House rose for the Christmas recess, I made an order to bring the main provisions of the Arbitration Act 1996 into force on 31 January 1997. I have decided not to bring sections 85 to 87 of the Act, which make certain special provisions for domestic arbitration agreements, into force. A draft order to repeal these sections will be laid before both Houses as soon as is practicable.

The new Act will apply to all arbitration proceedings which are commenced on or after 31 January, no matter when the agreement to arbitrate was made. The only exception is the provision at section 46(1)(b) of the Act, which enables the parties to agree that the dispute can be decided in accordance with provisions other than the law. This provision will apply only to new arbitration agreements made on or after 31 January 1997.

The commencement order which brings the Act into force makes certain transitional arrangements to deal with situations where applications in respect of arbitral proceedings are made to the courts around the time the Act comes into force.

Arrangements are being made to have new rules of court in place on 31 January to complement the new Act.

At the same time, I have laid before both Houses an order under section 91 of the Act to set at £3,000 the amount below which a consumer arbitration agreement will be considered unfair. The order will apply to England and Wales and Scotland. Apart from its provisions on consumer arbitration agreements the Act does not apply to Scotland. A similar order is being made for Northern Ireland.

The departmental advisory committee on arbitration law produced an excellent commentary on the Arbitration Bill in February of last year. A supplementary report is being prepared which will bring the commentary on the project up to date.

My Department is in the process of preparing a brochure on the Act which is being written with the needs of small business and consumers specifically in mind.

HOME DEPARTMENT

Electronic Tagging

Mr. Cox: To ask the Secretary of State for the Home Department what was the age of *(a)* the youngest and *(b)* the oldest person who was electronically tagged in England and Wales during 1996. [10884]

Mr. Sackville: The answers are: *(a)* 16; *(b)* 60.

Mr. Cox: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women were electronically tagged in England and Wales during 1996. [10885]

Mr. Sackville: Two hundred and thirteen men and 16 women were sentenced to curfew orders monitored electronically in the three trial areas during 1996.

Research (Dogs and Cats)

Mr. Cohen: To ask the Secretary of State for the Home Department if non-purpose-bred dogs and cats used for research in the United Kingdom are obtained from non-designated supplying establishments situated within the United Kingdom. [11171]

Mr. Sackville: In Great Britain during 1995, the only year for which figures are available, 66 dogs but no cats used in scientific procedures were obtained from sources within the United Kingdom not designated breeding or supplying establishments.

Animal Procedures Committee

Mr. Butler: To ask the Secretary of State for the Home Department if he will make a statement on his appointments to the Animal Procedures Committee. [11929]

Mr. Sackville: I have appointed the following persons to be members of the Animal Procedures Committee for four years with effect from 1 January 1997:

Professor Robin Dunbar, professor of psychology, university of Liverpool;

Mr. John Gregory, fellow, Institute of Animal Technicians;

Professor John Turner, professor of evolutionary genetics, university of Leeds.

Shoplifting

Mr. Thurnham: To ask the Secretary of State for the Home Department what is the minimum number of items of information a police officer has to provide in order to initiate the prosecution of a juvenile delinquent for shoplifting; and if he will make a statement. [10761]

Mr. Maclean: Six forms are needed in the prosecution file in the case of a juvenile offender where a guilty plea is expected. These are:

a file front sheet which includes the defendant's details;

a copy of the charge sheet/summons;

the defendant's previous convictions, if any;

a compensation form completed by the victim;

a short descriptive note; and

a note of how the decision to prosecute was reached.

More information is required where a not guilty plea is expected. There are also other forms and documents which are completed or taken into account which are not directly associated with the prosecution process; these include property registers, custody records and fingerprint forms.

Deaf-blind People

Mr. Alfred Morris: To ask the Secretary of State for the Home Department what training police receive in communicating and making contact with deaf-blind people. [9471]

Mr. Maclean *[holding answer 16 January 1997]:* There is no national training aimed specifically at how police officers should communicate or make contact with deaf-blind people although the probationer foundation training programme seeks to establish a general awareness and understanding of the special needs of people the police are likely to encounter. There are, however, special provisions for dealing with people in police custody who appear to be blind or deaf and training in the requirements of the relevant Police and Criminal Evidence Act 1984 codes of practice is included in the custody officer training package which is available to all forces.

It is the responsibility of individual chief officers to ensure that their officers are suitably trained for the duties that they undertake.

Firearms (Amendment) Bill

Mr. Frank Field: To ask the Secretary of State for the Home Department (1) what estimate he has made of the number of (i) small businesses which will close and (ii) jobs which will be lost as a result of the implementation of the Firearms (Amendment) Bill; [11219]

(2) what is the size of the budget which the Government are proposing to compensate *(a)* businesses and *(b)* individuals who will have to surrender firearms as a result of the implementation of the Firearms (Amendment) Bill. [11220]

Miss Widdecombe *[holding answers 16 January 1997]:* Our estimate of the costs that will need to be paid to compensate all those who surrender guns and accessories is as set out in the financial memorandum to the Firearms (Amendment) Bill.

It has not been possible to estimate the full impact of the measures that would be introduced by the Bill on businesses and employment.

Prison Interviews

Mr. Harry Greenway: To ask the Secretary of State for the Home Department if he will make it his policy to ban interviews between journalists and convicted murderers on prison premises; and if he will make a statement. [10658]

Miss Widdecombe *[holding answer 13 January 1997]:* Visits to prisoners by journalists or authors in their professional capacity are generally not permitted. Where, exceptionally, a visit is permitted, journalists or authors are required to give a written undertaking which limits the subject and conditions of the interview. The Government have considered the recent High Court judgment in the case of Simms and O'Brien and have decided to appeal.

HOUSE OF COMMONS

Parliamentary Questions

Mr. Winnick: To ask the Lord President of the Council if he will list the five hon. Members who most frequently had one of the first five oral questions to the Prime Minister on the Order Paper since the beginning of the Session. [9951]

Mr. Newton: The hon. Members listed have appeared more than once in the top five on the Order Paper for oral questions to the Prime Minister between the start of the current Session and 18 December. In that period, there were 15 Prime Minister's Question Times. The total number of times each Member has appeared is shown in brackets after their name.

Mr. Edward O'Hara (3)

Mr. D. N. Campbell-Savours (2)

Mr. Malcolm Chisholm (2)

Roseanna Cunningham (2)

Mr. Harry Greenway (2)

Mr. John Hutton (2)

Mr. John Marshall (2)

Sir Irvine Patnick (2)

Mr. Dennis Skinner (2).

Mr. McNamara: To ask the Lord President of the Council how many hon. Members have had questions lost since the contract with the Stationery Office commenced. [10728]

Mr. Newton: I have been advised that there has been one incident, on 17 December, when a single batch of eight questions from five hon. Members was lost.

Mr. McNamara: To ask the Lord President of the Council when he expects to receive an apology from the Stationery Office about hon. Members' lost questions; and when he expects hon. Members to receive apologies. [10725]

Mr. Newton: I am advised that the chairman of the Stationery Office wrote to the Speaker on 19 December, apologising for the incident. He also sent a letter of apology to four of the five hon. Members whose questions were lost. I understand that the fifth has not yet been identified.

Mr. MacNamara: To ask the Lord President of the Council what assessment he has made of the security of hon. Member's questions at the Stationery Office. [10708]

Mr. Newton: I am advised that a review of the process for dealing with Members' questions is being undertaken by the Stationery Office in consultation with House officials. In the meantime, the photocopying of Members' questions immediately on arrival at the Parliamentary Press has been introduced as a safeguard.

Hon. Members (Swearing In)

Mr. Winnick: To ask the Lord President of the Council if arrangement are in hand for hon. Members to take the oath following the next election in accordance with the recommendations in the first report of Session 1995–96 on proceeding at the start of Parliament [HC 386] of the Procedure Committee. [11475]

Mr. Newton: As I explained to the House on 11 July 1996 Official Report, column 636, this is a matter for Madam Speaker.

TREASURY

Administration Costs

Mr. Milburn: To ask the Chancellor of the Exchequer what factors underlie the increase in the provision for gross running costs of civil Departments compared with revised plans as set out in the Red Book paragraph 5.30; and if he will provide a breakdown of the increase by Department, indicating, where possible, executive agencies separately. [8277]

Mr. Waldegrave *[holding answer 9 December 1996]:* Compared with an estimated 1996–97 outturn of £14,919 million for running costs of civil Departments, the Government's planned expenditure on running costs of £14,736 million in 1999–2000 represents a fall of 7 per cent. in real terms over three years.

The increases in running costs provision for 1997–98 and 1998–99 are more than accounted for by increases on anti-fraud and anti-evasion measures—an additional £760 million of running costs over three years—and on prisons. Additional provision has also been given to the agriculture Departments to fund the continuing package of measures to counter BSE.

The table following compares the Government's plans published in the public expenditure statistical analyses—PESA—1996–97 with new plans for each departmental group. New plans may be subject to further revision before the Government's plans are set out in detail in the 1997 departmental reports, due to be published in March 1997, which will include information on the running costs of executive agencies.

Departmental group	1997–98 £ million PESA 1996–97	New Plans	Change	1998–99 £ million PESA 1996–97	New Plans	Change
Foreign Office	540	525	–15	539	535	–4
Overseas Development	58	56	–2	58	56	–2
Agriculture, Fisheries and Food	466	524	58	468	522	54
Trade and Industry	435	447	12	432	440	8
Transport	395	393	–2	376	374	–2
Environment	511	455	–56	501	445	–56
Home Office	1,865	1,928	63	1,907	2,013	106
Legal departments	776	766	–10	775	759	–16
Education and Employment	1,193	1,130	–63	1,189	1,107	–82
National Heritage	39	64	25	39	63	24
Health	278	276	–2	278	276	–2
Social Security	3,426	3,539	113	3,105	3,259	154
Scotland	378	382	4	374	373	–1
Wales	76	75	–1	76	74	–2
Northern Ireland	794	787	–7	792	787	–5
Chancellor's departments	2,929	2,944	15	2,919	2,998	79
Cabinet Office	566	558	–8	567	557	–10
Total	14,725	14,850	125	14,395	14,637	242
Plus: Changes between FSBR95 and publication of PESA			105			114
Equals: Difference between new and revised plans			230			356

Note:
See Annex B to Chapter 5 of FSBR 1997–98 for details of departmental groupings.

Betting Duty

Mr. Donohoe: To ask the Chancellor of the Exchequer (1) how much his Department has received in revenue from betting duty in each quarter of each of the last three financial years; [10999]

(2) what estimate he has made of the loss of betting duty as a result of recent cancellations of horse race meetings. [11000]

Mr. Oppenheim *[holding answer 16 January 1997]:* The betting duty receipts—that is, general betting duty—for each quarter of the last three financial years are as follows. All figures are £ million.

Quarter	1994–95	1995–96	1996–97
1	138	138	120
2	140	137	124
3	122	118	—
4	108	96	—

No estimate has been made of the loss of betting duty as a result of recent cancellations of horse race meetings. There is no duty due in respect of bets made at a racecourse. Off course betting has continued for Irish and other foreign horse racing and for all-weather courses in this country.

TRANSPORT

Channel Tunnel (Safety)

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make a statement on the most recent fire involving a train being used as part of the new emergency procedures in the channel tunnel. [11515]

Mr. Watts: On 19 December 1996, smoke was detected in the heating, ventilation and air conditioning unit of an empty tourist shuttle train on stand-by at a platform on the Folkestone terminal. Kent fire brigade attended and extinguished a small electrical fire.

A second tourist shuttle was immediately prepared for use as a replacement stand-by train.

Roads Programme (Property Purchases)

Mr. Andrew Smith: To ask the Secretary of State for Transport what property his Department holds for the purposes of the present and previously planned roads programme, indicating *(a)* the number of houses, *(b)* the number of other properties and *(c)* the extent of land holdings; and what was the total amount spent in purchasing the property in each of these categories. [10846]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Andrew Smith, dated 17 January 1997:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question asking what property his Department holds for the purposes of the present and previously planned roads programme, indicating *(a)* the number of houses, *(b)* the number of other properties and *(c)* the extent of land holdings; and what was the total amount spent in purchasing the property in each of these categories.

The information is not available in the form requested. The Highways Agency's previously planned (pre-November 1995) roads programme required 3,176 properties/plots at a purchase cost of £301.6M. The Highways Agency's present programme will require 1,411 properties/plots at a purchase cost of £119.8M.

The purchase price excludes compensation payable for disturbance, home loss removal expenses and fees, etc. In addition we hold some 700 properties/plots in connection with schemes previously under construction or completed which were not listed in the November 1995 budget announcement as either withdrawn or in the programme. These are needed for operational reasons or are for eventual disposal when vacant. The purchase price of these properties/plot was £61.7M.

Thai-registered Airlines

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what action *(a)* his Department and *(b)* the Civil Aviation Authority has taken following the recent announcement by the Federal Aviation Administration relating to Thailand's non-compliance with international aviation standards; [11529]

(2) if he will list those airlines registered in Thailand operating to or from United Kingdom airports. [11528]

Mr. Bowis: Thailand's civil aviation authority has been assessed by the Federal Aviation Administration under its international aviation safety assessment programme as "Category II, Conditional". This means that FAA inspectors found areas that in their opinion did not meet international safety standards, but services by the country's carriers continue to be permitted to the United States under heightened FAA surveillance.

We take FAA assessments into account in deciding whether to ask the Civil Aviation Authority to inspect a particular country's aircraft operating into the United Kingdom. We also take into account whether the country is participating in the International Civil Aviation Organisation's safety oversight programme. Thailand has been assessed by ICAO and we are awaiting the outcome of that mission.

One airline registered in Thailand operates into the United Kingdom. Thai Airways International operates a daily scheduled service into Heathrow: the Department does not currently plan to ask the CAA to ramp check its aircraft but will keep the matter under review.

London Transport Annual Settlement

Mr. Cohen: To ask the Secretary of State for Transport what representations he received from chief officers and the board of *(a)* London Transport and *(b)* the City of London about the Government's annual settlement for London Transport; what they told him about the effect of the settlement on London Transport's investment programme and existing infrastructure; and if he will make a statement. [11063]

Mr. Bowis: My right hon. Friend the Secretary of State for Transport and I meet the chairman and other members of the board of London Transport on a regular basis and discuss this and other matters. No representations have been received from the Corporation of the City of London.

London Underground Power Generation

Mr. Cohen: To ask the Secretary of State for Transport if he will make a statement on his timetable for the privatisation of London Underground power generation facilities; what consultation he has had on this; what guarantees in respect of future investment will be required; and what assurances he expects in respect of its continuing reliability. [11081]

Mr. Bowis: The provision of power supplies to the underground is an operational matter for London Underground. It is currently in negotiation with two short-listed bidders for a project under the private finance initiative which would meet the underground's future power generation and distribution requirements. Reliability of supply and the bidders' investment plans are matters being discussed with the bidders. London Underground hopes soon to decide on its preferred bidder.

London Underground (Consultants)

Ms Glenda Jackson: To ask the Secretary of State for Transport if he will list the consultants, outside organisations and individuals employed by London Underground Ltd., for advice on introducing a private sector element into the *(a)* organisation, *(b)* operation and *(c)* funding of (i) the London underground system and (ii) London Underground Ltd., the duration of their employment and the total cost of their employment in each of the years 1992 to 1997. [11096]

Mr. Bowis: This is a matter for London Underground Ltd. However I understand that it employs outside parties from time to time to advise on matters including disposals, contracting out and projects under the private finance initiative.

Ms Jackson: To ask the Secretary of State for Transport if he will list the consultants, outside organisations and individuals employed by *(a)* his Department and *(b)* its agencies, for advice on introducing a private sector element into the (i) organisation, (ii) operation and (iii) funding of (1) the London underground system and (2) London Underground Ltd., the duration of their employment and the total cost of their employment in each of the years 1992 to 1997. [11097]

Mr. Bowis: The Department has made no such appointments.

Heathrow to London Rail Link

Mr. Harry Greenway: To ask the Secretary of State for Transport what proposals he has for a fast rail link between Heathrow and central London other than the Heathrow to Paddington service; what interim station stops are being considered for inclusion; and if he will make a statement. [11013]

Mr. Bowis: BAA has recently announced that it is considering the introduction of a sister service to the Heathrow express, which will operate between St. Pancras and Heathrow. This service would start to operate from 1999 and possible stops being considered include West Hampstead, Ealing Broadway, Hayes and Harlington.

ENVIRONMENT

Absenteeism

Mr. Allen: To ask the Secretary of State for the Environment what plans he has to ensure that incentives aimed at reducing absenteeism do not extend to absenteeism as a result of work-related injuries. [11085]

Sir Paul Beresford: None. My Department has no responsibilities for reducing absenteeism from work. The Health and Safety Executive is, however, constantly looking at ways of reducing work-related injuries.

Opencast Mining (Environmental Effects)

Mr. Dobson: To ask the Secretary of State for the Environment if he will list the research carried out by his

Department, since January 1994, into possible environmental health problems caused by opencast coal operations indicating *(a)* the commissioning dates of the investigations, *(b)* the name of organisations or agencies commissioned to undertake investigations and *(c)* the expected dates for publication of results; and if he will provide summaries of the investigations undertaken. [11357]

Mr. Gummer: The Departments of Health and Environment commissioned a joint research project on the impact of particulate matter from opencast coal sites on public health in August 1996. The research is being undertaken by the university of Newcastle medical school and the work is expected to be complete in late October 1998. This work is still in its early stages and I will write to the hon. Member with details of what it involves.

SCOTLAND

Private Health Providers

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list for each health board the names of the private health providers with which they have had contracts, the value of each contract, and the number of patients covered by each contract for (i) 1993–94, (ii) 1994–95 and (iii) 1995–96. [10967]

Lord James Douglas-Hamilton: The information requested is not collected centrally on a routine basis.

In response to a request by the hon. Member, the information in the table was obtained specifically from health boards. The further details requested by the hon. Member cannot be provided centrally without risking a breach of patient confidentiality.

	1995–96		*1994–95*		*1993–94*	
Health Board	*Number of patients*	*Total value of contracts*	*Number of patients*	*Total value of contracts*	*Number of patients*	*Total value of contracts*
Argyll and Clyde	586	178,585	298	222,245	Nil	–
Ayrshire and Arran	81	1,990,000	83	1,750,000	60	1,500,000
Borders	16	224,976	32	224,842	Not disclosed	31,431
Dumfries and Galloway	347	168,450	176	48,000	Nil	–
Fife	65	67,184	Nil	–	Nil	–
Forth Valley	[1]>1,175	980,800	[1]>713	657,358	[1]>295	368,475
Grampian	5	116,250	138	207,801	10	118,000
Greater Glasgow	110	398,235	28	110,700	615	404,758
Highland	12	90,362	5	37,860	26	141,850
Lanarkshire	185	2,832,322	162	2,616,080	150	2,486,963
Lothian	Nil	–	85	50,901	90	87,133
Orkney	Nil	–	Nil	–	Nil	–
Shetland	Nil	–	13	3,250	Nil	–
Tayside	58	471,789	45	278,071	19	276,997
Western Isles	Nil	–	2	3,950	Nil	–

[1] Precise figure not disclosed.

Newcastle Disease

Mr. Flynn: To ask the Secretary of State for Scotland how many people have been affected with Newcastle disease in Scotland in each of the last five years; and if he will make a statement. [11546]

Lord James Douglas-Hamilton: No cases have been recorded in the last five years.

DUCHY OF LANCASTER

NHS (Emergency Capacity)

Mr. Spearing: To ask the Deputy Prime Minister, pursuant to his oral answer of 14 January concerning emergency capacity in the national health service, *Official Report*, column 130, if he will make a statement on the extent of this capacity indicating the basis on which the amount of such capacity is calculated, and the approximate costs of maintaining spare beds. [11439]

The Deputy Prime Minister: It is the responsibility of health authorities and national health service trusts to ensure that NHS emergency services can meet demand. In the last financial year, over 3.5 million patients received emergency in-patient care in NHS hospitals. Within the context of overall growth in the NHS, we have recently made available additional funding to help meet key service objectives in the current financial year. This funding includes money for intensive care beds and to improve discharge arrangements, thus making extra beds available.

Consultants

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 13 January, *Official Report*, column *13*, which Departments *(a)* have implemented and *(b)* have not implemented their action plans in response to the efficiency unit's report on external consultants. [11440]

Mr. Freeman: Each Department is best placed to provide the most up-to-date account of its progress in implementing the recommendations of the efficiency unit's report; I refer the hon. Gentleman therefore to the answers supplied by Departments to his recent questions about progress on implementation.

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 13 January, *Official Report*, column *13*, if he will make a statement on the assessment made by the efficiency unit of the monitoring of Departments' expenditure on consultants. [11441]

Mr. Freeman: The efficiency unit estimates that ministerial Departments and the Attorney-General's Office spent approximately £510 million on external consultants in 1995–96 at 1996 prices. This figure excludes spending by the Department for Education and Employment. When this latter figure is available, I will write to the hon. Member and place a copy of my letter in, the Library.

Many factors effect the level of departmental spending on consultants and expenditure should not be taken as a sole indicator of the impact of the efficiency unit's scrutiny report, the prime purpose of which was to increase control and accountability and to secure improvements in procurement and project management.

Efficiency Training

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster what have been the costs of efficiency training for managers in the civil service and agencies; and how many staff have participated in each of the last five years. [11443]

Mr. Freeman: In line with the civil service White Paper, "Continuity and Change", responsibility for efficiency planning and the training of staff is delegated to Departments. The information requested is not held centrally.

NORTHERN IRELAND

Arts Council

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when the appointment of the Public Affairs Officer to the Arts Council of Northern Ireland was made; how many persons applied for the position; in which newspapers the position was advertised; and how many of the applicants were perceived to be *(a)* Protestants and *(b)* Roman Catholics. [10780]

Mr. Ancram: The appointment of the public affairs officer with the Arts Council of Northern Ireland was made on 12 May 1995. There were 38 applicants for the post. The vacancy was advertised in the *Irish News*, *Newsletter* and *Belfast Telegraph*. Of the 38 applicants, 21 were perceived to be from the Protestant community, 15 from the Roman Catholic community and two non-determined.

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many persons applied for the position of education and training officer to the Arts Council of Northern Ireland; in which newspapers in *(a)* the UK and *(b)* the Republic of Ireland this vacancy was advertised; and how many of the applicants were perceived to be (i) Protestants and (ii) Roman Catholics. [10781]

Mr. Ancram: The post of education and training officer with the Arts Council of Northern Ireland was first advertised in August 1995. Of 18 applicants, only one was considered suitable but declined the appointment. The post was re-advertised in October 1996 and there were 28 applicants.

On both occasions, the vacancy was advertised in the *Irish News*, *Newsletter* and *Belfast Telegraph*. The vacancy was not advertised in any Republic of Ireland newspapers.

Of the 18 applicants in August 1995, five were perceived to be from the Protestant community and 13 from the Roman Catholic community. Of the 28 applicants in October 1996, eight were perceived to be from the Protestant community, 18 from the Roman Catholic community and two non-determined.

Raising School Standards Initiative

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will list the schools involved in the raising school standards initiative and the criteria by which they were chosen. [10939]

Mr. Ancram: Secondary schools were identified for inclusion in the initiative by means of a performance index, which took account of both the number and level of GCSE and vocational qualifications over the three years 1990–91 to 1992–93. Primary schools were selected for invitation to participate in RSSI on the following basis:

- only those primary schools contributing 10 per cent. or more to the year eight intake of any participating secondary school were considered;
- these primary schools were ranked using a points system based on transfer grades, combined with the proportions of pupils entitled to free school meals;
- where this approach excluded a school which contributed 30 or more to the participating secondary school's year eight intake, this school was selected.

I will write to the hon. Member listing the participating schools.

Teachers (Discretionary Support)

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement on the changes in discretionary support for teachers embarking on courses to obtain additional qualifications, showing the financial allocations. [10985]

Mr. Ancram: As schools' budgets have been given priority, funds will not be available for new applicants for discretionary awards from and including the 1997–98 academic year. Teachers already receiving financial support will continue to have their tuition fees, travelling and subsistence expenses met under the existing terms and conditions.

Newcastle Disease

Mr. Flynn: To ask the Secretary of State for Northern Ireland how many recognised outbreaks of Newcastle disease have been recorded on farms in Northern Ireland by area in each of the last five years; and if he will make a statement. [11544]

Mr. Ancram: No outbreaks of Newcastle disease were recorded on farms in Northern Ireland in 1992 to 1995. One outbreak was recorded in County Antrim in 1996.

Mr. Flynn: To ask the Secretary of State for Northern Ireland how many *(a)* chickens, *(b)* turkeys and *(c)* other birds have been affected by Newcastle disease in Northern Ireland in each of the last five years; and if he will make a statement. [11542]

Mr. Ancram: One outbreak of Newcastle disease occurred in Northern Ireland in 1996, affecting approximately 2,500 chickens. Some 59,000 in-contact chickens were slaughtered during the outbreak.

Mr. Flynn: To ask the Secretary of State for Northern Ireland how many people have been affected with Newcastle disease in Northern Ireland in each of the last five years; and if he will make a statement. [11543]

Mr. Ancram: There were no recorded cases of Newcastle disease in humans in Northern Ireland during the last five years.

SOCIAL SECURITY

Benefits Agency Medical Services

Mr. Alan Howarth: To ask the Secretary of State for Social Security (1) if he will *(a)* place in the Library and *(b)* circulate to members of the Social Security Committee the draft contract to be issued on 19 December to private sector companies shortlisted for the contractorisation of the Benefits Agency medical services; [10273]

(2) pursuant to his answer of 11 November, *Official Report*, columns *87–88*, if he will place in the Library the statement of service requirements issued on 20 November to companies shortlisted for the contractorisation of the Benefits Agency medical services. [10272]

Mr. Burt: The information requested cannot be provided, as disclosure would prejudice the competitive position of the Department in its negotiations with the shortlisted companies.

Asylum Seekers

Mr. Rooney: To ask the Secretary of State for Social Security if an asylum seeker in receipt of income support is allowed to undertake a full-time course of education or training. [10266]

Mr. Roger Evans: Asylum seekers in receipt of income support are subject to the same rules on study as other recipients. However, an asylum seeker who has been granted refugee status may continue to receive benefit for up to nine months while attending a course for more than 15 hours a week to learn English in order to enable him to gain employment, provided that, on the date the course started, he had been in Great Britain for not more than 12 months.

Pensioner Incomes

Mr. Frank Field: To ask the Secretary of State for Social Security if he will publish data on the spread of income of pensioners on the lowest decile of income and the highest decile of income in 1978–79 and 1994–95. [10743]

Mr. Heald: The information is in the table. The figures represent the amount of the spread in income of pensioners between the 25th and the 75th percentile of each of the lowest decile and highest decile of the income distribution.

Inter-quartile range

	1979 £	1994–95 £
Bottom decile	30.40	28.20
Top decile	116.70	205.60

Notes

1.All estimates are £s per week in July 1994 prices, rounded to the nearest £0.10.

2.Data for 1979 are based upon an estimate for the calendar year 1979. The 1994–95 estimate is in respect of that financial year.

3.The estimates refer to all pensioner units. A pensioner unit is defined to be either a single person over state pension age, or a couple where the head, assumed to be the man, is aged over SPA.

4.The measure of spread provided is the inter-quartile range, which is the difference between the 25th percentile and the 75th percentile of an income distribution. This measure is subject to a large degree of statistical variability.

Source:

The pensioners' incomes series 1994–95.

Jobseeker's Allowance

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what were the start-up costs of the information technology system needed to run the jobseeker's allowance payment scheme. [10510]

Mr. Roger Evans: The information is set out in the table:

£ million

Year	*Information Technology Services Agency*	*Benefits Agency/ Employment Service*	*Total*
1994–95	2,395	0,394	2,789
1995—96	15,385	3,235	18,620
1996–97	7,051	2,239	9,290
Total	24,831	5,868	30,699

Mr. Cunningham: To ask the Secretary of State for Social Security what are the estimated annual running costs of the jobseeker's allowance payment scheme. [10511]

Mr. Evans: The information is not yet available. However, it is estimated that the annual costs of administering jobseeker's allowance will be broadly similar to those for the previous benefits, unemployment benefit and income support for unemployed people.

Corporate Date (Access System)

Mr. Jim Cunningham: To ask the Secretary of State for Social Security if he will make a statement on the tendering for the new ACCORD—access to corporate data—information technology system. [10512]

Mr. Burt: The ACCORD project is intended to deliver, through the private finance initiative, a set of services to support the Department's information systems—information technology strategy.

A notice was placed in the supplement to the *Official Journal* of the European Communities on 7 August 1996. A statement of requirement was issued on 2 October to which six responses were received. Following an evaluation of these responses, an announcement was made on 12 December that three bidders would be taken forward to the next stage.

Following a period of consultation lasting several months, tenders will be invited.

Child Support

Mr. Flynn: To ask the Secretary of State for Social Security, pursuant to his answer of 28 November 1996, *Official Report*, column *400*, if he will place in the Library a copy of the version of the draft regulations to which the comments of the president of the Independent Tribunal Service referred. [11045]

Mr. Roger Evans: I have placed a copy of the draft regulations in the Library.

There were some changes made before laying before the House in order to make the drafting clearer and to correct minor drafting errors, as well as amendments following the consultation with the president of the Independent Tribunal Service and the Council on Tribunals.

Invalidity and Incapacity Benefit (Barrow and Furness)

Mr. Hutton: To ask the Secretary of State for Social Security how many people were claiming *(a)* invalidity benefit and *(b)* incapacity benefit in the Barrow and Furness parliamentary constituency in each year between 1990 and 1996. [11023]

Mr. Burt: The administration of invalidity benefit and incapacity benefit is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. John Hutton, dated 16 January 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many people were claiming *(a)* Invalidity Benefit and *(b)* Incapacity Benefit in the Barrow and Furness Parliamentary Constituency in each year between 1990 and 1996.

The information is not available in the format requested. Statistics are kept for Benefits Agency (BA) Districts and not by Parliamentary Constituencies. The BA District Lancaster and South Cumbria consists of the BA offices at Lancaster, Barrow and Kendal. Statistics are not available broken down by BA Districts for 1990 and 1991.

The available information is shown in the attached table.

I hope you find this reply helpful.

Number of customers in receipt of invalidity benefit in the benefit agency district Lancaster and South Cumbria

	Number
March 1992	10,633
March 1993	10,961
March 1994	11,513
March 1995	12,076
March 1996	[1]12,469

Figures are provisional and subject to change. Incapacity Benefit replaced Invalidity Benefit on 13 April 1995.

[1] The figure quoted is for Incapacity Benefit cases paid at short term higher rate and long term rate, ie cases from the 29th week of incapacity. This is comparable to Invalidity Benefit.

HEALTH

General Practitioners

Mr. Spearing: To ask the Secretary of State for Health which bodies are responsible for ensuring adequate minimum standards of establishment and functions of deputising services for general practitioners. [10901]

Mr. Malone: Health authorities are responsible for ensuring that general practitioners only use deputising services which are of a satisfactory standard.

NHS Trusts (Patients' Cash)

Mr. Chris Smith: To ask the Secretary of State for Health what guidance is given to NHS trusts about cash handed over for safekeeping on admission to the care of the trust. [11243]

Mr. Horam: Guidance on safeguarding patients' property formed part of the national health service executive's model standing financial instructions issued to all NHS trusts in 1994. The guidance sets out the trust's responsibility to provide safe custody for money and other personal property handed in by patients.

Meningitis

Mr. Cohen: To ask the Secretary of State for Health what estimate he has made of the number of cases of meningitis in the last three months of 1996; and if he will make a statement. [11064]

Mr. Horam: There were 368 laboratory confirmed reports of meningococcal infection by the Public Health Laboratory Service's meningococcal reference laboratory in the last three months of 1996. The latest mid-year to mid-year data show the number of cases in 1996 are currently running very slightly lower than in 1995:

	PHLS confirmed laboratory reports of meningococcal infection
1 July–22 December 1995	654
1 July–22 December 1996	585

Meningitis remains a rare, but serious, disease with a peak in the number of cases in children under one year and a second smaller peak in late teenagers. High awareness of the disease and parental alertness remain the best general protection which is why information on meningitis is targeted in these areas. Health visitors provide new parents with the Health Education Authority's leaflet, "A Guide to Childhood Immunisations", which includes advice on recognising the signs and symptoms of meningitis. The Department of Health and the National Meningitis Trust collaborated in providing an information leaflet for parents of small children and teenagers. The HEA also produced a leaflet, "Look out for your mate", targeted at students, which has been very widely distributed to colleges and universities. The Chief Medical Officer recently wrote to all doctors giving up-to-date advice on the early diagnosis of suspected cases of meningococcal infection and on the need for antibiotic treatment and urgent referral to hospital.

Tuberculosis and Rickets

Ms Walley: To ask the Secretary of State for Health what was the incidence of *(a)* tuberculosis and *(b)* rickets among those aged 0 to 19 years in each health authority area in each of the last five years; and if he will make a statement. [11604]

Mr. Horam: Information on the numbers of notifications of tuberculosis is not available in the form requested. The number of notifications to the Office for National Statistics under the Public Health (Infectious Diseases) Regulations 1988 are published by local authority district or by age in the publications, "MB2 Communicable Disease Statistics" annually and "MB2 Infectious Disease Statistics" quarterly. Copies are available in the Library. Total notifications for 0 to 19-year-olds for the last five years are:

Numbers of tuberculosis notifications, excluding chemoprophylaxis, England and Wales, 0 to 19-year-olds

	Tuberculosis notifications
1992	730
1993	785
1994	615
1995	631
1996 (first 39 weeks)	[1]429

[1] Provisional.

The United Kingdom has an excellent record of tuberculosis control and we are determined that this should remain the case through the BCG immunisation programme, treatment of identified cases and screening of their close contacts, screening and treatment for immigrants and active surveillance of tuberculosis.

Rickets is not a notifiable disease and data are not collected centrally. There are anecdotal reports of rickets in the medical literature, but these tend to be associated with extreme diets and insufficient exposure to sunlight. There is no reliable evidence that rickets is on the increase, and some evidence that rickets which used to be prevalent among Asian communities is now rare. The Committee on Medical Aspects of Food and Nutrition Policy has established an expert sub-group which is considering the nutritional aspects of bone health in the UK population.

Child Malnutrition

Ms Walley: To ask the Secretary of State for Health what monitoring he has undertaken of the incidence of *(a)* anaemia, *(b)* calcium deficiency and *(c)* vitamin D deficiency among those aged 0 to 19 years. [11605]

Mr. Horam: The nutritional status of 0 to 19-year-olds has been monitored by the Government's programme of nutrition and health surveys.

(a) Anaemia: The prevalence of anaemia has been monitored among young children by the "National Diet and Nutrition Survey of Children Aged 1½–4½ years" published by Her Majesty's Stationery Office in 1995; among those aged 18 to 24 years by the "National Diet and Nutrition Survey of British adults" published by HMSO in 1990, and among 16 to 24 year olds by the 1994 Health Survey for England published by HMSO in 1996. No survey has been analysed in respect of the specific age range 0 to 19 years. The results were as follows:

Prevalence of anaemia (haemoglobin below 11.0g/dl)

	Males[1] *Percentage*	*Females*[2] *Percentage*
NDNS 1½ to 4½ years	7	9
NDNS British Adults 18–24 years	1	6
Health Survey for England 16–24 years	0.2	2.1

[1] 1.0 per cent. below 13g/dl.
[2] 7.7 per cent. below 12g/dl.

(b) Calcium deficiency: There is no clinical condition which can be ascribed to dietary calcium deficiency.

(c) Vitamin D deficiency: The NDNS of Children aged 1½ to 4½ years found adequate vitamin D status in the general population. A review of reports of rickets, prepared for the panel on maternal and child nutrition of the Committee on Medical Aspects of Food and Nutrition Policy, found sporadic cases of rickets among specific groups who follow inappropriately rigid diets, but no evidence of rickets among the general population.

Vitamin D status has also been measured in the survey, "Asian infant feeding practice". The report is expected to be published later this year. Both the occurrence of anaemia and vitamin D status will be measured in the "National Diet and Nutrition Survey of Young People aged 4 to 18 years", the report of which is expected in 1999. The prevalence of anaemia among 11 to 15 year olds was measured in the "1995 Health Survey for England" which is expected to be published next month.

Care for the Elderly

Mr. Alan Howarth: To ask the Secretary of State for Health if he will update the estimates set out on 22 May 1995, *Official Report*, column *406*, relating to the average cost of keeping an elderly infirm person in a *(a)* hospital bed, *(b)* nursing home and *(c)* residential care home. [10210]

Mr. Burns: The Department does not collect information on the average cost for the elderly and infirm of a place in a hospital, residential care home or a nursing home, but the Laing and Buisson market survey estimates, on the basis of the latest survey of independent sector homes, the average fees were £333 and £239 per week at August 1995 for nursing homes and residential care homes, respectively. These figures do not include contributions from individuals' income or from public sources.

The average cost of keeping an elderly infirm person in a hospital bed has been estimated by the personal social services research unit in "The Unit Cost of Health and Social Care", 1996, to be £114 per in-patient day, or £798 per week at 1995–96 prices.

In addition, figures on gross expenditure per week by local authorities for each supported resident in residential and nursing homes for the elderly in 1994–95, the latest year for which figures are available are given as item UCO2 and UCO3 in table U1 of "Key Indicators of Local Authority Social Services 1996", copies of which are available in the Library.

District Nurses

Mr. Kirkwood: To ask the Secretary of State for Health (1) how many district nurses there were per 5,000 people in each year since 1979; and if he will make a statement; [9774]

(2) how many district nurses there were in each year since 1979 *(a)* nationally and *(b)* by region; and if he will make a statement. [9773]

Mr. Horam: The information requested is shown in the tables.

NHS hospital and community health services nurses[1,2] by regional health authority in England as at September 1979 to 1995

whole-time equivalents

	1979[3]	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*
England[4]	10,700	10,470	10,300	10,120	10,030	9,770	9,930	9,990	9,500
(per 5,000 head of population)	(1.15)	(1.13)	(1.10)	(1.08)	(1.07)	(1.04)	(1.05)	(1.06)	(1.00)
Northern	n/a	n/a	n/a	n/a	n/a	n/a	n/a	820	820
Yorkshire	n/a	n/a	n/a	n/a	n/a	n/a	n/a	720	740
Trent	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1,000	1,000
East Anglia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	390	360
North-west Thames	n/a	n/a	n/a	n/a	n/a	n/a	n/a	650	590
North-east Thames	n/a	n/a	n/a	n/a	n/a	n/a	n/a	650	630
South-east Thames[4]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	720	480
South-west Thames	n/a	n/a	n/a	n/a	n/a	n/a	n/a	660	620
Wessex	n/a	n/a	n/a	n/a	n/a	n/a	n/a	650	620
Oxford	n/a	n/a	n/a	n/a	n/a	n/a	n/a	510	510
South Western	n/a	n/a	n/a	n/a	n/a	n/a	n/a	620	620
West Midlands	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1,060	1,040
Mersey	n/a	n/a	n/a	n/a	n/a	n/a	n/a	520	530
North Western	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1,000	920
SHAs and others	n/a	n/a	n/a	n/a	n/a	n/a	n/a	20	10
Not included in the figures above:									
General Medical Service Practice nurses[5]	990	1,070	1,240	1,450	1,660	1,920	2,210	2,500	2,770

whole-time equivalents

	1988	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
England[4]	9,390	10,160	10,390	9,900	9,650	9,460	8,680	11,360
(per 5,000 head of population)	(0.99)	(1.06)	(1.08)	(1.03)	(1.00)	(1.00)	(0.98)	(1.16)
Northern	810	850	850	820	900	880	640	740
Yorkshire	710	790	780	660	630	630	620	750
Trent	1,030	1,040	1,010	980	930	850	820	1,010
East Anglia	370	370	350	350	330	320	300	610
North-west Thames	570	720	700	660	590	620	610	540
North-east Thames	610	710	730	710	710	680	620	890
South-east Thames[4]	410	350	790	680	670	620	530	1,070
South-west Thames	510	660	620	630	570	610	610	660
Wessex	620	640	630	620	630	660	570	630
Oxford	500	570	580	580	550	600	500	610
South Western	630	750	710	640	620	590	580	800
West Midlands	1,020	1,100	1,080	1,070	1,060	1,020	960	1,210
Mersey	510	570	550	520	490	480	460	380
North Western	980	1,030	1,010	990	950	890	800	1,250
SHAs and others	10	10	—	—	[6]—	[6]—	—	[6]—
Not included in the figures above:								
General Medical Service Practice nurses[5]	3,480	4,630	7,740	8,780	9,120	9,600	9,100	9,740

Notes:

[1] Between 1979 and 1994 district nurses exclude seniors 1–5. Included are senior nurses 6–8 in district nursing, district nurses, district nurse practical work teachers, holders of dual post (DN/Midwife), bank district nurses and clinical grades C to I in district nursing.

[2] A new classification for non-medical staff was introduced in 1995. Information based on this classification is not directly comparable with earlier years.

[3] Figures for 1979 are not directly comparable with those for later years because of the change in nurses standard working hours in 1980–81 from 40 to 37.5 hours a week.

[4] Figures for south-east Thames, and subsequently to a lesser extent the England totals, should be treated with caution. There was evidence of considerable under recording of occupation codes used to allocate staff to a particular area of work in the South-east Thames region in 1989 and several years prior to this.
[5] The decrease in practice nurses in 1994 is due to a non-submission of complete data relating to fundholding practices for certain FHSAs.
[6] Greater than zero but less than five.
— = Zero.
n/a = not available.
Figures are rounded to the nearest 10, consequently, totals may not equal sum of components.
Sources:
Department of Health non-medical work force census.
Department of Health general medical service census.
Office for National Statistics.

NHS hospital and community health services district nurses, as defined by new occupation codes, by regional health authority, England, as at 30 September 1995

	1995
England	11,380
(per 5,000 head of population)	(1.16)
Northern	740
Yorkshire	750
Trent	1,010
East Anglia	610
North-west Thames	540
North-east Thames	890
South-east Thames	1,070
South-west Thames	660
Wessex	630
Oxford	610
South Western	800
West Midlands	1,210
Mersey	380
North Western	1,250
SHAs and others	[1]—

Notes:
A new classification for non-medical staff was introduced in 1995. Information based on this classification is not directly comparable with earlier years.
Figures are rounded to the nearest 10; consequently, totals may not equal sum of components.
[1] Greater than zero but less than five.
Source:
Department of Health annual non-medical work force census Office for National Statistics.

Personal Social Services

Mr. Lidington: To ask the Secretary of State for Health what factors underlay the reduction in the personal social services standard spending assessment for Buckinghamshire county council between 1996–97 and 1997–98. [10681]

Mr. Burns: The use of more recent data in the indicators used to calculate the standard spending assessment was the primary cause of a very small reduction in the funding for personal social services in Buckinghamshire county council between 1996–97 and 1997–98. The revised area cost adjustment formula was the main factor. However, the total combined resources provided for social services in Buckinghamshire and Milton Keynes increased by £4,748 million from funding provided in 1996–97.

Operations

Mr. Chris Smith: To ask the Secretary of State for Health how many operations were cancelled in *(a)* each district health authority and *(b)* each region on the day of or day after admission to hospital; and how many of those patients were not readmitted within a month, for the second quarter of 1996. [11676]

Mr. Horam: The information will be placed in the Library shortly.

Sir John Stanley: To ask the Secretary of State for Health how many *(a)* heart bypass operations, *(b)* hip replacements, *(c)* knee replacements and *(d)* cataract operations were carried out by the national health service in the latest year for which figures are available; and what were the equivalent figures in 1979. [11258]

Mr. Horam: The information is as follows:

Primary operations: estimated number of ordinary admissions and day cases combined, NHS hospitals, England

Operation	*1979 discharges and deaths*	*1994–95 finished consultant episodes*
Coronary artery by-pass operations[1]	n/a	22,192
Total hip replacement and other arthroplasty of the hip[2]	29,210	62,510
Knee replacement operations[3]	2,940	25,340
Eye lens operations, mainly cataract[4]	40,370	151,785

Sources:
1979 Hospital In-Patient Enquiry. 1994–95 Hospital Episode Statistics.

Notes:
1979 (OPCS3R).
[1] Not identifiable.
[2] 810–811.
[3] 812.
[4] 170–179.

1994–95 (OPCS4R).
[1] K40–K46.
[2] W37–W39, W46–W48.
[3] W40–W42.
[4] C71–C72, C74–C75.

Sir John Stanley: To ask the Secretary of State for Health how many operations were carried out by the national health service in the latest year for which figures are available; and what was the equivalent figure in 1979. [11261]

Mr. Horam: The number of finished consultant episodes where an operation was performed was 5,110,182 in 1994–95. In 1979 the estimated number of spells on a comparable basis where an operation was performed was 2,458,720.

Cervical and Breast Cancer Screening

Sir John Stanley: To ask the Secretary of State for Health how many women received tests for *(a)* cancer of the cervix and *(b)* breast cancer, in the latest year for which figures are available; and what were the equivalent figures in 1979. [11257]

Mr. Horam: A total of 3.9 million women were tested in 1995–96 for cervical cancer. There is no comparable figure for 1979. The number of cervical smears examined by laboratories in 1979 was 2.6 million compared with 4.6 million in 1995–96. The earliest data available on breast cancer screening show that in 1991–92 0.9 million women were screened. In 1995–96 1.0 million women were screened.

NHS Expenditure

Sir John Stanley: To ask the Secretary of State for Health if he will give the figures for expenditure on the national health service for *(a)* 1978–79, *(b)* 1996–97 and *(c)* 1997–98. [11259]

Mr. Horam: The information is as follows:

National health service total net–ie Government-expenditure (£ million, cash)

	£ million
1978–79	6,273
1996–97 (estimated outturn)	33,179
1997–98 (plan)	34,374

Patient Statistics

Sir John Stanley: To ask the Secretary of State for Health how many patients were treated by the national health service in the latest year for which figures are available; and what was the equivalent figure in 1979. [11260]

Mr. Horam: On a comparative basis, there were 6.6 million finished consultant episodes in all hospital specialties in England in the calendar year 1979, compared with 11.2 million in 1995—96.

Manchester Health Authority

Mr. Eastham: To ask the Secretary of State for Health (1) what was the total cost of the consultation process regarding the proposals for the new children's hospital provision for the Manchester area; and from which budget this sum was taken; [11437]

(2) what has been the additional percentage pay increases awarded to the Manchester health authority management in the current year relative to the average awards made by trusts in the area. [11448]

Mr. Horam: A total of £110,000 was set aside from Manchester health authority's consultation budget, which is less than 4p per head of population.

A pay award to the health authority's managers has yet to be announced, but is expected to be broadly in line with other NHS staff in the city. The pay offers made so far to staff in the Manchester area range from 2 to 2.75 per cent., including the national pay increase of 2 per cent. from 1 April 1996 with provision for local negotiations for further increases.

Opencast Coal Mines (Health Hazards)

Mr. Dobson: To ask the Secretary of State for Health if he will list the research carried out by his Department, since January 1994, into possible environmental health problems caused by opencast coal operations, indicating *(a)* the commissioning dates of the investigations, *(b)* the name of organisations or agencies commissioned to undertake investigations and *(c)* the expected dates for publication of results; and if he will provide summaries of the investigations undertaken. [11358]

Mr. Horam: The Departments of Health and of the Environment commissioned a joint research project on the impact of particulate matter from opencast coal sites on public health in August 1996. The research is being undertaken by the University of Newcastle medical school and the work is expected to be complete in late October 1998. This work is still in its early stages. I will write to the hon. Member with details of what it involves.

Newcastle Disease

Mr. Flynn: To ask the Secretary of State for Health what assessment his Department has made of the possible transfer of Newcastle disease between poultry and other birds and humans; and if he will make a statement. [11552]

Mr. Horam: The risk of transmission of Newcastle disease to humans is low, even when handling infected birds. There is no risk of human infection from eating poultry meat.

Mr. Flynn: To ask the Secretary of State for Health how many people have been affected by Newcastle disease in each of the last five years; and if he will make a statement. [11549]

Mr. Horam: No human cases of Newcastle disease have been reported to the Public Health Laboratory Service communicable disease surveillance centre in the last five years.

WALES

Health Service Expenditure

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement on the £12.8 milllion included in his Department's 1996–97 expenditure on the national health service in Wales as a repayment by national health service trusts to his Department. [9959]

Mr. Hague: The £12.8 milllion represents the public expenditure cover necessary to enable the trusts to make repayments which effectively cancel out a liability from previous years.

Meningitis

Mr. John Owen Jones: To ask the Secretary of State for Wales, pursuant to his answer of 12 December, *Official Report*, column *338*, if his Department assesses the cases of meningitis diagnosed on *(a)* 16 October, *(b)* 16 November and *(c)* 28 November to be unrelated. [9870]

Mr. Gwilym Jones: Evidence which became available on 5 December indicates that the three cases were not unrelated.

Welsh Development Agency

Mr. Ron Davies: To ask the Secretary of State for Wales what have been the objectives of the Welsh Development Agency's redundancy policy with particular reference to the restructuring exercise undertaken since 1994. [11202]

Mr. Hague: This is an operational matter for the agency. I have asked the acting chief executive to write to the hon. Member with details. I shall arrange for a copy of the reply to be placed in the Library of the House.

Water Quality

Mr. Morgan: To ask the Secretary of State for Wales what consultation he has had with the chairman of the Wales committee of the Environment Agency concerning the date for setting water quality objectives for *(a)* immersion sports, *(b)* basic aquatic amenities and *(c)* fisheries. [11608]

Mr. Hague: None. My right hon. Friend the Secretary of State for the Environment announced on 7 February 1995, *Official Report*, column *135*, the Government's intention to test the operation of statutory water quality objectives in a limited number of pilot catchments. I am considering the Environment Agency's proposals for objectives for the Cleddau river catchment in Pembrokeshire which was one of those selected for the trial.

Newcastle Disease

Mr. Flynn: To ask the Secretary of State for Wales (1) how many recognised outbreaks of Newcastle disease have been recorded on farms in Wales by area in each of the last five years; and if he will make a statement; [11558]

(2) how many *(a)* chickens, *(b)* turkeys and *(c)* other birds have been affected by Newcastle disease in Wales in each of the last five years; and if he will make a statement. [11556]

Mr. Jonathan Evans: No outbreaks of Newcastle disease have been recorded in Wales in the last five years.

Mr. Flynn: To ask the Secretary of State for Wales how many people have been affected with Newcastle disease in Wales in each of the last five years; and if he will make a statement. [11557]

Mr. Jones: There have been no cases of Newcastle disease in humans in Wales reported to the public health laboratory service communicable disease surveillance centre in the last five years.

Private Finance Initiative

Mr. Morgan: To ask the Secretary of State for Wales who will own the APCOA car park and Eastern avenue eastbound on-slip road being constructed under the private finance initiative at the end of the operating lease period. [11609]

Mr. Hague: Ownership of the car park will transfer to the University Hospital of Wales Healthcare NHS Trust at the end of 20 years. The on-slip road will remain in the ownership of the trust, with the PFI partner funding the capital costs and a maintenance contract with Cardiff county council under a standard highways agreement for 20 years.

Cancer Treatment Centre, Bodelwyddan

Mr. Morgan: To ask the Secretary of State for Wales what factors underlie the size of the increase in the prospective annual revenue costs of the north Wales regional cancer treatment centre at Ysbyty Glan Clwyd, Bodelwyddan. [11302]

Mr. Hague: The increase in revenue costs from £4.3 million to £5.1 million per annum comprise an increase in capital charges in line with the increase in the capital costs to build and equip the centre, and the addition of a further radio iodine treatment facility.

Workshop on GP Work Force Planning

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement on the workshop on GP work force planning which took place on 15 November 1996; if he will place in the Library a copy of *(a)* the proposals emanating from the workshop and *(b)* the summary of the questionnaire on GP retirement intentions. [11303]

Mr. Hague: A report of the workshop is being drafted, and a copy will be placed in the Library upon completion.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received from the Land Authority for Wales concerning the non-determination of its planning application for a bird reserve to compensate for the loss of wader winter feeding grounds arising from the Cardiff bay barrage; and if he will make a statement. [11304]

Mr. Hague: None. The Land Authority for Wales issued a press notice on 14 January, indicating its intention of appealing to me against Newport borough council's non-determination of the planning application for a wildlife reserve on the Gwent levels. The Planning Inspectorate will be advising me on the appropriate action once the appeal is received.

Information Technology

Mr. Morgan: To ask the Secretary of State for Wales who will own the information technology equipment used in his Department's OSIRIS office automation project at the end of the operating lease period. [11610]

Mr. Hague: The OSIRIS contract is let under the private finance initiative and is not a leasing arrangement. Ownership of the equipment after the end of the contract period will rest with Siemens Business Services. The Welsh Office, and any subsequent contractor, has an option to buy the equipment at that time at a price which reflects the fair market value of the assets.

FOREIGN AND COMMONWEALTH AFFAIRS

European Union

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the number of articles that permit derogations from the obligation for ever closer union in all matters within the scope of each of the respective treaties of the European Union. [10900]

Mr. David Davis: The treaty on European Union, like the original treaty of Rome, calls for an ever-closer union "among the peoples of Europe",

not among the states or their Governments. This aspiration for strengthened co-operation and friendship is fully shared by the Government. Since it does not impose any legal obligation on the member states of the European Union, the question of derogations does not arise.

Nuclear Weapons

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of which countries, currently holding nuclear weapons, are likely to develop a new generation of nuclear weapons. [9671]

Mr. David Davis *[holding answer 15 January 1997]:* All the nuclear weapon states have signed the comprehensive test ban treaty, which will prohibit any nuclear weapon test explosion and any other nuclear explosion, and thus constrain the development and qualitative improvement of nuclear weapons and end the development of advanced new types of nuclear weapons.

EU Legislative Instruments

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the draft and adopted legislative instruments which have been solely based on the articles of the social agreement attached to the social protocol of the treaty on European Union, indicating for each *(a)* the document numbers and titles, *(b)* the dates of publication, progress or adoption, *(c)* the articles and paragraphs of the agreement cited as their base and *(d)* the opinions or amendments made by the European Parliament; and if he will make a statement on the nature and objectives of further legislation arising from the agreement of which he has received notification and which has not yet been formally presented to the Council of Ministers. [10878]

Mr. David Davis *[holding reply of 15 January, 1997]:* The following legislation is proposed, or has been adopted, on the basis of the agreement on social policy attached to protocol 14 of the Treaty of European Union:

European Works Council

a) Council directive 94/45/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees.

b) Adopted by the Council on 22 September 1994.

c) Adopted on the basis of article 2(2) of the agreement on social policy.

d) European Parliament opinion delivered on 4 May 1994; the European Parliament's second reading on 15 September 1994 suggested eight amendments, of which three were agreed by the Council.

Parental Leave

a) Council directive 96/34/EC on the framework agreement on parental leave concluded by Union of Industrial and Employer Confederation of Europe, European Centre of Public Enterprise and the European Trade Unions Congress.

b) Adopted by the Council on 3 June 1996.

c) Adopted on the basis of article 4(2) of the agreement on social policy.

d) European Parliament informed of the proposal.

Burden of Proof

a) Commission proposal for a Council directive on the burden of proof in cases of discrimination based on sex. Council document no. 6703/88; COM(96) 340 Final.

b) Proposal under discussion in the Council.

c) Proposed on the basis of article 2(2) of the agreement on social policy.

d) The opinion of the European Parliament is awaited.

The Commission has initiated consultations with the social partners under the terms of article 4 of the agreement on social policy as to whether there should be legislation in the following two areas:

the provision of equal statutory rights for atypical workers with their full-time equivalents.

the application to companies with more than 50 employees of the principles of information and consultation of workers already enshrined in the European Works Council Directive.

Government Employees Abroad

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidelines are provided to British Government employees working in, or visiting, foreign countries in respect of behaviour towards children which under United Kingdom law would be exploitative or abusive with particular reference to countries where local legislation differs substantially from that in the United Kingdom. [11203]

Mr. Hanley: There are no specific guidelines in respect of behaviour towards children, but all employees of this Department have a duty to respect British law and, when overseas, local laws. The general principles of conduct are set out in diplomatic service regulations, the civil service management code and in contracts of employment.

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the adequacy of the current guidelines provided to British Government employees working in or visiting foreign countries in respect of behaviour towards children which under United Kingdom law would be exploitative or abusive; and if he will make a statement. [11204]

Mr. Hanley: There are no specific guidelines in respect of behaviour towards children; but the general principles governing the conduct of employees of this Department accord with the central framework of rules and principles of conduct set out in the civil service management code. These general principles are also set out in the diplomatic service code of ethics which was introduced on 1 January 1996.

Bougossa Family

Mr. Ron Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken to secure the extradition of Rhaha Bougossa from Tunisia; and if he will make a statement. [11159]

Mr. Hanley: The absence of an extradition treaty between the UK and Tunisia precludes action to extradite Mr. Rhaha Bougossa from Tunisia. However, the British embassy in Tunisia has assisted Mr. Bougossa's ex-wife to begin proceedings to pursue through the Tunisian courts her case to obtain custody of her children.

Mr. Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the abduction to Tunisia of British-born twins Nathan and Adam Bougossa; what action he has taken to date to seek their return to their natural mother in the United Kingdom; and if he will make a statement. [11158]

Dr. Liam Fox: We have received representations from Pamela Hamilton, Glenys Kinnock Member of the European Parliament, the hon. Member for East Berkshire (Mr. MacKay) and Mary Banotti, Member of the European Parliament. Our embassy visited the children, helped Mrs. Hamilton to meet senior officials and to lobby the Tunisian President. It also helped her engage solicitors who are trying to obtain a custody order and to arrange further access.

China

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of China regarding Ngaweng Chephel since he was sentenced; and if he will make a statement. [11091]

Mr. Hanley: The Chinese authorities are well aware of our concern about the treatment of individuals in Tibet. The sentencing to 18 years imprisonment of Ngawang Chcephel was discussed in detail at a recent meeting with our EU partners, and we are now considering with them what action to take.

Burma

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice his Department gave to British Airways before the company began operating tours in Burma. [11172]

Dr. Liam Fox: I understand that British Airways does not operate tours in Burma, but that British Airways Holidays does. The latter did not consult the Foreign and Commonwealth Office before starting operations.

Hong Kong (Vietnamese Boat People)

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people are currently in detention camps in Hong Kong; if the governor will exercise discretionary compassionate powers enabling them to remain in Hong Kong; and if he will make a statement. [11062]

Mr. Hanley: As of 16 January this year, 5,836 Vietnamese migrants were held in detention centres in Hong Kong compared with 20,225 on 1 January 1996.

Hong Kong is working to implement the internationally agreed comprehensive plan of action which provides for the return to Vietnam of all Vietnamese asylum seekers who have been determined to be non-refugees. It remains an important objective of the British and Hong Kong Governments to complete that repatriation process as soon as possible.

Irish Republic (Agreements)

Mr. Robert McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to require the name, United Kingdom of Great Britain and Northern Ireland, to be utilised in both his and the Irish Republic's copy of agreements he proposes to sign with that country; and if he will make a statement. [11198]

Mr. Rifkind: No. The practice established for signing agreements between the United Kingdom and the Republic of Ireland does not prejudice the status of Northern Ireland as part of the United Kingdom.

Caribbean Dependent Territories

Mr. Porter: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has for the future constitutional relationship between Her Majesty's Government and the five remaining Caribbean dependent territories; and if he will make a statement. [9906]

Sir Nicholas Bonsor: I refer the hon. and learned Member to the answer I gave to the hon. Member for Harborough (Mr. Garnier) on 18 December, columns *676–77*.

Government Communications Headquarters, Cheltenham

Mr. Meale: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 9 December 1996, *Official Report*, column *21*, on the relocation of GCHQ, if he will supply the full terms of reference of the study into future accommodation, saying whether these exclude the relocation of any activities currently provided on the Cheltenham sites to *(a)* new and *(b)* existing sites outside Cheltenham. [11297]

Mr. Rifkind: The terms of reference of the study team are to assess GCHQ's future requirements for accommodation and related services to support its Cheltenham-based personnel, and the issues associated with achieving single site working. The study is intended to lead to a decision on the feasibility and scope of potential private finance initiative solutions to these requirements. Assuming that a single site solution were feasible, one which involved relocation of the Cheltenham-based personnel outside Gloucestershire is unlikely to be justifiable on economic grounds.

Argentina

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of his talks with Mr. Guido Di Tella and the Argentine delegation at Chevening on 11 and 12 January. [11450]

Sir Nicholas Bonsor: The talks at Chevening on 10 and 11 January covered UK-Argentine relations, including the Falklands. The discussions were held on the basis that the UK is not prepared to transfer or share sovereignty over the Falklands. We reiterated that this will remain the UK position. It was agreed that there should be early resumption of full negotiations for a fisheries agreement covering all aspects of the south Atlantic.

Written Answers to Questions

Monday 20 January 1997

DUCHY OF LANCASTER

Personalised Number Plates

Mr. Donohoe: To ask the Chancellor of the Duchy of Lancaster how many personalised number plates there are in the Government car pool; and if he will list them. [11239]

Mr. Freeman: Responsibility for this matter has been delegated under the terms of its framework document to the Security Facilities Executive under its chief executive, Mr. John King. The agency is therefore responding to the question.

Letter from John King to Mr. Brian Donohoe, dated 17 January 1997:

I have been asked by Mr. Freeman, Chancellor of the Duchy of Lancaster (who has Ministerial responsibility for the Government Car Service (GCS)), to provide you with a response to your Parliamentary Question concerning the use of personalised number plates by the Government Car Service. I am the Chief Executive of the Agency with operational responsibility for the GCS.

I can confirm that the Government Car Service does not have any number plates which are personalised to individual users or to the GCS itself.

We do however have one number plate which does not include a letter indicating the cars year of registration. This is used on a 15 year old Daimler Limousine which operates as part of the pool fleet. It is the only Limousine on the fleet.

TREASURY

Labour Statistics

Dr. Howells: To ask the Chancellor of the Exchequer if he will make a statement on the methodology used by his Department to calculate labour force statistics. [9889]

Mrs. Angela Knight *[holding answer 13 January 1997]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Dr. Kim Howells, dated 20 January 1997:

The Chancellor of the Exchequer has asked me to reply as the Director of the Office for National Statistics (ONS) to your recent question asking for a statement on the methodology used to calculate labour force statistics.

The main official sources of labour market statistics are the Labour Force Survey (LFS), the Workforce in Employment (WiE) figures and the monthly unemployment claimant count. All these are published by the ONS.

The LFS is a quarterly household survey collecting information from individuals on a wide range of labour market issues (e.g. employment, unemployment, training job-search methods). The LFS uses the International Labour Organisation (ILO) definitions of labour market statuses, including unemployment, which are suitable for international comparison. A description of the LFS was published in the October 1992 *Employment Gazette* (page 483).

The other regular source of employment data is the WiE series. This is a count of jobs based mainly on a survey of employers. A comparison of the LFS and WiE employment figures and methodologies was published in the January 1996 edition of *Labour Market Trends* (page 19).

The other major source of unemployment data is the monthly administrative count of claimants of unemployment-related benefits. This is dependent on rules relating to benefit entitlement and is not suitable for international comparisons. The methodologies for both the claimant count and the LFS ILO unemployment measure are described and compared in the booklet *How Exactly is Unemployment Measured?*.

The Government's policy on the collection and presentation of labour market statistics is set out in its Response to the Third Report from the Employment Committee Session 1995–96: Unemployment and Employment Statistics (30 October 1996).

Copies of all the above publications are available in the House of Commons Library.

VAT

Mr. Spearing: To ask the Chancellor of the Exchequer if he will personally sign future explanatory memoranda supplied to the Vote Office accompanying documents deposited there by Her Majesty's Government concerning changes in the system of value added taxes from within the European Community. [10809]

Mr. Kenneth Clarke: No. Explanatory memoranda reflect the Chancellor's policy but are sometimes signed by junior Ministers within their own area of responsibility.

Construction Industry

Mr. Thurnham: To ask the Chancellor of the Exchequer if he will reconcile the figures published by *(a)* the Office for National Statistics and *(b)* the Department of the Environment for the number of people employed in the construction industry; and what assessment he has made of the increase in productivity in the construction industry over the last 10 years. [11031]

Mrs. Angela Knight: The Office for National Statistics and the Department of the Environment expect to reconcile the figures by the end of 1997.

The index of output per person employed is published by ONS in "Labour Market Trends". The index uses value added data from DOE and employment data from the ONS work force in employment series. The index increased by 16.4 per cent. in the 10 years to the third quarter of 1996.

Exchange and Trading Systems and Credit Unions

Mr. Martyn Jones: To ask the Chancellor of the Exchequer if he will make an assessment of the *(a)* number, *(b)* distribution and *(c)* benefits of (i) local exchange and trading systems and (ii) credit unions in the United Kingdom; and if he will make a statement. [10534]

Mrs. Angela Knight *[holding answer 16 January 1997]:* Information about the number and distribution of local exchange and trading systems is not held centrally.

As for credit unions, 554 are currently registered under the Credit Unions Act 1979.

This distribution is:

England: 408

North: 80

North West: 118

Yorks and Humberside: 61

East Midlands: 12

West Midlands: 57

South West: 10

South East: 62

East Anglia: 8

Scotland: 113

Wales: 33.

Personalised Number Plates

Mr. Donohoe: To ask the Chancellor of the Exchequer how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11415]

Mrs. Angela Knight: None.

CHURCH COMMISSIONERS

Land

Mr. Martyn Jones: To ask the right hon. Member for Selby, representing the Church Commissioners, if he will list the *(a)* total area of land administered by the Church Commissioners, *(b)* amount assessed as agricultural land, *(c)* amount of land let for the purpose of farming and *(d)* total number of tenant farmers; and if he will make a statement. [10519]

Mr. Alison: The commissioners administer land for investment in agricultural, residential and commercial property and, in addition, small areas occupied by bishops' residences. Statistics of total area are available only for agricultural land. As at 31 December 1995, the latest date for which figures are available, the commissioners owned 55,518 hectares—137,185 acres—of agricultural land; 52,788 hectares—130,438 acres—were let for the purpose of farming. For the purpose of calculating only the number of tenant farmers, the commissioners define a farm as an area of land over 20 hectares—50 acres. As at 31 December 1995, there were 371 tenanted farms.

TRADE AND INDUSTRY

Child Care Facilities

Mr. Allen: To ask the President of the Board of Trade if Ministers are entitled to use child care facilities supported by his Department. [11600]

Mr. John M. Taylor: Ministers of the Crown are able to make use of the child care facilities provided by the Department.

EC Gas Directive

Dr. Howells: To ask the President of the Board of Trade what progress was made towards agreeing a European directive on gas liberalisation at the EU Energy Council of Minsters meeting on 3 December; and if he will make a statement. [10823]

Mr. Page: I refer the hon. Member to the answers I gave my hon. Friend the Member for Beaconsfield (Mr. Smith) on 9 December, *Official Report*, column *30* and the hon. Member for Blaneau Gwent (Mr. Smith) on 11 December, *Official Report*, column *274*.

Small and Medium Enterprises

Mrs. Roche: To ask the President of the Board of Trade what conclusions his Department has drawn from the Grant Thornton 1996 European business survey regarding *(a)* the percentage of United Kingdom SME which export, *(b)* the figures in each European Union country and *(c)* the European Union average. [11229]

Mr. Page: I welcome the survey's findings that as many as 45 per cent. of United Kingdom SMEs export, and that the share is significantly higher in only six other European Union countries. SMEs clearly make an important contribution to Britain's position as the world's fifth largest trading nation.

Centre for Ecology and Hydrology

Mr. Ingram: To ask the President of the Board of Trade how much has been spent to date on the prior options review of the Centre for Ecology and Hydrology; and from which budget these sums were paid. [11098]

Mr. Ian Taylor: I refer the hon. Member to the answer I gave on 13 January, *Official Report*, columns *133–34*.

Mr. Ingram: To ask the President of the Board of Trade (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees include employees of the Centre for Ecology and Hydrology as representatives of UK interests; and how many of these employees are leading the UK team on their committee; [11100]

(2) how many *(a)* United Kingdom, *(b)* European and *(c)* international committees are chaired by employees of the Centre for Ecology and Hydrology. [11101]

Mr. Taylor: The staff at the Centre for Ecology and Hydrology are employed by the Natural Environment Research Council. The prior options process is designed to ensure that the interests of the United Kingdom are best served by these bodies. In most cases, membership in fact reflects the professional or personal qualifications of the individual. However, information on committee membership is set out in the table.

	Chair/President	*Members*
United Kingdom	4	40
European	1	9
International	3	24

Mr. Ingram: To ask the President of the Board of Trade what are the expected future costs of the prior options review of the Centre for Ecology and Hydrology; and from which budget these sums will be paid. [11099]

Mr. Taylor: I refer the hon. Member to the answer I gave on 13 January, *Official Report*, columns *136–37*.

HOME DEPARTMENT

Prison Inmates (Prosecutions)

Mr. Harry Greenway: To ask the Secretary of State for the Home Department how many prosecutions there have been of prison inmates during the past 12 months; what were the principal offences for which they were prosecuted; and if he will make a statement. [9937]

Mr. Maclean: The information is not available centrally.

Prisoners (Custody Costs)

Mr. Michael: To ask the Secretary of State for the Home Department what was the average cost of custody per inmate month in adult prisons in the last year for which figures are available. [10922]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alun Michael, dated 20 January 1997:

The Home Secretary has asked me to reply to your recent Question about the average cost of the custody per prisoner month in adult prisons in the last year for which figures are available.

The average net operating cost per prisoner per month in adult male prisons in 1995–96 was £1,776. This figure includes establishments which may contain facilities for some young offenders and female prisoners. It excludes all female establishments, most of which may contain both adults and young offenders.

Mr. Michael: To ask the Secretary of State for the Home Department what was the average cost of custody per inmate month in *(a)* open and *(b)* closed youth establishments in the last year for which figures are available. [10923]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alun Michael, dated 20 January 1997:

The Home Secretary has asked me to reply to your recent Question about the average cost of custody per prisoner month in a) open and b) closed youth establishments in the last year for which figures are available.

The average net operating cost per prisoner per month in open youth establishments in 1995–96 was £2,071 and in closed youth establishments it was £1,730. The figure for closed establishments includes remand centres. These figures exclude all female establishments, most of which may contain both adults and young offenders.

Non-custodial Sentences (Costs)

Mr. Michael: To ask the Secretary of State for the Home Department (1) what was the average monthly cost of supervision under the Children and Young Persons Acts for the last year for which figures are available; [10925]

(2) what was the average monthly cost of a supervision order combined with intensive, intermediate treatment or specified activities in the last year for which figures are available; [10926]

(3) what was the average monthly cost of a probation order in the last year for which figures are available;[10929]

(4) what was the average monthly cost of a community service order in the last year for which figures are available. [10930]

Mr. Sackville: Information on monthly unit costs collated from probation service returns is given in the following table:

Estimated monthly cost per case supervised by the probation service in England and Wales, by type of order, 1995–96

	£ per case Cost
Supervision order under the Children and Young Persons Act 1969	180
Probation Order	190
Community service order	140

The figure for supervision orders relates to work by the probation service, and does not cover work by social services departments. Information on supervision orders with an additional requirement is not identified separately.

Bail Support Schemes (Costs)

Mr. Michael: To ask the Secretary of State for the Home Department what was the average monthly cost of bail support schemes in the last year for which figures are available. [10928]

Mr. Sackville: Bail support schemes, which vary widely in scope and coverage, are organised and funded locally by area probation services and social services. No information is held centrally about their cost.

Fire Service College

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what assessment he has made of the adequacy of the consideration given to health and safety at work issues at the Fire Service College. [11231]

Mr. Sackville : We are satisfied with the consideration given to health and safety at work issues at the Fire Service College. Responsibility for these matters rests with the college management, but the arrangements are monitored by professionally qualified Home Office health and safety officers, Health and Safety Executive inspectors and local authority environmental health officers.

Asylum Seekers

Mr. Corbyn: To ask the Secretary of State for the Home Department how many asylum seekers are currently held in Her Majesty's prison establishments; and how many of them are accused of committing a crime. [11611]

Mr. Kirkhope: As at 11 December 1996, the latest date for which information is available, 292 persons who had sought asylum were detained in Prison Service establishments solely under Immigration Act powers. In

addition to these, a further 121 asylum seekers were detained in prisons under powers other than, or in conjunction with, those contained in the Immigration Act 1971. Information on the number of these persons who are being held on criminal charges, as opposed to those serving a court imposed sentence, could be provided only at disproportionate cost.

Year Against Racism

Mr. Boateng: To ask the Secretary of State for the Home Department what representations his Department has received in relation to the EC's Year Against Racism, and from whom. [11213]

Mr. Kirkhope: The Department has received many inquiries of many different kinds about aspects of the European year from a wide range of organisations and individuals and has established a database of several hundred names.

Mr. Boateng: To ask the Secretary of State for the Home Department what initiatives are planned as the United Kingdom's contribution to the European Year Against Racism. [11211]

Mr. Kirkhope: The first major event of the year will take place on 28 January, when the Secretary of State for Employment and Education and Sir Herman Ouseley, the chairman of the Commission for Racial Equality, will be jointly hosting a conference to promote the business case for race equality. We shall then be launching the year formally in February. Other activities are being planned throughout the year, both by Government and by a wide range of other organisations. These are being collated into a calendar of events which will be widely disseminated in due course.

Mr. Boateng: To ask the Secretary of State for the Home Department if his Department is the lead Department for the United Kingdom's contribution to the EC's 1997 Year Against Racism. [11214]

Mr. Kirkhope: Yes.

Mr. Boateng: To ask the Secretary of State for the Home Department what consultations his Department has held with groups and organisations in the voluntary sector, and with local authority associations about the European Year Against Racism. [11210]

Mr. Kirkhope: In addition to informal contacts, we have set up a national co-ordinating committee which I am chairing personally. The committee met for the first time on 2 December and meets again on 26 February. The following organisations have been invited on to the committee: the Commission for Racial Equality; Association of County Councils; Association of District Councils; Association of Metropolitan Authorities; British Phonographic Industry; Confederation of British Industry; Convention of Scottish Local Authorities; Interfaith Network; Race for Opportunity; Runnymede Trust; SIA; Trades Union Congress; training and enterprise councils; Welsh Local Government Association; Home Office; Department for Education and Employment; Department of Health; Department of the Environment; and Northern Ireland Office. Lady Flather, the United Kingdom member of the European Union Consultative Committee on Racism and Xenophobia, is also a member of the committee.

Mr. Boateng: To ask the Secretary of State for the Home Department what information his Department has made available with regard to the activities surrounding the EC's designation of 1997 as a Year Against Racism; and what sums have been set aside for such activity. [11212]

Mr. Kirkhope: I am pleased to say that the European year has generated an enormous amount of interest in the United Kingdom and my Department has responded to a large number of inquiries. We have also disseminated widely the newsletter produced by the European Commission. We are providing specific funding to the Commission for Racial Equality to run a helpline and information service for the year and the first United Kingdom newsletter will be issued very shortly to the lists of contacts collated by the Home Office and the Commission for Racial Equality.

In addition, Government Departments will mark the year in appropriate ways, although no specific central budget has been set aside for this purpose.

The European Commission has set aside a budget of 4.7 million ecu to stimulate action and involvement in the year. We expect the Commission to announce details shortly of how organisations in member states can apply for this funding.

Data Protection (Registration Fees)

Mr. Cohen: To ask the Secretary of State for the Home Department what estimates he has made of the fees likely to be received from applicants for registration under the Data Protection Act 1984 in the next three financial years; and what plans he has to transform the registration fee into a tax on data users. [11238]

Mr. Sackville: The current estimates are:

Financial Years	*£ million*
1997–98	4.4
1998–99	6.5
1999–2000	4.9

The fee has been set at a level which will ensure that the full costs of the Data Protection Registrar's activities, since the exception of her office, are met on an accruals accounting basis. Fee income for 1998–99 and 1999–2000 may be affected by changes to the registration arrangements with the implementation by October 1998 of the European Community directive on data protection. We have not yet decided the form of the new arrangements.

Probation Service

Mr. Rowlands: To ask the Secretary of State for the Home Department what estimate he has made of expenditure in the current financial year on the probation service in *(a)* England and Wales and *(b)* Wales; and if he will express this expenditure as a percentage of expenditure on police and prisons. [11017]

Mr. Sackville: The information requested is set out in the table:

	England and Wales	*Wales*
Current estimate of expenditure on probation service 1996–97	£350.2 million	£18.1 million
As percentage of estimated expenditure on police	9.9 per cent.	10.4 per cent.
As percentage of estimated expenditure on prisons	21.3 per cent.	[1] —

[1] Separate figures for expenditure on the Prison Service in Wales are not kept.

Mr. Rowlands: To ask the Secretary of State for the Home Department if he will list the expenditure of the probation service in each of the counties of Wales since 1992, indicating the annual percentage increases or decreases on the previous year's expenditure. [11019]

Mr. Sackville: Net specified expenditure by probation areas in Wales between 1992–93 and 1995–96, and year-on-year percentage changes are given in the table. The probation areas correspond with the pre-April 1996 counties, with the exception of north Wales, which comprises the former counties of Clwyd and Gwynedd.

	1992–93	*1993–94*	*1994–95*	*1995–96*
Dyfed				
Expenditure (£)	1,700,530	1,845,785	2,020,753	2,144,641
Percentage change on previous year	—	+8.5	+9.5	+6.1
Gwent				
Expenditure (£)	2,277,894	2,456,291	2,614,526	2,698,153
Percentage change on previous year	—	+7.8	+6.4	+3.2
North Wales				
Expenditure (£)	2,991,103	3,166,670	3,439,321	3,612,692
Percentage change on previous year	—	+5.9	+8.6	+5.0
Powys				
Expenditure (£)	630,889	701,511	782,941	867,437
Percentage change on previous year	—	+11.2	+11.6	+10.8
South Glamorgan				
Expenditure (£)	3,307,601	3,506,904	3,791,970	4,023,999
Percentage change on previous year	—	+6.0	+8.1	+6.1
Mid Glamorgan				
Expenditure (£)	3,474,121	3,725,125	3,934,732	4,064,822
Percentage change on previous year	—	+7.2	+5.6	+3.3
West Glamorgan				
Expenditure (£)	2,819,039	3,034,418	3,223,813	3,307,664
Percentage change on previous year	—	+7.6	+6.2	+2.6

Mr. Rowlands: To ask the Secretary of State for the Home Department what national standards or criteria are currently in force in determining the average case load of probation officers *(a)* dealing with community service orders, *(b)* dealing with offenders in custody and *(c)* dealing with supervision orders. [11021]

Mr. Sackville: Decisions on allocation of case load to make best use of available staff resources are matters for individual probation committees, having regard to local circumstances; and no national standards or criteria have been issued.

Mr. Rowlands: To ask the Secretary of State for the Home Department what has been the percentage change in expenditure upon the probation service in England and Wales since 1992; and what are the equivalent figures for the police and prison services. [11018]

Mr. Sackville: Central Government support for the probation service in England and Wales, current and capital, between 1992–93 and 1995–96 increased by 9.6 per cent. The equivalent figures for the police and the Prison Service are 19.1 per cent. and 3.5 per cent. respectively.

Mr. Rowlands: To ask the Secretary of State for the Home Department what estimate he has made of the number of probation officers currently dealing directly with cases in each of the counties of Wales; and what assessment he has made of the change in the number of officers following the proposed budgets for 1997–98. [11020]

Mr. Sackville: The latest available published figures for the numbers of probation officers and senior probation officers[1] employed by probation committees in Wales at 30 June 1996 are given in the table.

It is for individual probation committees to determine their spending priorities, including staff numbers, in the light of the expenditure limits implied by the level of their grant support in 1997–98.

	Number
Dyfed	29
Gwent	65
North Wales	64
Powys	10
South Glamorgan	71
Mid Glamorgan	67
West Glamorgan	51

[1] Whole-time equivalents.

Baboons

Mr. Cohen: To ask the Secretary of State for the Home Department how many project licence applications for the use of wild-caught baboons have been approved by the Animal Procedures Committee since 1994 for research; what checks were made to ensure that these animals did not suffer unduly during trapping and transport to the United Kingdom; and what was the country of origin of these animals. [11169]

Mr. Sackville: Since the start of 1994, three project licences authorising the use of wild-caught baboons have been approved by the Animal Procedures Committee.

We announced in 1995 a ban on the use of wild-caught non-human primates unless specific and exceptional justification could be made. Details of the trapping, housing and transport arrangements for any holding

centres must now be submitted to the Home Office before animals acquired from these sources can be used in regulated procedures.

All the animals originated in Kenya. Following a visit by one of the animals (scientific procedures) inspectors to the holding centre concerned, many further application to use animals acquired from this source will not be considered until adequate improvements have been made to the facilities.

Personalised Number Plates

Mr. Donohoe: To ask the Secretary of State for the Home Department how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11416]

Mr. Howard: None.

ENVIRONMENT

Health and Safety (Co-Steel)

Mr. Allen: To ask the Secretary of State for the Environment how many Health and Safety Executive inspectors have visited Co-Steel to speak to employees without management present since August 1996. [11083]

Sir Paul Beresford: An HSE inspector who made three visits to investigate a fatal accident which occurred on 28 September 1996 interviewed several employees without management being present. An HSE inspector who carried out an inspection on 5 December 1996 had a discussion with two employees without management being present.

Mr. Allen: To ask the Secretary of State for the Environment what plans he has to initiate an investigation into safety procedures at Co-Steel, following the withdrawal of the British Safety Council's safety award. [11082]

Sir Paul Beresford: The Health and Safety Executive carried out an inspection of Co-Steel Sheerness plc in May 1996 and were generally satisfied with the company's health and safety arrangements. However HSE is currently examining the arrangements for complying with the reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.

Health and Safety

Mr. Allen: To ask the Secretary of State for the Environment which elected workers representatives have access to documents relevant to workplace health and safety in derecognised workplaces. [11084]

Sir Paul Beresford: Under the Health and Safety (Consultation with Employees) Regulations 1996, employers who choose to consult their employees via elected representatives are required to provide the representatives with the information necessary to carry out their functions. Employers must let workers representatives see the records of work-related injuries, diseases and dangerous occurrences which relate to the representatives' responsibilities.

Derelict Land Grant (Corby)

Mr. William Powell: To ask the Secretary of State for the Environment how much was paid in derelict land grant to Corby district borough council in each year since 1979. [11068]

Sir Paul Beresford: Information about expenditure from 1979–80 to 1994–94 was given in my answer of 26 April 1995, *Official Report*, columns *530–31*. English Partnerships paid £2,148,392 from its land reclamation programme in 1995–96. There have been no payments as yet in the current financial year, but English Partnerships expects to make a payment of £193,000.

Landlords (Gas Appliance Safety)

Ms Walley: To ask the Secretary of State for the Environment what steps he has taken to ensure that landlords comply with the amendment made to regulation 35 of the Gas Safety (Installation and Use) Regulations 1994 by the Gas Safety (Installation and Use) (Amendment) (No. 2) Regulations 1996: and if he will make a statement. [10952]

Sir Paul Beresford: Gas safety publicity is an important plank in the Health and Safety Commission's strategy for promoting compliance by duty holders with gas safety legislation. The duties enjoined on relevant landlords by the second amendment to the Gas Safety (Installation and Use) Regulations 1994, as amended, are the primary focus of the commission's current gas-related carbon monoxide poisoning publicity campaign.

Enforcement of the 1994 regulations is a priority activity for the Health and Safety Executive. There was more than a tenfold increase in formal enforcement action against landlords for breaches of regulation 35A in 1995–96 compared with 1994–95. Enforcement of the 1994 regulations, including the second amendment, will continue to be a priority activity for the HSE.

Telecommunications Masts

Sir Nicholas Baker: To ask the Secretary of State for the Environment if he will introduce measures to ensure *(a)* that the direction of all telecommunications masts is properly controlled and *(b)* that numbers are kept to the practical minimum in (i) Dorset and (ii) the United Kingdom. [11581]

Sir Paul Beresford: Controls over the erection of telecommunications masts are already in place. Masts over 15 m in height require a full application for planning permission wherever they are located, as do all masts in specified protected areas. Outside these areas, licensed telecommunications operators have the right to erect masts up to 15 m in height, subject to a prior approval procedure operated by local planning authorities under the Town and Country Planning (General Permitted Development) Order 1995. To help minimise the number of masts, our planning policy guidance encourages mast sharing wherever practicable and licences issued under the Telecommunications Act require operators to consider this. These controls apply to England and Wales. Other controls are a matter for my right hon. Friend the Secretary of State for Scotland and my right. hon. and learned Friend the Secretary of State for Northern Ireland.

Ancient Hedgerows

Mr. Donald Anderson: To ask the Secretary of State for the Environment what assessment he has made of the implications of the judgment in Hull county court by Judge Cracknell concerning the preservation of ancient hedgerows. [11424]

Mr. Clappison: In the case referred to, Mr Colin Seymour and the Yorkshire Wildlife Trust obtained from Hull county court a declaration that Flamborough parish council is bound for ever by the Flamborough Inclosures Act 1765, and subsequent award under it, to maintain a particular hedge that is owned by the council. The judge heard only one side of the argument. However, his judgment illustrates that obligations arising under Inclosure Acts and awards may still be enforceable; and that, in appropriate circumstances, the court may find that a local resident has locus standi to challenge the failure of a local authority to perform them. As he pointed out, the outcome depended on the wording of the particular Inclosure Act and award, and others may be expressed differently. It would therefore be wrong to read too much into this case.

Radioactive Waste (Disposal)

Mr. Llew Smith: To ask the Secretary of State for the Environment if he has received a copy of the memorandum by John Holmes of the Nirex science department, dated 10 December 1996, concerning the outstanding scientific matters that need attention in regard to the rock characterisation facility and proposals for the disposal of radioactive wastes. [11801]

Mr. Clappison: Yes.

Stockton City Challenge

Mr. Devlin: To ask the Secretary of State for the Environment when he intends to publish his decision on the public inquiry into the Stockton city challenge scheme for the redevelopment of Stockton high street. [11871]

Sir Paul Beresford: Good progress is being made in considering the inspector's report and a significant amount of post-inquiry correspondence. Some complex issues are involved which need careful consideration, and the decision will be issued as soon as it is practicable to do so.

Christ the King School

Mr. Wilshire: To ask the Secretary of State for the Environment if he will *(a)* make a statement on and *(b)* announce a decision on, the application referred to him by Spelthorne borough council to divert a footpath currently running through the playground of Christ the King school, Stanwell. [10916]

Sir Paul Beresford: The order will be decided by an inspector appointed by my right hon. Friend the Secretary of State following an exchange of written representations between Spelthorne borough council and the objector. The exchange of representations is complete and the inspector will visit the site before making his decision on the order.

Building Research Establishment

Mrs. Dunwoody: To ask the Secretary of State for the Environment if he will list the total financial allocation *(a)* from his Department and *(b)* from other Government Departments and agencies for research to be carried out by the Building Research Establishment executive agency in *(a)* 1996–97 and *(b)* 1997–98. [11268]

Mr. Robert B. Jones: The total amount expected to be spent at the Building Research Establishment in 1996–97 by my Department will be in the order of £32 million.

The Department is discussing with BRE proposed contracts for 1997–98, when it is anticipated that BRE will be in the private sector.

In 1996–97, other Government Departments have commissioned work valued at £2.1 million. It is a matter for individual Departments to decide whether and when to let contracts to BRE in 1997–98.

Mrs. Dunwoody: To ask the Secretary of State for the Environment if he will list the names and qualifications of the Building Research Establishment executive agency visitors. [11270]

Mr. Jones: The visitors of the Building Research Establishment executive agency are appointed by its chief executive, and I have asked him to reply.

Letter from R.G. Courtney to Mrs. Gwyneth Dunwoody, dated 16 January 1997:

The Secretary of State for the Environment has asked me to reply to your question on the names and qualifications of the Building Research Establishment Executive Agency Visitors.

The BRE Visitors are:

N. Armstrong, Director, North East Region Housing Corporation

J. B. Deal, Technical Director, Haden Young Limited

Dr. B. C. Hutt, Chairman of the Building Group, W. S. Atkins Consultants Limited

Professor P. E. O'Sullivan OBE, Head of the Bartlett School of Architecture, University College, London

Dr. D. G. Anderson, Technical Director, Lambson Fine Chemicals Limited

R. Crotty, Computer Executive, Bovis Construction Limited

D. Kincaid, Building Management Consultant

Professor C. L. Page, Department of Civil Engineering, Aston University

Professor D. Bradley FRS, Department of Mechanical Engineering, University of Leeds

Dr. D. D. Drysdale, Fire Safety Engineering Unit, University of Edinburgh

Professor T. J. Shields, Director, Fire Research and Testing Centre, University of Ulster

Professor J. B. Burland, Professor of Soil Mechanics, Imperial College, London

E. C. Chaplin, Company Chief Engineer, Tarmac Construction Limited

B. W. Smith, Flint and Neill Partnership

Professor R. Webster, Faculty of Design, Robert Gordon University, Aberdeen.

I regret that we do not hold details of their qualifications.

Mrs. Dunwoody: To ask the Secretary of State for the Environment what sources of professional advice his Department will have available after the transfer of

the Building Research Establishment executive agency to the private sector to enable his Department to arbitrate on plans for novel buildings; and if he will make a statement. [11272]

Mr. Jones: My Department employs its own professional officers to advise on cases referred to it under the Building Act 1984, but where appropriate advice will continue to be sought from the Building Research Establishment after its transfer to the private sector.

Mrs. Dunwoody: To ask the Secretary of State for the Environment if he will list the total amount allocated to the negotiated research programme for the Building Research Establishment executive agency for the financial year 1996–97 by his Department. [11267]

Mr. Jones: The total amount expected to be spent at the Building Research Establishment in 1996–97 under the negotiated construction research programme is £15.85 million.

Mrs. Dunwoody: To ask the Secretary of State for the Environment what action he is taking to ensure the continuing maintenance of the Buildings Research Establishment executive agency's large building test facility at Cardington after the transfer of the agency to the private sector. [11275]

Mr. Jones: In response to a question from my right hon. Friend the Member for Watford (Mr. Garel-Jones) on 2 April 1996, *Official Report,* columns *163–64*, my right hon. Friend made it clear that the Government want BRE to remain a single entity. That is the basis on which BRE is being offered for sale.

Mrs. Dunwoody: To ask the Secretary of State for the Environment what consultations he has undertaken to solicit the views of the construction industries throughout the United Kingdom regarding his intention to transfer the Building Research Establishment executive agency to the private sector; and if he will make a statement. [11280]

Mr. Jones: A large number of construction industry bodies were consulted as part of the review of the options for privatisation of BRE carried out by PA Consulting. In addition, three senior industry representatives were members of the advisory group which oversaw PA Consulting's work.

Mrs. Dunwoody: To ask the Secretary of State for the Environment what steps are being taken to ensure that those parts of the land on which the Building Research Establishment executive agency is situated which are sites of special scientific interest will be protected in the event of the transfer of the Building Research Establishment to the private sector. [11278]

Mr. Jones: There are no sites of special scientific interest on the sites occupied by the Building Research Establishment.

Mrs. Dunwoody: To ask the Secretary of State for the Environment when funding for the negotiated research programme for the Building Research Establishment executive agency for the financial year 1997–98 will be allocated by his Department. [11266]

Mr. Jones: Within the Department the allocation for construction research programmes has been made. The Department is discussing with BRE proposed contracts for 1997–98, when it is anticipated that BRE will be in the private sector.

Mrs. Dunwoody: To ask the Secretary of State for the Environment what action is being taken to establish the nature of the waste deposited in refuse tips on land on which the Building Research Establishment executive agency is sited at Garston, and the extent of the contamination of that waste; and if he will make a statement. [11279]

Mr. Jones: An environmental liabilities audit was commissioned by the Department as part of the preparation for the sale of BRE. This concluded that the area of the Garston site previously used for tipping does not present a risk to the current activities.

Knowsley Heights (Fire)

Mrs. Dunwoody: To ask the Secretary of State for the Environment what research has been carried out, and by which organisations, into building and other fire safety issues raised by the fire at Knowsley Heights in Liverpool in April 1991. [11269]

Mr. Robert B. Jones: The Building Research Establishment was commissioned by the Department to investigate the fire at Knowsley Heights. This subsequently led to a programme of research by BRE into the spread of fire in relation to cladding systems, particularly those of the "rainscreen" type. The project included appraisal of some of the hygrothermal properties of cladding systems.

Lightweight Polymer-cored Sandwich Panels

Mrs. Dunwoody: To ask the Secretary of State for the Environment what research he has commissioned to be carried out into the fire safety implications of the presence of lightweight polymer-cored sandwich panels in the food processing industry; and by which organisations this research was carried out. [11271]

Mr. Robert B. Jones: Officials in my Department have been working on this question with colleagues in the Home Office who had commissioned the Building Research Establishment to undertake an initial review of the fire safety of large insulated sandwich panels. My Department will commission follow-up tests with larger specimens shortly.

Pollutants

Mrs. Dunwoody: To ask the Secretary of State for the Environment what research has been carried out on his behalf, and by which organisations, into pollutants in the home in the United Kingdom in each of the past five years. [11273]

Mr. Robert B. Jones: The Department of the Environment has commissioned a substantial body of research into pollutants in the home over recent years. The research contracts which have been let over the past five years, and the organisations performing these contracts, are as follows:

Contract title	*Contractor*	*Contract duration*
Indoor air quality	Building Research Establishment	1990–93 1993–96 1996–99
Assessment of the risks to health and well being of occupants from exposure to various pollutants in homes	MRC Institute for Environment and Health	1994–99
ALSPAC daily health diaries	University of Bristol	1994–95
The siting of carbon monoxide detectors for use in domestic premises	Building Research Establishment (joint DoE/HSE contract)	1995–97
Size Selective Sampling of Indoor Air Quality—Exposure to Tobacco Smoke and Allergens	AEA Technology	1996–98
Estimation of Personal Exposures to Gaseous and Particulate Pollutants	University of Birmingham	1996–98

Stainless Steel (Swimming Pools)

Mrs. Dunwoody: To ask the Secretary of State for the Environment what research has been carried out on his behalf, and by which organisations, into the behaviour of stainless steel in swimming pool construction. [11274]

Mr. Robert B. Jones: Since 1988 my Department has commissioned research at the Building Research Establishment on the risks associated with the use of stainless steel in swimming pools. The work has been carried out in collaboration with interested parties such as British Steel and the Institute of Sports and Recreation Management. BRE has published a guidance document and has provided information for several journal articles. The work has provided advice on recommended stainless steel grades, inspection and maintenance and has generally raised awareness of the issues for designers and swimming pool owners.

Water Industry

Mrs. Helen Jackson: To ask the Secretary of State for the Environment if he will list the responses he has received into his consultation paper on competition in the water industry; and how many were in favour of extending competition into the domestic sector. [11049]

Mr. Clappison: A list of responses to the consultation paper "Water—Increasing Customer Choice" is in the Library. The paper invited comments on a number of measures to extend competition. These included giving domestic customers the right to make their own connections to the water main, on which there was general support. On common carriage arrangements, our proposals related to large users of water, and we did not invite comments on extending the proposals to the domestic sector.

Mrs. Jackson: To ask the Secretary of State for the Environment how much has been spent by his Department and the regulator on consultancy advice on the feasibility of extending competition in the water industry. [11050]

Mr. Clappison: The Department and the Office of Water Services jointly funded a report on the hydraulic, network and quality issues raised by common carriage at a cost of £21,150.

Mrs. Jackson: To ask the Secretary of State for the Environment when he will publish the results of his consultation exercise into extending competition in the water industry. [11051]

Mr. Clappison: My right hon. Friend hopes to make an announcement soon about how the Government intend to proceed.

Large Building Design (Bomb Attacks)

Mrs. Dunwoody: To ask the Secretary of State for the Environment what steps he has taken to reassess the current robustness requirements for large buildings, following recent bomb attacks in London and Manchester; and which organisations have acted on his behalf in assessing the damage and formulating design guidance aimed at limiting the impact of terrorist attacks. [11263]

Mr. Robert B. Jones: My Department did commission the Building Research Establishment, and others, to undertake limited investigations of the London bombings at St. Mary Axe in 1992 and at Bishopsgate in 1993, but not the Manchester incident. More detailed studies of such incidents are routinely carried out by experts in the explosives safety branch on behalf of the Home Office. Close liaison is maintained by my Department with ESB in order to monitor the performance of those buildings subjected to explosive attack. We have no plans to amend the Building Regulations to increase the resistance of buildings to bomb attack, although we have supported the development of design guidance specifically aimed at limiting the effect of explosions on buildings which are considered to be at particular risk of terrorist attack.

British Standards Institution

Mrs. Dunwoody: To ask the Secretary of State for the Environment if he will list the names, qualifications and employing organisations of the Government's funded representatives on each BSI committee; and what arrangements he proposes to make for Government representation on each committee in the event of the transfer of the Building Research Establishment executive agency to the private sector. [11363]

Mr. Robert B. Jones: A list of representatives funded by the Department of the Environment of BSI committees has been deposited with the Library of the House. That list shows the information requested except the qualifications of each individual, which are not recorded centrally. The expertise of Building Research Establishment staff is expected to remain available to assist with the representation of government interests in the development of standards following the transfer of BRE to the private sector.

Capital Challenge

Mr. Tipping: To ask the Secretary of State for the Environment if he will reconcile the figures for the

reductions in the provision for local authority capital approvals and capital grants by service in 1997–98 that were made to provide for the introduction of capital challenge with the estimated supplementary credit approvals to be allocated to each service under the capital challenge pilot scheme. [11650]

Sir Paul Beresford: The information available is in a different form from that requested.

The pool of resources for the capital challenge pilot scheme was created by transferring provision from Government Departments' budgets for support for local authority capital expenditure. Table 1 shows departmental contributions in each of the three financial years of the pilot scheme.

Table 1

£ million

Department	*1997–98*	*1998–99*	*1999–2000*
Ministry of Agriculture, Fisheries and Food	2.6	4.4	3.5
Department of Transport	44.2	74.8	59.8
Department of the Environment	66.3	108.9	87.1
Home Office	3.0	4.9	3.9
Lord Chancellor's Department	1.2	2.0	1.6
Department for Education and Employment	25.4	43.5	34.8
Department of Health	7.2	11.6	9.3
Totals	150.0	250.0	200.0

Columns may not sum due to rounding. Table 2 shows the estimated uptake of supplementary credit approvals by service over the three years of the pilot scheme.

Table 2

£ million

Service	*Credit approvals sought by successful bids*
Education	104.9
Housing	121.5
Personal social services	15.4
Transport	203.9
Magistrates' courts committees	7.3
Fire and civil defence	18.7
Probation committees	2.9
Coast protection/flood defence	1.3
Sport and recreation	15.0
Economic development	60.3
Waste collection	16.8
Parks and open spaces	10.0
Arts and libraries	11.6
Other	22.2
Total	611.8

A total of £600 million is available under the capital challenge pilot scheme. Ministers have approved a slight surplus of projects since it is likely that some will not proceed according to plan.

The services shown cannot be reconciled directly with the departmental contributions shown in table 1 since some services, for example economic development, will include the policy interests of more than one Department. The precise profiling of individual projects has not yet been agreed with authorities, and it is not therefore possible to show estimated expenditure for each service for individual financial years.

Earth Summit

Mr. Meacher: To ask the Secretary of State for the Environment if he will list the targets agreed at the Rio summit in 1992, indicating progress so far achieved with each of them by *(a)* the United Kingdom, *(b)* each other country for which information is readily available and *(c)* internationally. [10818]

Mr. Clappison *[holding answer 13 January 1997]:* At the Rio earth summit, the Prime Minister and other world leaders agreed the Rio declaration, conventions on climate change and biodiversity, a statement of forest principles, and Agenda 21. Shortly after Rio, the United Kingdom, with other members of the European Union and the Group of Seven, adopted an action plan to give practical effect to the Rio agreements. The United Kingdom has met in full its commitments under that action plan, including the ratification of the climate change and biodiversity conventions, and the production of a national strategy for sustainable development.

The strategy sets out measures and targets designed to promote the implementation of Agenda 21 and is monitored through annual White Papers which report on progress.

The UN's Commission on Sustainable Development was established after Rio to monitor progress on the implementation of the Rio agreements. The United Kingdom submits annual reports to the commission, copies of which are placed in the Library. We do not keep information on other countries' progress in implementing Rio commitments.

FOREIGN AND COMMONWEALTH AFFAIRS

Indonesia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasion the British Council has provided or facilitated training for the Indonesian paramilitary or police personnel *(a)* in Indonesia and *(b)* in the United Kingdom; and if he will list the cost and content of such training and what proposals there are for future support. [10707]

Mr. Hanley: The British Council has provided or facilitated training for Indonesian police personnel, in Indonesia and in the United Kingdom, under non-aid-funded arrangements, in addition to its involvement, on behalf of the Overseas Development Administration, in the national police management training project in Indonesia. Details of the latter have been provided to the hon. Lady and to the hon. Member for Cardiff, Central (Mr. Jones) in earlier replies on 8 February 1995, *Official Report*, columns *294–95*, 3 March 1995, *Official Report*, column *727*, 12 July 1995, *Official Report*, columns *609–12*, and 16 May 1996, *Official Report*, columns *522–26*.

The British Council in Indonesia has provided English language training to prepare police personnel for training in Britain. This language training has been funded under the Chevening awards scheme by the diplomatic wing of the Foreign and Commonwealth Office. The number of

police trainees and associated costs over the past five years, and estimated figures for the coming financial year, are as follows:

Year	Trainees	Cost (£)
1992–93	1	1,000
1996–97	2	2,000
1997–98	1	1,500

Figures in respect of training arranged by the British Council in the United Kingdom for these Indonesian police personnel, all under the Chevening awards scheme, are as follows:

Year	Trainees	Cost (£)
1992–93	1	12,000
1996–97	2	29,000
1997–98	1	15,000

The four students listed have followed, or will follow, courses in police studies, business administration, banking and finance, and traffic studies.

In 1993–94 and 1994–95 the British Council also provided English language training in Jakarta to two groups of 15 traffic police. This was fully funded under the auspices of a World bank project managed by a British consultancy company.

The British Council has not provided for facilitated training for Indonesian paramilitary organisations.

British Citizens (Death Sentence)

Mr. Peter Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs if consular access has been granted and made to Mr. Krishna Maharaj in Florida. [11480]

Dr. Liam Fox: Our consular staff became aware of Mr. Maharaj's situation in October 1988. He received his first consular visit on 3 January 1989. We have been in regular touch with him ever since.

Mr. Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British citizens abroad his Department estimates to have been *(a)* sentenced judicially to death and *(b)* executed in the past 10 years. [11476]

Dr. Fox: The answer is *(a)* eight, and *(b)* four.

Mr. Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the reason for the replacement of the judge who initially presided in the Florida murder trial of Mr. Krishna Maharaj. [11478]

Dr. Fox: The first judge was removed from the trial in order to face bribery charges in an unrelated case.

Mr. Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British citizens abroad outside the EU have been provided with financial resources to defend themselves or to appeal against verdict or sentence in cases that could end with judicial execution in the past 10 years. [11477]

Dr. Fox: None.

Mr. Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the legal options available to Mr. Krishna Maharaj; and how much time has been made available to Mr. Krishna Maharaj to present arguments to the Florida Supreme court for a new trial. [11479]

Dr. Fox: Mr. Maharaj is able to make use of the US post-conviction appeals process. His state appeal was heard in April 1996. The Florida Supreme court ruled in December 1996 that his case should be returned to the Miami court for an evidentiary hearing to decide whether or not he is entitled to a retrial.

United Nations

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how much of the United Nations regular budget in 1996 was financed by borrowing from the peacekeeping budget; and what assessment he has made of the impact of this on peacekeeping operations. [11344]

Sir Nicholas Bonsor: The UN regular budget at the end of 1996 was most recently forecast to have been in deficit by $195 million—down from $198 million at the end of 1995. This end of year balance of funds was cross-borrowed from the peacekeeping budget.

The borrowing of funds from peacekeeping budgets to meet cash shortfalls on the UN regular budget is a short-term measure and is within UN financial regulations. It has no appreciable impact in the day-to-day work of UN peacekeeping operations. We do not, however, believe that this is good accounting practice.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how much outstanding debt is owed to the United Nations *(a)* in total and *(b)* by the United States; how much of this is owed to the peacekeeping budget; and if he will make a statement about the financial situation of the United Nations. [11345]

Sir Nicholas Bonsor: At 15 December 1996, outstanding assessed contributions to the UN totalled $2.26 billion. Of this, $1.71 billion was for peacekeeping operations. The total US debt was $1.3 billion, including $926 million for peacekeeping operations.

We firmly believe that all UN member states including the US, must pay their dues promptly, in full and without conditions, in accordance with their legal obligation. The EU proposals for UN financial reform include penalties for late or non-payers.

Bosnia

Mr. Macdonald: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will review export controls and the supply of arms to Bosnia. [11587]

Sir Nicholas Bonsor: In my written answer to the hon. and learned Member for Harborough (Mr. Garnier) on 15 July, *Official Report*, column *358*, I announced continuing restrictions on UK arms exports to the states of the former Yugoslavia, in line with an EU common position. We have no plans at present to review this policy.

Venezuela (Prisoners)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to secure the release of James Miles and Paul Loseby from custody in Venezuela. [11530]

Dr. Liam Fox: Our consular staff in Caracas are in regular contact with Mr. Miles and Mr. Loseby to ensure that they are treated fairly. They have provided information about local lawyers and the Venezuelan legal system. The date of their release is a matter for the Venezuelan judicial authorities.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to conclude a prisoner exchange agreement between Britain and Venezuela. [11531]

Dr. Fox: Yes. Steps are in hand.

Personalised Number Plates

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11417]

Mr. Hanley: None.

Asylum Seekers

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place concerning the loss of life of asylum seekers trying to travel to European Union countries; and if he will make a statement. [11180]

Dr. Liam Fox: Meetings take place on a regular basis with our European Union partners to discuss asylum matters. There has been no discussion on this specific issue.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Greece concerning the reported loss of life of people trying to reach Greece by sea. [11181]

Mr. David Davis: None.

HOUSE OF COMMONS

Domestic Air Travel

Ms Jowell: To ask the Chairman of the Administration Committee what guidelines are issued to hon. Members about the use of air travel funded by the House of Commons within the United Kingdom; and if he will list the airlines and airports in the United Kingdom that hon. Members are able to use. [11680]

Mr. Michael J. Martin: Hon. Members may use any United Kingdom airport or any airline appropriate to their parliamentary duties.

PRIME MINISTER

Ministerial Visit (Indian Sub-continent)

Mr. Vaz: To ask the Prime Minister what was the cost to public funds of his visit to India, Pakistan and Bangladesh; and who accompanied him on his visit. [11666]

The Prime Minister: I was accompanied by my wife and my right hon. Friend the President of the Board of Trade. We took 24 members of my office and other staff, 23 members of the press and 48 representatives of British industry, although not all of them accompanied us throughout the entire visit.

Detailed cost information is not yet available. The representatives from industry and the press will, of course, be charged in the normal manner.

NATIONAL HERITAGE

Millennium Exhibition

Sir Peter Lloyd: To ask the Secretary of State for National Heritage if she will make a statement on the progress of the millennium exhibition project at Greenwich. [12056]

Mrs. Virginia Bottomley: My Department issued a statement on 18 January setting out the basis on which the millennium exhibition project will go ahead. The text of the statement is reproduced as follows:

On 6 December last year, the Millennium Exhibition operating company, Millennium Central, submitted its proposals for a National Exhibition to the Millennium Commission. The Commissioners decided at their meeting on 11 December that an Exhibition will take place in Greenwich in the year 2000.

At its meeting on 13 January 1997, the Commission agreed that the indicative budget now available provides a basis on which a grant of £200 million can be made. Immediate negotiations on the terms and conditions of grant will begin in parallel with the preparation of a detailed business plan and the creation of the management team. This will be done in such a way as to drive costs down.

In addition to the Commission's grant, the Exhibition will be funded through commercial income including private sector sponsorship. The Millennium Commission has a target of £150 million for sponsorship, of which more than half has been identified. Entrance charges will be set at a level which allows as many people as possible to attend but which also maximises revenue.

The operational targets for visitor numbers and income for the Exhibition are, of course, estimates and will remain so, even when the detailed business plan is prepared. The Government will expect the business plan to be delivered within the indicative budget and will keep progress under continuous review to ensure that a first class exhibition is delivered at Greenwich in the most cost effective way. Nevertheless, the Government has taken the view that the Commission should have provision to cover variations from the estimates in the plan without prejudicing its existing grant programmes and the possibility of a fourth round of capital projects.

The National Lottery etc. Act of 1993 allows for money from the National Lottery to be channelled to the Millennium Commission only until 31 December 2000, although that period may be extended by Order. An Order will accordingly be brought forward to extend the funding life of the commission for one year. Millennium Central understands that should the need for provision to cover variations arise, it will be required to make a new application to the Commission for this purpose. But any such application will only be made for contingencies and inflation which at present cannot be predicted and both the Government and Opposition agree that everything possible must be done to keep within the existing budget.

The Government is putting in place the normal public sector procedures necessary to monitor and review a project of this sort. No public expenditure will be committed to the Exhibition beyond that which will be made available to English Partnerships to acquire and prepare the site.

The Government has decided that the Chancellor of the Duchy of Lancaster, Mr. Roger Freeman, should assume responsibility for Millennium Central. It would not be right for the Secretary of State for National Heritage to take this role in view of her position as Chairman of the Millennium Commission. To do so would also fetter her discretion as Secretary of State to act properly under the terms of the National Lottery etc. Act 1993. Mr. Freeman will be advised by the Department of National Heritage. He will be the company's shareholder and will appoint its Board members and be answerable to Parliament for its performance.

The Government is also pleased to announce that Robert Ayling, Chief Executive of British Airways, is to be Chairman of Millennium Central and that Jennifer Page, currently Chief Executive of the Millennium Commission, will be Chief Executive of the company.

The Government has discussed the Millennium Commission's plans in detail with the Opposition, who are represented on the Commission. The Opposition remain enthusiastic about the proposed exhibition at Greenwich. They will want, if elected, to review all aspects of the project delivery, to ensure it is cost effective and properly implemented, so that it will come within the existing budget. The Government is pleased that the Shadow Heritage Secretary, Dr. Jack Cunningham, who has supported the plan for a National Exhibition from the start, has agreed the terms of this announcement.

A National Exhibition should be a landmark in the lives of British people; it should be an event of which the whole country can be proud and which other nationals will admire, and be a worthy successor to the 1851 Great Exhibition and the 1951 Festival of Britain. The decontamination and regeneration of the 300-acre Greenwich Peninsula—the largest single derelict site in Southern England, just six miles for Westminster—will be one of the great legacies of the event. Five thousand people will work to build the Exhibition. The associated national programme will involve the whole country in the celebration of the Millennium. This will be an exhibition for the whole nation.

Historic Buildings (Advice Charges)

Mrs. Dunwoody: To ask the Secretary of State for National Heritage what sources of advice on the reduction of fire risks in historic buildings are currently available to her; and if she will list the amount paid in charges for such advice for each of the last three years. [11282]

Mr. Sproat: There are number of sources of advice available to me including: Sir Alan Bailey's report, "Fire Protection Measures for the Royal Palaces", produced in May 1993; and the National Research Co-ordinating Committee for Fire Safety in Historic Buildings, on which most organisations with an interest in fire safety in heritage buildings are represented. Advice has also been sought from Lawrence Webster Forrest/Klimat, International Fire Consultants, Warrington Fire Research, C. S. Todd and Associates and the Building Research Establishment. Over the last three years, the following amounts have been paid in charges for such advice: 1993–94—£52,000; 1994–95—£109,000; 1995–96—£163,000.

In addition, English Heritage operates a technical research programme which can include research into the reduction of fire risks in historic buildings. The results of that research are generally made available to the public either free or at a small price.

Mrs. Dunwoody: To ask the Secretary of State for National Heritage what sources of advice on the protection of stone in historic buildings are currently available to her; and if charges are made for such advice. [11281]

Mr. Sproat: English Heritage, in consultation with the Building Research Establishment, operates a technical research programme which can encompass research into the protection of stone in historic buildings. The results of such research are generally made available to the public either through leaflets or through publications. The former tend to be free; the latter tend to be at a small charge. English Heritage also offers guidance on technical issues on request, for which a charge is not levied.

DEFENCE

Malathion

Mr. Llew Smith: To ask the Secretary of State for Defence what clinical assessments have been conducted by or on behalf of his Department on the health effects of malathion powder containing organophosphates. [10634]

Mr. Soames: None.

Mr. Smith: To ask the Secretary of State for Defence what licensing procedures apply in respect of use of malathion by British armed forces. [10640]

Mr. Soames *[holding answer 13 January 1997]:* Malathion-based dusting powder has been discontinued and replaced in the inventory of UK armed forces by coopex powder, a pyrethroid-based pesticide. Residual stocks of the malathion-based dusting powder are being disposed.

Post-viral Fatigue Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence what data have been collected by his Department in each year since 1979 on the occurrence of post-viral fatigue syndrome or related illness contracted by environmental health assistants serving with the Royal Army Medical Corps. [10891]

Mr. Soames: Data on post-viral fatigue syndrome are not collected in this form.

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary for Defence what assessment his Department's research into Gulf war syndrome made of the possible linkage between the use of vaccines against hepatitis B and post-viral fatigue syndrome manifested in Gulf war veterans. [10894]

Mr. Soames: My Department has made no specific assessment of the possible linkage between the use of vaccines against hepatitis B and post-viral fatigue syndrome manifested in Gulf war veterans.

Mr. Smith: To ask the Secretary of State for Defence what assessment his Department's inquiry into Gulf war syndrome has made of articles published in the "Journal of the American Medical Association"; and what is his policy on reviewing American publications on post-Gulf war illness. [11028]

Mr. Soames: My Department is currently assessing the four articles and editorial on the health of US Gulf war veterans which were published in the 15 January edition of the "Journal of the American Medical Association". We continue to monitor articles on Gulf health issues in American publications, reviewing them and conducting detailed assessments as medical staff consider appropriate. The Medical Research Council has also agreed to review research carried out or in progress in the US on our behalf, in order to establish its relevance to UK Gulf health issues.

Mr. Campbell-Savours: To ask the Secretary of State for Defence which of the vaccines provided for use by personnel who served during the conflict with Iraq included anti-malarial agents. [11292]

Mr. Soames: None of the vaccines provided for use by the personnel who served in the Gulf during the conflict with Iraq included anti-malarial agents.

Diazinon

Mr. Llew Smith: To ask the Secretary of State for Defence what examination his Department's research into Gulf war syndrome undertook of the transitional breakdown products of the pesticide, diazinon; and what externally produced research papers on this pesticide have been evaluated by his Department. [10898]

Mr. Soames: My Department has not undertaken any research into the health effects of pesticides containing diazinon. As was stated in the report of the organophosphate pesticide investigation team, paragraph 3.D.31, there is a possibility that during deployment to the Gulf in 1990–91 a small number of personnel could have used a pesticide containing diazinon, which was purchased locally, for a limited period. As far as the Department is aware, these are the only circumstances under which British forces may have used a pesticide containing diazinon. The Ministry of Defence has not evaluated any externally produced research papers on diazinon.

Ballistic Missiles

Mr. Llew Smith: To ask the Secretary of State for Defence what plans he has to develop technology-based defence against ballistic missile attack. [11029]

Mr. Arbuthnot: We are currently assessing whether we have a national requirement for ballistic missile defence, taking into account risks posed by ballistic missiles and evaluating the options for responding to these risks.

Naval Helicopters (Training)

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many departures from the agreed flight plan of naval helicopters on training flights occurred in each year since 1992. [11527]

Mr. Soames: This information is not available. Military aircraft are not required to file flight plans other than if transmitting through civil controlled airspace. Departures from a sortie plan can occur for a variety of emergency, operational or air traffic control reasons.

Duke of York (Helicopter Flight)

Mr. Gordon Prentice: To ask the Secretary of State for Defence what were the flight path and the stopping-off places of the naval helicopter which carried the Duke of York on a training flight on 13 November 1996. [11520]

Mr. Soames: The aircraft left its home base at Portland, delivered a flight crew to the royal naval auxiliary yard Fleetlands, Gosport and then proceeded to collect HRH the Duke of York at Sunningdale while carrying out navigation training in the London helicopter route. A visit to Cowarth Park school was then undertaken during this training and after HRH was returned to Sunningdale the aircraft proceeded to RAF Manston for a military exercise.

Mr. Prentice: To ask the Secretary of State for Defence who was responsible for agreeing the flight plan of the helicopter which carried the Duke of York on 13 November 1996. [11518]

Mr. Soames: The sortie was fully planned and authorised through the normal chain of command at the royal naval air station, Portland.

Mr. Prentice: To ask the Secretary of State for Defence what was the cost of the training flight of the naval helicopter which carried the Duke of York on 13 November 1996. [11519]

Mr. Soames: The cost of individual flights is not routinely recorded. The cost of the helicopter training flight which carried HRH the Duke of York on 13 November was accommodated within overall annual training hours and fuel allocations.

Child Care Facilities

Mr. Allen: To ask the Secretary of State for Defence if Ministers are entitled to use child care facilities supported by his Department. [11598]

Mr. Arbuthnot: Ministers of the Crown are eligible to make use of the child care facilities provided by the Department. If use were made of my Department's child care facilities by my ministerial colleagues or by me, we would expect to pay the full non-subsidised cost of the care provided.

Atomic Weapons Establishment, Aldermaston

Mr. Simpson: To ask the Secretary of State for Defence what progress is being made to clean up the North Ponds area at AWE Aldermaston; and if he will make a statement. [11482]

Mr. Arbuthnot: The North Ponds area receives surface water from within the Aldermaston site. Radiological levels are within limits set by the Environment Agency and other regulatory bodies. The area is being remodelled as part of a scheme to improve water management at Aldermaston, with completion expected next year. Some decontamination work will then be needed.

Nuclear Co-operation

Mr. Simpson: To ask the Secretary of State for Defence how many requests have been made by the

United States of America for permission to transfer nuclear weapons information of British provenance to France since 1967. [11536]

Mr. Soames: We are not aware of any official requests for the transfer of nuclear weapons information under the 1958 agreement.

Defence Police (Highlands and Islands)

Mr. Charles Kennedy: To ask the Secretary of State for Defence if he will list the number and location of his Department's police within the Scottish highlands and islands. [11898]

Mr. Soames: This is a matter for the chief constable/chief executive of the Ministry of Defence Police agency. I have asked the chief constable/chief executive to write to the hon. Member.

Letter from W. E. E. Boreham to Mr. Charles Kennedy, dated 20 January 1997:

I am replying to your Question to the Secretary of State for Defence about the number and location of Ministry of Defence Police officers located in the Scottish Highlands and Islands, as this falls into my area of responsibility as Chief Constable/Chief Executive of the Ministry of Defence Police Agency.

There are no Ministry of Defence Police officers stationed in the Scottish Highlands and Islands.

Sunken Ships

Mr. Soley: To ask the Secretary of State for Defence if he will publish a list of sunken ships which are listed as war graves indicating their approximate location. [12016]

Mr. Soames: Consideration of whether a sunken ship falls to be considered as a war grave, as now defined in the Protection of Military Remains Act 1986, has been on a case-by-case basis. It has not in the past proved necessary to compile a list of such vessels, and to do so now would be possible only at disproportionate cost.

Naval Vessels (Assistance)

Mr. Corbyn: To ask the Secretary of State for Defence what instructions are given to United Kingdom naval vessels regarding the assistance to be rendered when there is danger to life on the high seas in a non-combat situation. [11183]

Mr. Soames: The United Kingdom abides by customary international law, which recognises the requirement to render humanitarian assistance on the high seas whenever possible. This requirement is enshrined in the Queen's Regulations for the Royal Navy, as well as in a number of other standing instructions and general guidance. All officers in command of Her Majesty's ships, vessels and establishments are required to observe and obey these regulations, and to ensure that their ships' companies do the same.

OVERSEAS DEVELOPMENT ADMINISTRATION

European Union Aid

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which of the European Commission directorates concerned with the dispersal of aid have underspent in each of the past five years; for what reasons such underspend occurred; and what measures have been taken in response. [10971]

Dr. Liam Fox: All European Community external assistance directorates—Directorates-General VIII, DG, IA, DG, IB, and the EC Humanitarian Office, ECHO—have underspent against their initial annual budget in each of the five years 1991 to 1995 inclusive, except ECHO in 1991, 1992 and 1994 and DGIA in 1993 and 1994.

There are a number of reasons for the persistent underspending: over-ambitious increases in the external assistance budgets; weaknesses in forecasting systems; and insufficient staffing.

The UK Government consistently argue for both realism and restraint during EC budgetary negotiations. We are working with the Commission to improve its forecasting systems. We continue to press the Commission to address staffing issues. We also second ODA staff to Brussels and EC delegations to help improve aid delivery systems.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he is taking to increase the amount and percentage of European Union aid funds that are channelled through British non-governmental organisations. [10970]

Dr. Fox: The Government press for fair competition for all European Community development co-operation spending, in order to ensure both value for money and effectiveness. British non-governmental organisations are extremely effective and well placed to benefit from this approach.

Consortium for Street Children

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the projects of the Consortium for Street Children funded by the aid programme in 1995 and 1996 and the level of funding given; and if he will list the projects, and their cost, to be supported in 1997, 1998 and 1999, or the level of funding to be offered in these years if specific projects have not yet been agreed. [11248]

Dr. Liam Fox: ODA has supported the following projects:

Production of a resource directory: £30,000 spread over two financial years 1994–95 and 1995–96;

Pilot project on girl street children: £16,100 in 1995–96; and legal handbook: £12,000 in 1996–97.

Outline proposals for 1997–98 are under consideration. The director of the Consortium for Street Children is aware that ODA cannot make multi-year commitments.

Indonesia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs at what locations in eastern Indonesia and East Timor reception tests were carried out to test the effectiveness of the transmitters installed under the shortwave radio transmitters project. [11645]

Dr. Liam Fox: Reception tests were carried out by the Indonesian authorities. Neither the Overseas Development Administration nor the UK contractor has information regarding the locations at which tests were carried out.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department had with the Government of Portugal regarding the developmental benefits to East Timor of the regional physical planning programme for transmigration, the national overview of land resources, and the regional physical map improvement and training projects in Indonesia. [11649]

Dr. Fox: None.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of the Radio Republic Indonesia reports which his Department used to assess the developmental value of the radio studies rehabilitation project in Indonesia. [11646]

Dr. Fox: No such reports are on file. The assessment was carried out by an appraisal team which visited Indonesia in September and October 1985.

EDUCATION AND EMPLOYMENT

Pardes House and Beis Yaakov School

Mr. John Marshall: To ask the Secretary of State for Education and Employment when she received an application for grant-maintained status from the Pardes House and Beis Yaakov school; and when she expects to determine it. [11208]

Mr. Robin Squire: The Department received the application from the Pardes House and Beis Yaakov School on 20 September 1996. A decision on the application will be made as soon as possible.

Science Studies

Mr. Dalyell: To ask the Secretary of State for Education and Employment (1) what assessment she has made of the reasons why so many young people cease to continue science studies after 16 years of age; [10958]

(2) what plans she has in respect of the science education at age over 16, for those who do not plan a career in a science-related job. [10959]

Mrs. Gillan: It is of course ultimately for young people after 16, in consultation with their schools and colleges, to choose the right subjects for them. The Department undertook a review in 1994 on the supply and demand of newly qualified young people in mathematics and science. Most recently, Sir Ron Dearing's report last year on 16 to 19 qualifications made several recommendations on increasing take-up and achievement in both mathematics and the sciences. The joint committee of the School Curriculum and Assessment Authority and the National Council for Vocational Qualifications has been taking forward work on those recommendations. My right hon. Friend will of course consider carefully any further advice and specific proposals for action they make.

Back-to-work Measures

Sir Ivan Lawrence: To ask the Secretary of State for Education and Employment what measures have been introduced since 1992 to help the long-term unemployed back to work; and what assessment her Department has made of their effectiveness. [10963]

Mr. Forth: Since 1992, new jobs have been created and unemployment has fallen. There is clear evidence that our labour market is now more flexible and working more effectively. The UK is the only major European country with unemployment below 2 million, and long-term unemployment has fallen consistently for almost three years.

The Government's labour market policies have sought to build on this progress, and to help long-term unemployed people in particular to compete successfully for the jobs becoming available. Through the introduction of the jobseeker's allowance, Employment Service advisers can now spend more time helping each individual jobseeker. We have also introduced a number of measures to improve incentives to work, and we have maintained year by year the level of 1.5 million opportunities for unemployed people in employment and training programmes.

We have kept the range of employment and training programmes under continual review, and since 1992 have introduced a number of new measures designed to do more to help long-term unemployed people back to work. New programmes for those unemployed for one year or more have included: 1-2-1, jobplan workshops, workwise—worklink in Scotland—restart courses and the jobfinder's grant. A number of other measures have also been piloted.

The Department's programmes and pilot programmes are fully evaluated, and evidence on the comparative effectiveness of individual measures has been used to improve the balance of provision for long-term unemployed people.

In his November Budget statement, my right hon. and learned Friend the Chancellor of the Exchequer announced a new package of employment measures to help people who have been unemployed for two years or more. We are extending project work: from February, a total of 31 project work pilots will provide help for up to 100,000 people. In addition, a new contract for work pilot initiative will explore ways in which the talents of the private sector might be used to help more very long-term unemployed people back to work.

From April, under a new jobfinder programme, people reaching two or more years unemployment will benefit from an intensive series of one-to-one interviews with an Employment Service adviser which will focus on helping the individual jobseeker back to work. We will also be making the jobmatch programme—which helps people to leave unemployment for a part-time job—available nationally to those aged under 25 who have been unemployed for two years or more; and, within the existing training for work programme, there will be new opportunities for long-term unemployed people whose job prospects can best be increased through training designed to improve their basis skills.

Grant-maintained Schools

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many *(a)* schools,

(b) primary schools and *(c)* secondary schools there are in England; and how many schools have (i) held ballots to decide whether or not to opt out of local education authority control and (ii) decided to opt out of local education authority control; and what are (i) and (ii) as a percentage of *(a)*, *(b)* and *(c)* for England for each year since 1990. [11356]

Mr. Forth: In January 1996, there were 23,265 primary, secondary and special schools in England, of which 18,480 were primary and 3,594 secondary. Some 1,744 schools have balloted parents on whether to seek grant-maintained status; 1,297 ballots have resulted in a yes vote. The following table sets out the proportion of schools holding ballots and voting yes in each year since 1990.

	All schools		*Primary schools*		*Secondary schools*	
Year	*Percentage of schools holding ballots*	*Percentage of ballots resulting in yes vote*	*Percentage of schools holding ballots*	*Percentage of ballots resulting in yes vote*	*Percentage of schools holding ballots*	*Percentage of ballots resulting in yes vote*
1990	0.2	78.2	0.0	0.0	1.4	79.6
1991	1.1	78.7	0.5	76.6	4.6	79.8
1992	1.7	78.3	0.6	79.8	8.0	77.8
1993	2.3	74.9	1.6	77.6	6.3	71.3
1994	0.9	55.8	0.7	63.8	1.9	37.1
1995	0.4	59.6	0.3	61.1	0.8	46.7
1996	0.5	63.0	0.4	62.8	0.9	50.0

[1] Figures for all schools include special schools and grant maintained schools in each year but exclude nursery schools, which are not eligible for GM status. Special schools became eligible in 1993.

Mr. Foster: To ask the Secretary of State for Education and Employment if she will list the grant-maintained schools which have sought her approval for a change of character *(a)* by extending the age range of pupils for which the school provides and *(b)* by selecting pupils according to aptitude or ability, stating in each case, whether their application has been successful. [11431]

Mr. Squire: The following table lists grant-maintained schools which have published statutory proposals to extend the age range of the school or to select pupils by ability or aptitude, and whether the proposals were accepted or rejected.

LEA area	*School name*
Proposals to add or extend a sixth form	
Approved	
Birmingham	Baverstock GM school
Birmingham	Bishop Challoner school
Birmingham	Small Heath school
Cambridgeshire	Sawtry village college
Derbyshire	The Merrill community school
Derbyshire	Chellaston school
Derbyshire	Heanor Gate GM school
Derbyshire	Woodlands community school
Derbyshire	West Park community school
Derbyshire	Friesland GM school
Derbyshire	Noel Baker community school
Dorset	Budmouth technology college
Dudley	Ellowes Hall GM school
Essex	West Hatch school
Essex	Beauchamps GM school
Essex	Bromfords school
Essex	Chalvedon school
Essex	The King John school
Essex	The Greensward school
Essex	The Philip Morant GM technology college
Essex	St. Thomas More high school for boys
Essex	The King Edmund school
Essex	Furtherwick park
Gloucestershire	Cheltenham Kingsmead school
Gloucestershire	Balcarras school
Hampshire	Ringwood school
Hampshire	The Arnewood school
Hampshire	The Burgate school
Hampshire	Hardley school
Hampshire	Bay House school
Hampshire	Applemore technology college
Havering	The Frances Bardsley school
Kent	The Cornwallis school
Kent	The Maplesden Noakes school
Kent	Angley school
Kent	Thamesview school
Kent	Hayesbrook school
Kent	Northfleet school for boys
Kent	Pent Valley school
Kent	The Malling school
Kent	Senacre technology school
Kent	St. George's CE high school
Kent	Oldborough Manor community college
Kent	Aylesford school
Kent	Wrotham school
Kent	Herne Bay high school
Kent	Sandwich high school
Kent	Meopham school
Kent	Brockhill Park GM school
Lambeth	La Retraite RC girls' GM school
Lincolnshire	William Farr CE school
Lincolnshire	St. Peter and St. Paul school
Lincolnshire	Gleed Girls
Lincolnshire	Monks Dyke school
Norfolk	Sheringham high school
Norfolk	Costessy high school
Nottinghamshire	Greenwood Dale GM school
Rochdale	Wardle high school
Sandwell	Heathfield GM school
Surrey	Heathside school
Tameside	Audenshaw high school (GM)
Trafford	New Wellington GM CTC high school
Waltham Forest	Chingford GM school
Waltham Forest	Higham Park school
Warwickshire	Queen Elizabeth school
Wiltshire	St. Augustine's RC GM school
Wolverhampton	Moseley Park GM school
Rejected	
Birmingham	Ninestiles GM school
Cambridgeshire	The Queen's school

LEA area	School name
Cambridgeshire	Comberton village college
Croydon	Riddlesdown GM high school
Derbyshire	Noel Baker community school
Dorset	Highcliffe school
Essex	The Thorpe Bay high school
Essex	The Philip Morant school
Essex	The King Edmund school
Gloucestershire	Pittville school
Gloucestershire	St. Benedict's school
Hampshire	Bay House school
Hampshire	Testwood school
Hereford and Worcester	The Blessed Edward Oldcorne school
Hertfordshire	Hockerill school
Kent	Aylesford school
Kent	Meopham GM school
Kent	The Montgomery school
Kent	Wrotham school
Kent	Senacre technology school
Kent	Thamesview school
Kent	Oldborough manor school
Lincolnshire	Gleed Girls' school
Lincolnshire	Castle Hills GM school
Lincolnshire	Sir William Robertson GM school
Lincolnshire	The Giles school
Norfolk	Cromer high school
Norfolk	Great Yarmouth GM high school
Norfolk	Lynn Grove high school
Norfolk	Acle high school
Norfolk	Flegg high school
Rochdale	Hollingsworth high school
Shropshire	Abraham Darby school
Sandwell	Heathfield high school
Surrey	Winston Churchill school
Trafford	The New Wellington school
Waltham Forest	Higham Park school

Proposals to add or extend a nursery

Approved

Berkshire	Holy Family RC school
Berkshire	Castleview combined school
Bexley	Barnehurst infant school
Cambridgeshire	The Park Lane GM primary
Cumbria	Flookburgh CE GM primary
Cumbria	Dalton St. Mary's CE school
Cumbria	Broughton GM primary school
Cumbria	Eaglesfield Paddle CE GM
Cumbria	Beaconside infant school
Cumbria	Warwick Bridge GM primary
Dudley	Alder Coppice GM primary
Ealing	Three Bridges school
Ealing	Montpelier school
East Riding	Wold Newton GM primary
Essex	Katherines primary school
Essex	Northwick Park infant school
Essex	Eastwood infant school
Essex	Chase Lane GM primary school
Essex	Prince Avenue primary school
Essex	Leverton infant school
Essex	Milton Hall primary school
Gloucestershire	Robinswood primary school
Hertfordshire	Cuffley primary school
Kensington and Chelsea	Our Lady of Victories school
Kent	Holy Trinity CE primary
Lambeth	St. Bede's RC infant school
Lincolnshire	Old Leake school
Lincolnshire	Bourne Abbey (GM) primary
Norfolk	Dersingham First school (GM)
Norfolk	Loddon First school
Norfolk	Gresham village school
Northants	Woodnewton Way infant school
Sutton	All Saints CE primary school
Warwickshire	Dunchurch First school
Warwickshire	Ash Green GM school

Rejected

Buckinghamshire	Brookmead school
Buckinghamshire	Overstone GM combined school
Cambridgeshire	The Park Lane GM primary
Cambridgeshire	Orton Wistow primary school
Cheshire	St. Wilfrids RC GM school
Cheshire	Mottram St. Andrew's school
Cumbria	St. Paul's CE GM school'
Cumbria	Bowness on Solway GM primary
Derbyshire	Wiliam Gilbert school
East Riding	Barmby Moor school
Lincolnshire	Washingborough GM school
Lincolnshire	St. Andrews CE GM primary
Northamptonshire	Millbrook GM infant school
Surrey	The Manor First school'
Surrey	Hawkedale First school'
Surrey	Send CE GM school
Wiltshire	Studley Green GM primary

Proposals for other change of age range

Approved

Berkshire	Herschel GM grammar school
Berkshire	Langley GM grammar school
Berkshire	Slough GM grammar school
Berkshire	Cippenham middle school
Berkshire	The Westgate school
Ealing	Wood End middle school
Ealing	Wood End first school
Ealing	Drayton Manor high school
Ealing	Northolt high school
Ealing	Greenford high school
Ealing	Brentside high school
Hampshire	Hardley school (GM)
Hampshire	The City of Portsmouth Boys' school
Hampshire	Testwood school
Hampshire	Front Lawn middle school
Hampshire	Purbrook park school
Hampshire	Calmore middle school
Hampshire	Abbotswood middle school
Hampshire	Lyndhurst middle primary school
Merton	Ursuline convent school
Surrey	Glyn school
Surrey	Rosebery secondary school
Surrey	The Beacon secondary school
Surrey	Send CE first school (GM)
Surrey	Collingwood GM school
Surrey	Epson and Ewell high school
Surrey	Guildford county school
Surrey	Park Mead first school (GM)
Surrey	Yattendon middle school
Warwickshire	Queen Elizabeth GM school
Warwickshire	Dunchurch first school
Warwickshire	Rugby high school
Warwickshire	Hartshill school
Warwickshire	Myton school
Warwickshire	Ash Green GM school
Warwickshire	Middlemarch middle school
Warwickshire	Dunchurch first school

Rejected

Lincolnshire	King Edward VI school
Sheffield	Clifford first school
Warwickshire	Ash Green school

Proposals to select pupils by aptitude or ability

Approved

Barnet	Queen Elizabeth Boys' school
Barnet	Mill Hill county high school
Berkshire	Reading Girls school

LEA area	*School name*
Bromley	Hayes school
Cumbria	Queen Elizabeth grammar school[1]
Hammersmith and Fulham	London Oratory School
Hertfordshire	Watford Grammar school for girls
Hertfordshire	Watford Grammar school for boys
Hertfordshire	Parmiters school
Hertfordshire	Rickmansworth school
Hertfordshire	Chancellors school
Kent	Chaucer technology school
Kingston	Holy Cross school
Lambeth	Archbishop Tenison's GM school
Lambeth	St. Martin in the Fields high school
Lambeth	Dunraven GM school
Surrey	Roseberry GM girls' school
Wandsworth	Graveney GM school
Wandsworth	Burntwood school
Rejected	
Hertfordshire	The Bishop's Stortford high school
Kent	The Westlands school
Kirklees	Castle Hall GM school[1]
Lambeth	Dunraven GM school
Surrey	Glyn ADT GM technology school
Sutton	Cheam high school

[1] For these schools there were also simultaneous proposals for other changes of age range.

Labour Statistics

Mr. Donohoe: To ask the Secretary of State for Education and Employment how many job vacancies were advertised in the *(a)* Kilwinning and *(b)* Irvine job centres in each of the past six months; and how many people were registered as being unemployed during these periods in the parliamentary constituency of Cunninghame, South. [11334]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Brian H. Donohoe, dated 20 January 1997:

The Secretary of State has asked me to reply to your question about the number of job vacancies advertised in the Kilwinning and Irvine Jobcentres in each of the last six months; and how many people were registered as being unemployed during these periods in the parliamentary constituency of Cunninghame South. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

For ease of reference I have attached, as Annex 1, a breakdown of the number of vacancies advertised in Kilwinning and Irvine Jobcentres over the last six months.

In answer to the second part of your question I have listed below the total number of unemployed claimants registered in the Cunninghame South constituency over the last six months.

December 1996: 2,995

November 1996: 2,926

October 1996: 3,109

September 1996: 3,225

August 1996: 3,585

July 1996: 3,501

I hope this is helpful.

Vacancies notified to Kilwinning Jobcentre

December 1996: 95

November 1996: 84

October 1996: 159

September 1996: 287

August 1996: 146

July 1996: 174

Vacancies notified to Irvine Jobcentre

December 1996: 370

November 1996: 441

October 1996: 302

September 1996: 376

August 1996: 281

July 1996: 345

Surplus School Places

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) if she will list the proportion of school places in each English county which her Department has identified as surplus in each of the last three years in *(a)* primary and *(b)* secondary schools; [11354]

(2) if she will list the proportion of surplus places in each county in the last three financial years in *(a)* primary and *(b)* secondary schools. [11355]

Mr. Robin Squire: The information available is given in the following table. The Department's figures on surplus places represent a snapshot of the position each January and were first collected in 1994. Figures for January 1996 are not yet available.

Percentage of surplus places in the English Counties (excluding GM schools in stage 1 authorities) at January 1994 and January 1995

Percentage

	Primary		*Secondary*	
	1994	*1995*	*1994*	*1995*
Isles of Scilly	27	30	65	63
Avon	9	8	18	18
Bedfordshire	15	15	17	15
Berkshire	9	8	14	11
Buckinghamshire	17	13	8	8
Cambridgeshire	13	10	7	5
Cheshire	15	15	12	12
Cleveland	12	11	19	16
Cornwall	8	8	8	4
Cumbria	14	12	17	13
Derbyshire	13	12	16	14
Devon	10	10	7	6
Dorset	7	8	9	8
Durham	14	14	18	15
East Sussex	12	10	10	8
Essex	12	9	16	15
Gloucestershire	13	12	10	8
Hampshire	13	13	12	7
Hereford and Worcester	11	11	15	12
Hertfordshire	16	13	17	16
Humberside	13	12	16	15
Isle of Wight	5	6	10	10
Kent	11	9	15	13
Lancashire	9	9	13	11

Percentage of surplus places in the English Counties (excluding GM schools in stage 1 authorities) at January 1994 and January 1995

Percentage

	Primary		Secondary	
	1994	*1995*	*1994*	*1995*
Leicestershire	10	9	15	14
Lincolnshire	13	13	12	11
Norfolk	11	10	9	8
North Yorkshire	14	13	13	10
Northamptonshire	9	8	11	11
Northumberland	21	21	11	10
Nottinghamshire	14	11	25	22
Oxfordshire	17	12	16	15
Shropshire	12	11	17	8
Somerset	7	6	11	10
Staffordshire	20	14	7	6
Suffolk	10	9	11	10
Surrey	11	10	11	6
Warwickshire	15	14	21	18
West Sussex	12	9	13	13
Wiltshire	14	14	14	12
Shire Counties	13	11	14	12
All England	12	11	14	12

Education Spending

Mr. Don Foster: To ask the Secretary of State for Education and Employment what is the education component of standard spending assessment and actual spending per pupil, and pupil numbers *(a)* between five and 10 years and *(b)* between 11 and 15 years, expressed in cash and constant prices, in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 in each local education authority and on average. [11433]

Mr. Robin Squire: The data are contained in a number of tables, copies of which have been placed in the Library. The tables set out the level of primary and secondary education standard spending assessment per pupil between 1995–96 to 1997–98 in cash terms and in 1997–98 prices and the underlying pupil numbers. The figures and pupil numbers for 1997–98 are provisional. Outturn spending per pupil for the years in question is not yet available.

Teacher Training

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many people entered courses of initial teacher education, broken down by gender, for primary and secondary schools in each year since 1992. [11339]

Mr. Forth: The following table shows new entrants to teacher training for primary and secondary from 1992 to 1996. An overall gender split is given for 1992 to 1994; the split is not available for primary and secondary separately. Data on gender for 1995 will be published in "Education Statistics for the United Kingdom 1996" which will be available on 31 January.

New entrant to initial teacher training by phase and gender 1992 to 1996

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97 England only*[1]
England and Wales					England only[1]
Primary	18,364	17,980	15,090	14,930	12,467
Secondary	13,616	15,240	16,410	16,090	15,979
Total	31,980	33,220	31,500	31,020	28,446
Percentage female	72	70	69		

Notes:
From 1993–94 figures include School Centred ITT (SCITT) and Open University.
Source:
England: DFE Annual Recruitment Survey 1992–93 and 1993–94; Higher Education Students Early Statistics Survey 1994–95; TTA Survey of ITT Providers 1995–96, 1996–97.
Wales: Welsh Office 1992–93 to 1994–95; Higher Education Students Early Statistics Survey 1995–96.
Gender: DfEE Further and Higher Education Statistical Records 1992–93, 1993–94; Higher Education Statistics Agency's Student Record 1994–95.
[1] Provisional.

Teacher Statistics

Mr. Don Foster: To ask the Secretary of State for Education and Employment what estimate she has made of the *(a)* gender profile, *(b)* average length of service and *(c)* average age of the teaching profession. [11341]

Mr. Forth: In March 1995, 34 per cent. of full-time teachers in maintained nursery, primary and secondary schools were men, and the average age for all teachers was 41. Information on average length of service is not available, since records are not available prior to 1962.

Hyperactivity

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education and Employment if she will require the assessment for attention deficit hyperactivity disorder of children suspended from school more than three times; and if she will make a statement. [11509]

Mrs. Gillan: No; decisions about whether to undertake a statutory assessment of special educational needs are for the local education authority following referral by a child's school, another agency or a request from a parent. The assessment is to determine a child's educational needs rather than to make a clinical diagnosis, although the authority will take advice from others, including the medical and educational psychology services. Throughout the process, the local education authority must have regard to the code of practice on the identification and assessment of special educational needs.

Non-teaching Staff

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many non-teaching staff were employed by local education authorities throughout the United Kingdom for each year since 1990; and if she will make a statement. [11481]

Mr. Robin Squire: The information is as follows:

Full-time equivalent of non-teaching staff[1] employed by local authorities in England—June 1990 to June 1996

Years as at June	FTE of Non-teaching staff
1990	362,400
1991	364,200
1992	360,300
1993	318,200
1994	320,300
1995 (revised basis)[2]	269,300
1996 (provisional)	266,000

Source:
The main source of information about local authority employment is a survey carried out by the Local Government Management Board on behalf of the joint staffing watch group, on which both local and central government are represented.
Notes:
[1] The table includes all manual and non-manual staff whether employed in schools or centrally based. Staff employed by grant-maintained schools are excluded throughout. The figures for 1993 to 1996 exclude staff in colleges that transferred to the new FE sector in April 1993.
[2] The figures for 1994 and 1995 were not calculated on a comparable basis because of changes to the survey. Previously FTEs were estimated using national statistics of average hours worked. Since 1995 more reliable FTEs are calculated by local authorities at employee level. Also, staff doing two or more jobs in an authority are now recorded for each job separately. It is estimated that, using the 1995 basis of calculation, there was a growth of about 2,000 FTE non-teaching staff between 1994 and 1995.
[3] Non-teaching staff include educational support, clerical, school meals and premises related staff employed in schools and colleges, together with central services and administration within the education service.

Local Authority Education Expenditure

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the capital expenditure on education by each local authority in England in each year since 1989–90. [11432]

Mrs. Gillan: The following tables gives capital expenditure by each local education authority in England in each year from 1990–91 to 1994–95. Information on 1989–90 and 1995–96 is not available.

Capital expenditure on education by local authorities: 1990–91 to 1994–95 (cash terms)

£000s

	1990–91	1991–92	1992–93	1993–94	1994–95
City of London	18,181	0	25	2	2,779
Camden	1,256	2,819	1,542	409	1,353
Greenwich	[1]—	1,501	1,122	402	2,182
Hackney	1,492	1,203	1,212	1,535	2,585
Hammersmith and Fulham	2,169	2,071	4,738	3,398	2,304
Islington	3,872	1,947	598	851	1,283
Kensington and Chelsea	5,046	2,798	2,023	2,412	2,339
Lambeth	894	1,587	2,144	1,789	2,071
Lewisham	1,522	1,534	757	1,967	4,795
Southwark	[1]—	2,159	3,148	3,906	4,407
Tower Hamlets	19,602	17,103	12,918	12,068	11,718
Wandsworth	3,818	4,306	5,835	6,114	7,694
City of Westminster	1,301	1,848	1,298	1,025	3,016
Barking and Dagenham	2,073	7,249	6,604	3,013	5,561
Barnet	5,255	2,300	2,734	5,278	5,572
Bexley	2,666	2,365	3,206	5,606	5,411
Brent	6,447	3,727	2,496	1,639	1,321
Bromley	5,527	7,215	6,189	6,311	13,453
Croydon	15,764	8,439	4,532	3,772	7,045
Ealing	2,816	1,926	3,524	4,561	5,054
Enfield	20,457	16,148	2,990	2,356	2,131
Haringey	1,339	2,047	693	2,801	2,615
Harrow	3,057	3,538	5,442	5,099	5,741
Havering	7,618	4,848	2,739	1,024	1,631
Hillingdon	4,958	1,717	5,513	9,195	4,842
Hounslow	5,300	5,304	7,311	5,877	3,528
Kingston upon Thames	4,144	4,213	1,257	1,406	3,117
Merton	10,861	3,955	3,468	3,538	4,791
Newham	7,128	10,662	6,751	1,818	3,087
Redbridge	5,842	3,264	5,370	3,413	5,337
Richmond upon Thames	3,010	2,946	2,713	2,554	2,898
Sutton	7,536	7,292	3,907	3,426	4,353
Waltham Forest	6,973	3,441	5,869	7,264	3,996
Birmingham	14,121	14,507	12,690	12,853	16,647
Coventry	11,415	6,877	5,388	3,042	3,052
Dudley	4,640	6,667	10,935	4,047	4,746
Sandwell	4,352	2,740	2,190	5,581	5,625
Solihull	3,275	3,389	2,644	3,481	3,497
Walsall	2,957	2,447	2,508	1,528	1,791
Wolverhampton	2,189	2,631	3,224	3,304	2,298
Knowsley	2,885	1,297	2,548	2,496	2,069
Liverpool	3,371	2,477	2,367	3,457	7,193
St. Helens	4,570	7,084	2,168	1,698	1,708
Sefton	4,654	3,636	2,294	2,996	1,199
Wirral	4,135	4,630	2,718	1,294	1,165
Bolton	3,683	1,530	2,037	1,642	1,777
Bury	1,324	1,085	1,047	618	1,491
Manchester	[1]—	6,907	9,807	9,171	12,593
Oldham	4,701	10,989	8,573	4,278	6,148
Rochdale	4,640	7,362	9,114	2,068	3,129
Salford	4,868	3,651	2,096	3,365	3,726
Stockport	3,123	2,552	2,033	1,933	1,694
Tameside	2,250	1,949	1,910	1,231	2,549
Trafford	11,207	5,333	5,572	5,515	4,008
Wigan	3,980	5,322	3,813	1,323	1,044
Barnsley	2,011	1,910	4,133	2,704	1,662
Doncaster	478	410	794	1,580	5,800
Rotherham	1,976	1,331	2,401	1,855	486
Sheffield	[1]—	6,302	7,022	8,188	8,181
Bradford	10,019	12,505	12,102	9,380	10,612
Calderdale	2,149	2,153	2,227	1,856	1,999
Kirklees	4,779	4,463	7,514	9,087	6,683
Leeds	10,903	20,429	25,556	21,537	9,799
Wakefield	[1]—	3,299	5,609	11,768	11,471
Gateshead	4,384	5,078	3,992	1,837	1,577
Newcastle upon Tyne	2,520	3,387	2,490	3,280	6,037
North Tyneside	2,122	1,963	2,331	3,603	4,854
South Tyneside	4,650	4,584	1,911	1,849	1,014
Sunderland	4,229	4,223	5,855	5,553	2,002
Isles of Scilly	212	50	117	35	22
Avon	10,539	15,323	14,077	8,979	8,069
Bedfordshire	3,219	1,872	5,880	5,531	5,207
Berkshire	10,662	7,357	16,234	17,656	17,079
Buckinghamshire	13,941	13,312	11,931	9,766	12,078
Cambridgeshire	16,232	22,713	23,230	8,596	10,921
Cheshire	10,778	16,465	21,908	19,022	21,310
Cleveland	6,643	4,954	4,786	4,103	5,715
Cornwall	12,333	11,435	14,611	10,787	7,989
Cumbria	8,306	10,100	12,325	12,859	10,016
Derbyshire	16,357	14,459	15,921	10,512	11,057

Capital expenditure on education by local authorities: 1990–91 to 1994–95 (cash terms)

£000s

	1990–91	1991–92	1992–93	1993–94	1994–95
Devon	26,053	32,599	26,643	25,308	23,282
Dorset	8,900	13,195	14,622	11,837	20,180
Durham	5,822	7,159	8,218	6,863	6,684
East Sussex	13,937	17,275	18,156	16,494	17,832
Essex	19,713	23,992	19,844	17,971	23,824
Gloucestershire	11,956	10,569	7,331	9,338	10,775
Hampshire	33,101	25,013	23,715	24,508	34,322
Hereford and Worcester	11,919	10,656	5,493	7,807	8,427
Hertfordshire	14,040	14,091	13,432	11,702	16,845
Humberside	10,291	8,578	9,379	7,123	5,307
Isle of Wight	2,712	3,299	2,184	2,597	4,044
Kent	18,956	24,964	25,898	23,190	28,825
Lancashire	20,675	20,255	24,096	25,019	27,548
Leicestershire	13,282	12,543	12,373	10,344	10,374
Lincolnshire	11,667	18,463	19,485	15,641	16,346
Norfolk	6,936	6,152	5,707	7,490	6,724
North Yorkshire	5,586	10,844	8,170	7,070	4,715
Northamptonshire	4,956	3,966	3,250	8,438	5,701
Northumberland	2,969	5,460	5,338	2,968	2,503
Nottinghamshire	6,294	6,318	7,772	5,767	5,966
Oxfordshire	11,583	3,524	10,784	11,824	18,543
Shropshire	6,561	7,384	4,256	4,856	7,623
Somerset	7,777	5,770	11,132	10,412	8,466
Staffordshire	8,949	10,160	10,792	6,917	9,536
Suffolk	12,377	11,109	12,328	11,256	10,980
Surrey	17,896	17,366	15,917	22,179	22,566
Warwickshire	5,618	3,602	4,200	4,726	6,485
West Sussex	17,028	14,753	13,845	21,437	21,431
Wiltshire	9,483	10,009	9,949	6,403	5,626
England	[2]812,749	797,677	797,610	732,158	802,199

[1] LEA did not submit information.
[2] Totals have been grossed to compensate for non returns.

Class Sizes

Mr. Don Foster: To ask the Secretary of State for Education and Employment if she will list average class sizes in *(a)* primary and *(b)* secondary schools and total primary pupil numbers and total secondary pupil numbers in each of the past three years in each local education authority. [11426]

Mr. Robin Squire: The information requested is shown in the following tables.

Average size of single teacher classes and pupils on register in maintained primary and secondary schools in each local education authority area in England 1994–1996

Position in January each year

	Primary schools						Secondary schools					
	Total pupils on register			Average class size			Total pupils on register			Average class size		
	1994	1995	1996	1994	1995	1996	1994	1995	1996	1994	1995	1996
Corporation of London	214	219	214	27.0	26.8	26.8	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Camden	10,928	11,083	11,153	27.1	27.3	27.3	10,657	10,768	10,861	20.4	19.8	20.5
Greenwich	21,080	21,234	21,535	26.1	26.4	25.5	13,980	13,994	13,653	21.9	21.7	21.6
Hackney	16,883	17,936	18,077	25.7	26.1	26.1	7,445	7,453	7,366	21.9	21.5	23.0
Hammersmith	9,191	9,430	9,502	25.2	25.6	26.1	5,885	5,971	5,953	21.0	22.8	22.6
Islington	15,657	15,998	16,255	25.9	26.6	26.2	7,215	7,450	7,537	23.1	23.2	22.8
Kensington and Chelsea	6,441	6,418	6,512	24.9	25.1	24.4	3,162	3,177	3,202	19.1	18.5	20.4
Lambeth	18,932	19,034	19,123	24.2	24.6	24.6	6,306	6,677	6,601	21.6	21.5	22.1
Lewisham	20,814	21,061	21,602	26.0	25.4	25.7	10,888	10,951	10,879	22.6	21.6	21.2
Southwark	22,520	22,768	22,883	26.9	26.9	26.1	9,384	9,172	9,160	24.3	24.7	24.4
Tower Hamlets	21,732	22,051	22,416	26.4	26.7	25.8	11,888	12,293	12,707	22.4	23.1	23.1
Wandsworth	17,437	17,567	17,915	25.0	25.2	25.4	8,941	9,181	9,183	21.2	21.7	21.7
Westminster	9,226	9,479	9,582	24.0	25.3	24.9	7,464	7,551	7,627	20.8	21.1	21.9
Barking	16,102	17,250	17,601	26.1	26.7	26.7	9,756	9,953	10,054	21.8	21.2	21.1
Barnet	24,002	24,443	24,809	26.4	26.5	26.3	18,790	19,158	19,437	19.8	19.4	19.1
Bexley	19,508	21,062	21,856	27.5	28.6	28.6	14,525	14,549	14,748	22.0	21.4	21.6
Brent	22,404	22,478	22,665	27.0	26.9	26.7	12,688	13,233	13,432	20.9	21.0	20.9
Bromley	22,430	23,055	23,832	28.1	28.4	28.7	17,150	17,801	18,069	21.1	20.2	20.4
Croydon	27,016	28,414	29,568	27.6	28.1	28.3	14,909	15,238	15,306	21.9	22.2	22.0
Ealing	25,595	26,257	26,921	26.6	26.6	27.2	13,480	13,872	14,185	22.2	22.1	22.3
Enfield	23,823	24,500	25,309	27.8	28.4	28.5	17,848	18,218	18,637	21.2	21.0	21.5
Haringey	19,777	20,538	21,251	26.7	27.2	27.0	9,222	9,673	10,056	21.2	21.5	21.7
Harrow	19,348	19,579	19,918	26.8	27.1	27.8	8,320	8,453	8,409	23.4	22.9	22.7
Havering	20,108	20,396	20,710	27.5	27.4	27.9	14,892	14,908	14,667	22.2	22.0	22.1
Hillingdon	20,543	21,188	21,949	27.1	26.8	26.6	14,115	14,326	14,644	21.0	20.7	20.9
Hounslow	19,595	19,751	19,914	26.2	27.4	27.3	14,526	14,879	15,110	21.3	21.5	20.9
Kingston upon Thames	10,771	11,033	11,420	28.9	29.5	30.0	7,787	7,959	8,034	20.5	20.0	20.2
Merton	15,654	15,868	16,119	27.2	27.0	28.1	7,313	7,495	7,595	22.0	22.0	23.3
Newham	25,586	27,432	28,114	27.5	27.5	27.9	14,067	14,775	15,261	24.5	24.2	24.8
Redbridge	19,707	19,814	20,585	29.3	29.2	29.0	15,362	15,703	16,336	20.9	20.6	21.3
Richmond upon Thames	11,195	11,444	11,918	25.7	26.1	26.7	7,622	7,650	7,700	23.3	23.5	22.9
Sutton	13,470	13,883	14,272	28.3	28.0	27.3	11,359	11,753	12,001	21.4	21.5	20.7
Waltham Forest	20,164	20,690	21,158	26.8	26.5	26.4	11,506	12,082	12,101	22.5	23.0	23.5
Birmingham	107,700	108,635	110,045	28.2	28.2	27.8	64,728	65,504	66,095	22.1	21.7	21.6
Coventry	29,825	30,113	30,314	27.1	27.8	27.2	19,013	19,274	19,343	22.9	22.9	22.4
Dudley	29,582	30,010	30,623	27.0	27.3	26.9	18,124	18,448	18,628	22.7	229	23.0
Sandwell	32,291	32,723	33,061	27.9	28.2	28.6	18,418	18,993	19,023	21.2	21.9	22.1
Solihull	20,120	20,747	21,395	27.3	27.6	28.2	13,505	13,929	14,160	21.8	21.6	21.6
Walsall	28,526	28,554	28,864	25.7	26.0	26.0	19,506	19,803	19,755	20.6	20.4	20.8

Average size of single teacher classes and pupils on register in maintained primary and secondary schools in each local education authority area in England 1994–1996

Position in January each year

	Primary schools						Secondary schools					
	Total pupils on register			Average class size			Total pupils on register			Average class size		
	1994	1995	1996	1994	1995	1996	1994	1995	1996	1994	1995	1996
Wolverhampton	25,608	25,867	26,283	25.9	26.2	26.5	16,001	16,093	15,930	20.5	21.6	21.2
Knowsley	19,000	20,122	20,117	27.7	28.0	27.6	9,096	9,449	9,494	22.1	22.4	21.6
Liverpool	51,616	50,364	50,374	26.9	27.1	26.8	30,556	31,138	31,510	20.4	20.7	20.8
St. Helens	17,635	17,698	17,829	26.8	27.0	27.5	11,759	11,873	11,789	19.7	20.3	20.0
Sefton	27,399	27,867	28,198	27.2	27.6	27.5	19,030	19,453	19,497	20.9	21.9	21.3
Wirral	31,632	31,741	32,126	25.9	26.1	26.4	21,159	21,424	22,753	20.9	20.5	20.9
Bolton	27,638	28,085	28,435	28.1	28.7	28.5	17,031	17,324	17,491	21.1	21.3	21.8
Bury	176,248	17,542	17,952	27.5	27.8	28.3	10,332	10,689	10,853	22.7	23.0	23.6
Manchester	46,923	47,056	46,856	26.5	26.9	27.0	21,693	22,126	22,019	22.4	22.3	22.3
Oldham	24,774	24,961	25,114	28.6	28.5	28.6	16,331	16,607	16,693	22.5	22.8	21.8
Rochdale	21,658	21,830	22,287	29.5	29.2	29.2	12,942	13,204	13,177	22.8	23.3	23.0
Salford	23,265	23,734	23,919	27.1	27.3	27.4	11,639	11,949	11,977	22.3	21.9	22.4
Stockport	25,595	25,925	26,449	27.7	27.5	27.7	16,019	16,273	15,655	21.6	21.9	22.5
Tameside	23,296	23,678	23,907	29.6	29.5	29.3	13,372	13,781	14,058	23.7	23.8	23.5
Trafford	20,565	21,134	21,502	29.0	29.0	28.7	11,947	12,461	12,882	21.6	21.8	22.0
Wigan	29,963	29,932	30,272	27.9	28.0	28.2	19,523	19,923	19,898	21.4	21.6	21.6
Barnsley	21,502	21,703	21,910	27.4	27.5	28.2	12,730	12,976	12,988	22.9	22.8	23.2
Doncaster	29,459	28,916	30,614	27.5	28.1	28.2	21,868	22,978	21,515	21.1	21.4	21.7
Rotherham	24,954	25,215	25,645	25.1	25.8	26.9	18,187	18,771	18,953	20.5	21.4	21.7
Sheffield	44,563	45,225	45,850	26.3	26.8	26.8	26,981	27,359	27,503	22.4	22.6	23.1
Bradford	41,229	41,547	42,190	27.3	27.8	27.9	46,297	46,584	46,072	22.5	22.8	22.7
Calderdale	19,881	20,316	20,487	27.9	27.5	27.7	13,390	13,657	13,810	20.2	21.0	20.9
Kirklees	37,719	38,189	38,501	27.2	28.2	28.7	24,875	25,225	25,363	21.4	20.9	21.7
Leeds	69,428	70,583	71,135	27.9	28.2	28.1	43,627	44,282	44,274	20.5	20.5	21.1
Wakefield	30,708	31,180	31,840	27.5	27.9	28.0	20,084	20,708	20,428	21.8	21.7	21.8
Gateshead	18,366	18,564	18,684	25.8	26.0	25.9	11,751	11,780	11,853	20.7	20.4	20.6
Newcastle upon Tyne	22,441	22,460	22,389	27.3	27.6	27.7	16,902	17,285	17,288	21.5	21.3	21.6
North Tyneside	16,615	16,952	17,015	26.5	26.9	27.0	14,342	14,440	14,316	21.9	22.1	21.9
South Tyneside	16,023	16,233	16,398	26.3	26.3	26.8	9,570	9,755	9,650	22.5	22.6	22.4
Sunderland	30,057	29,942	30,324	25.6	25.4	25.6	19,436	19,586	19,311	20.9	21.0	21.2
Isles of Scilly	169	157	152	18.7	17.3	13.7	122	126	113	24.0	26.0	15.0
Avon	80,700	82,079	83,196	27.7	27.8	27.7	54,418	54,667	54,720	21.2	21.1	21.4
Bedfordshire	43,511	44,045	44,604	26.3	26.8	27.1	44,711	45,476	45,966	22.0	21.9	22.5
Berkshire	62,455	63,732	65,313	27.1	27.0	27.3	47,005	47,620	47,834	20.1	20.3	20.4
Buckinghamshire	62,365	63,960	65,156	27.2	27.3	27.8	37,166	37,739	37,999	21.1	20.6	21.4
Cambridgeshire	59,127	59,686	60,492	27.4	27.3	27.8	40,904	41,702	41,762	22.3	21.8	22.3
Cheshire	89,944	90,598	92,088	27.4	27.3	27.4	63,583	64,707	64,942	21.1	21.3	21.3
Cleveland	65,102	65,169	65,607	26.8	26.9	26.9	36,437	37,128	37,240	22.1	22.1	22.1
Cornwall	40,531	41,055	41,667	26.8	27.0	27.3	28,977	29,387	29,515	22.2	22.2	22.4
Cumbria	42,840	43,140	43,969	25.7	26.2	26.0	31,215	31,711	32,076	20.6	21.0	21.0
Derbyshire	85,418	86,478	88,613	27.3	27.9	28.9	57,548	58,397	58,514	21.4	21.7	22.3
Devon	80,633	82,430	83,698	26.4	26.7	27.2	58,826	60,429	61,351	21.1	21.3	21.3
Dorset	45,803	47,042	48,075	27.5	27.6	27.7	41,286	42,201	42,828	21.9	21.8	22.0
Durham	56,334	56,549	57,246	27.5	27.7	28.4	37,708	38,265	37,976	21.6	21.9	22.5
East Sussex	51,981	53,190	54,875	27.4	27.5	27.7	34,349	35,407	35,690	21.0	21.3	21.1
Essex	123,997	128,567	132,554	26.9	26.9	26.9	95,893	96,325	96,681	21.9	21.9	21.8
Gloucestershire	43,597	44,764	45,679	26.4	26.7	27.2	33,389	34,001	34,394	21.5	21.6	22.1
Hampshire	137,313	135,389	137,986	27.4	27.7	27.8	79,199	84,415	85,427	22.2	22.3	22.4
Hereford and Worcester	49,251	50,662	51,430	25.1	25.5	25.9	47,472	48,173	47,796	21.7	21.9	21.8
Hertfordshire	84,825	87,464	89,738	26.4	26.5	26.7	68,347	69,532	70,371	20.1	20.0	20.2
Humberside	85,409	86,432	87,757	27.5	27.7	27.9	56,111	56,877	57,075	22.6	22.8	22.3
Isle of Wight	7,214	7,279	7,435	26.0	26.3	26.9	10,498	10,648	10,805	22.2	22.1	22.4
Kent	129,234	133,025	135,598	27.6	27.7	27.7	102,229	102,764	103,769	20.9	20.7	20.6
Lancashire	130,576	132,402	133,891	27.7	27.9	28.4	84,257	86,116	86,918	21.4	21.6	22.4
Leicestershire	80,448	81,429	82,493	25.8	26.5	26.7	59,963	60,973	61,552	21.5	22.2	22.2
Lincolnshire	49,844	51,488	52,763	26.5	26.8	26.7	37,841	38,605	39,221	19.9	20.0	20.2
Norfolk	62,631	63,972	64,844	25.1	25.4	26.0	41,078	41,410	41,441	20.2	20.0	20.1
North Yorkshire	59,240	60,605	61,850	25.7	26.2	26.3	44,013	45,065	45,638	20.8	20.7	20.8
Northamptonshire	51,265	52,446	53,649	26.4	26.7	26.5	44,910	45,270	45,659	20.6	20.8	21.3
Northumberland	21,692	21,621	21,737	27.0	27.2	27.1	29,329	29,758	29,804	22.0	22.7	22.6
Nottinghamshire	92,884	94,094	95,703	27.0	27.4	28.3	63,768	64,998	65,414	20.5	20.6	21.2
Oxfordshire	41,313	42,765	43,912	25.6	25.9	26.8	35,127	35,888	36,281	21.0	21.1	21.9
Shropshire	35,991	36,764	37,664	26.4	26.6	27.3	25,223	25,820	25,780	21.1	21.5	21.6
Somerset	36,453	37,237	37,849	26.9	27.0	27.3	28,038	28,545	28,845	22.1	22.5	23.2
Staffordshire	93,514	94,651	96,188	27.7	27.6	27.7	69,487	70,645	71,093	22.1	22.0	22.3
Suffolk	44,355	45,582	46,696	24.8	24.9	25.1	48,024	48,798	49,040	20.7	20.9	21.0
Surrey	73,325	74,600	77,049	25.5	25.6	25.8	45,405	50,534	50,777	21.6	21.6	21.6
Warwickshire	46,446	46,650	47,209	26.5	26.9	27.9	25,087	26,005	26,260	20.3	20.6	21.3
West Sussex	53,158	54,995	56,516	26.2	26.5	26.8	39,952	40,415	40,426	21.6	21.9	21.7
Wiltshire	48,205	49,351	50,861	26.6	26.9	27.1	34,487	35,294	35,776	21.3	21.4	21.3
England	4,241,750	4,312,200	4,389,364	26.9	27.1	27.3	2,933,598	2,993,256	3,011,284	21.4	21.5	21.6

[1] Not applicable.

Mr. Foster: To ask the Secretary of State for Education and Employment when she expects the form 7 figures to have been processed in order to provide class size information as at January 1997; and if she will make a statement. [11360]

Mr. Squire *[holding reply 17 January 1996]:* Provisional figures on class sizes in maintained primary and secondary schools as at January 1997 are expected to be published in a statistical press notice at the end of June.

Westwood St. Thomas School

Mr. Key: To ask the Secretary of State for Education and Employment when she will announce her decision on the application of Westwood St. Thomas school, Salisbury, for grant-maintained status. [11007]

Mr. Forth: The application is under consideration. A decision will be made as soon as possible, consistent with full consideration of the proposals.

Public Examination Boards

Mr. Blunkett: To ask the Secretary of State for Education and Employment what plans she has to reduce the number of public examination boards; and if she will make a statement. [11186]

Mrs. Gillan: My right hon. Friend made it clear in response to the School Curriculum and Assessment Authority—Office for Standards in Education report on "Standards in Public Examinations 1975 to 1995", published on 5 December, that she believed that it was now right to consult on moves to reduce and rationalise the number of examining and awarding bodies. She will be publishing a consultation paper on possible options early next month.

Small Firms Training Loan Scheme

Mrs. Roche: To ask the Secretary of State for Education and Employment when she plans to re-launch the small firms training loan scheme; and with what changes. [11230]

Mr. Paice: The small firms training loans scheme was re-launched in September 1996. The following changes in rules and procedures were introduced at that time:

- the capital and interest repayment holiday offered to SFTL borrowers is now based on the amount of the loan. Loans up to £700 receive a six-month holiday, loans between £701 and £15,000 receive nine months and those over £15,000 receive 12 months;
- endorsement of applications by a training and enterprise council or local enterprise company is now mandatory only for loan applications for amounts over £15,000 submitted to a bank other than the bank holding the applicant's main business accounts;
- eligibility for SFTL support has been extended to cover the costs of an employee acting as in-house trainer, providing that the named trainer is relieved of normal operational duties while training others;
- the application form has been simplified.

School Day

Mr. Blunkett: To ask the Secretary of State for Education and Employment (1) what plans she has to change the current regulations on the length of the school day; [12075]

(2) what estimate she has made of the additional cost of increasing the length of the school day to an average of eight hours; and if she will make a statement. [12076]

Mr. Robin Squire: It is for governing bodies to determine the length of the school day and we have no plans to change this. The Department has carried out no studies of the cost of extending the school day, although it is known that some schools have a significantly longer compulsory day than others.

SCOTLAND

Arrestments

Mr. Worthington: To ask the Secretary of State for Scotland how many *(a)* bank arrestments and *(b)* earnings arrestments there were in each year since 1993; and what statistics his Department (i) collects and (ii) publishes on this subject. [10946]

Lord James Douglas-Hamilton: Details of the numbers of arrestments of moveable property in the hands of third parties have been collected centrally only since 1 January 1996. These figures do not distinguish between arrestment of bank accounts and arrestment of other property. The total to 30 September 1996, the latest date for which figures are currently available, is 65,570. The statistics which are collected on arrestments are published in the annual "Civil Judicial Statistics, Scotland".

The information requested in relation to earnings arrestments is given in the table.

1993: 69,195

1994: 90,350

1995: 82,677

1996 (to 30 September): 84,485

Mr. Worthington: To ask the Secretary of State for Scotland what research he has conducted on the trends and impact of bank arrestments arising from civil court judgments. [10947]

Lord James Douglas-Hamilton: None.

NHS Property Sales

Mr. Donohoe: To ask the Secretary of State for Scotland, pursuant to his answer of 28 November, *Official Report*, column *338*, if he will list for each health board and NHS trust in Scotland for the *(a)* 1993–94, *(b)* 1994–95 and *(c)* 1995–96 financial years and in total for each of these periods (i) how much has been raised from the sale of surplus property and (ii) how much of this has been reallocated to the health board or NHS trust which disposed of the surplus property. [10965]

Lord James Douglas-Hamilton: The information is set out in the tables.

With regard to NHS trusts, all receipts are retained by the trust responsible for the sale. The expenditure of these receipts is controlled by the external financing limit.

As for health boards, for 1993–94 and 1994–95 all receipts were retained by the board responsible for the sale. Since 1995–96, receipts from the sale of surplus land and buildings by health boards are normally remitted to the management executive and are used to offset the

capital programme for the whole of the NHS in Scotland. A case can be submitted by health boards to retain capital receipts. In 1995–96 Dumfries and Galloway health board and Tayside health board retained £3.285 million and £0.15 million, respectively.

Receipts from disposal of assets

£000

Trust	1993–94	1994–95	1995–96
Aberdeen Royal Hospitals NHS Trust	—	—	126
Angus NHS Trust	—	48	185
Argyll and Bute NHS Trust	—	—	157
Ayrshire and Arran Community Healthcare NHS Trust	864	229	126
Borders Community Health Services NHS Trust	—	—	8
Borders General Hospital NHS Trust	—	—	!
Caithness and Sutherland NHS Trust	67	1	92
Central Scotland Healthcare NHS Trust	'21	—	80
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	—	4	—
Dumfries and Galloway Community Health NHS Trust	—	—	45
Dundee Healthcare NHS Trust	—	43	32
Dundee Teaching Hospitals NHS Trust	4	—	51
East and Midlothian NHS Trust	—	—	—
Edinburgh Healthcare NHS Trust	—	6	22
Edinburgh Sick Children's NHS Trust	—	541	—
Falkirk and District Royal Infirmary NHS Trust	—	—	280
Fife Healthcare NHS Trust	—	31	243
Glasgow Dental Hospital and School NHS Trust	—	—	1
Glasgow Royal Infirmary University NHS Trust	—	—	—
Grampian Healthcare NHS Trust	2,427	1,170	1,626
Greater Glasgow Community and Mental Health Services NHS trust	—	—	98
Hairmyres and Stonehouse Hospitals NHS Trust	—	—	8
Highland Communities NHS Trust	—	27	362
Inverclyde Royal Infirmary NHS Trust	—	87	—
Kirkcaldy Acute Hospitals NHS Trust	—	—	2
Lanarkshire Healthcare NHS Trust	—	—	24
Law Hospital NHS Trust	—	—	—
Lomond Healthcare NHS Trust	—	—	72
Monkslands and Bellshill Hospitals NHS Trust	1	—	—
Moray Health Services NHS Trust	37	—	42
North Ayrshire and Arran NHS Trust	—	—	333
Perth and Kinross Healthcare NHS Trust	—	219	261
Queen Margaret Hospital NHS Trust	—	119	16
Raigmore Hospital NHS Trust	6	24	13
Renfrewshire Healthcare NHS Trust	—	27	12
Royal Alexandra Hospital NHS Trust	—	114	13
Royal Infirmary of Edinburgh NHS Trust	—	30	16
Scottish Ambulance Service NHS Trust	—	—	302
South Ayrshire Hospitals NHS Trust	299	99	7
Southern General Hospital NHS Trust	4	12	—
Stirling Royal Infirmary NHS Trust	—	11	—
Stobhill NHS Trust	—	—	2
Victoria Infirmary NHS Trust	—	—	751
West Glasgow Hospitals University NHS Trust	—	—	—
West Lothian NHS Trust	40	18	34
Western General Hospitals NHS Trust	—	—	106
Yorkhill NHS Trust	—	20	—
Total	3,770	2,880	5,549

[1] These receipts relate to the Royal Scottish National Hospitals NHS Trust which merged with Forth Valley Healthcare to become Central Scotland NHS Trust in 1994–95.

Health boards

	1993–94 £000	1994–95 £000	1995–96 £000
Argyll and Clyde	701	534	0
Aryshire and Arran	120	945	180
Borders	45	171	0
Dumfries and Galloway	104	612	3,285
Fife	0	1,800	0
Forth Valley	93	1,068	575
Grampian	474	425	0
Greater Glasgow	1,822	2,969	3,899
Highland	824	523	0
Lanarkshire	1,347	1,531	969
Lothian	6,648	5,737	3,789
Orkney	0	130	14
Shetland	2	68	32
Tayside	299	0	150
Western Isles	125	0	0
Total	12,604	16,513	12,893

Caledonian MacBrayne

Mr. Macdonald: To ask the Secretary of State for Scotland what was the annual revenue earned by Caledonian MacBrayne from carriage of commercial goods vehicles on all routes to and from the Western Isles in 1995–96. [11586]

Lord James Douglas-Hamilton: A total of £3,537,000. This figure comprises all revenue earned from the carriage of commercial vehicles on the company's Oban-Castlebay-Lochboisdale, Mallaig-Castlebay-Lochboisdale, Uig-Tarbert-Lochmaddy, and Ullapool-Stornoway services.

Lockerbie

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on the representations he has had from the International Bar Association in relation to the bombing of Pan Am 103 over Lockerbie. [9943]

Lord James Douglas-Hamilton: It is my understanding that neither the Attorney-General nor the Lord Advocate has received representations from the International Bar Association in relation to the bombing of Pan Am 103 over Lockerbie. In May 1995 the Lord Advocate received intimation from the president of the International Bar Association of a motion concerning the establishment of a permanent international criminal court which was to be put before the council of the International Bar Association in Edinburgh in June 1995. In May 1996 the president of the International Bar Association wrote once again to the Lord Advocate inviting him, or a representative from the Crown Office, to attend the conference being held jointly by the International Bar Association and the Arab Lawyers Union. That invitation was declined. The Lord Advocate has received a report of the discussions at the conference including the proposals of the keynote speaker, Professor Bassiouni, concerning trial in Scotland. These proposals are, in fact, broadly in line with the approach that the Lord Advocate and Her Majesty's Government have taken to the case and the undertakings concerning the fair trial and treatment of the accused which have already been given to the Libyans.

Historic Buildings (Advice Charges)

Mrs. Dunwoody: To ask the Secretary of State for Scotland what sources of advice on the protection of stone in historic buildings are currently available to him; and if he will list the amount paid in charges for such advice for each of the last three years. [11283]

Lord James Douglas-Hamilton: Since these are matters for Historic Scotland, I have asked the agency's chief executive, Mr. Graeme Munro, to write to the hon. Member.

Letter from Graeme Munro to Mrs. Gwyneth Dunwoody, dated 20 January 1997:

I refer to your recent Parliamentary Question concerning the sources of advice on the protection of stone in historic buildings available to the Secretary of State for Scotland. It has been referred to me for answer since this is an operational matter falling within the remit of Historic Scotland.

The Secretary of State for Scotland has, within Historic Scotland's Properties in Care Division, a regional structure of qualified architects well versed in the conservation of stone. This skill and knowledge is put to use in the preservation of monuments in his care, and through the historic building repair grant scheme, is made available to owners of historic buildings. This advice is also available in support of scheduled monument consent and listed building consent schemes.

In addition, Historic Scotland, commissions research into the conservation and repair of stone in historic buildings and publishes the findings as Research Reports and Technical Advice Notes. To date these include "Stonecleaning in Scotland—Research Report" in 3 Volumes, Literature Review and Research Summary (1992), "Proceedings of the International Conference 1992", "Stonecleaning—A Guide for Practitioners" (1994); "The Repair of Historic Buildings in Scotland" (1995), "Preparation and Use of Lime Mortars" (1995), "Line Conference Proceedings" (1995), and "Case Studies of Traditional Lime Harling" (1966).

Further research projects currently in progress include an investigation into "Carved Stone Decay", "The Cleaning of Granite", "Graffiti Removal", "Sandstone Consolidants and Waterproofers", "Laser Stonecleaning in Scotland" and "Biological Growths on Sandstone Buildings", and it is intended that reports and technical guidance will be published as these projects are concluded.

The costs of these commissioned research projects amount to £70,180 for 1994–95, £94,363 for 1995–96, and £11,815 for April 1996–December 1996. These costs are partially offset by the income accruing from the sales of published Research Findings and Technical Advice Notes amounting to £9,069.7 (1994–95), £5,983.01 (1995–96), and £3,550.34 (April 1996 to December 1996).

I hope this information is helpful.

Mrs. Dunwoody: To ask the Secretary of State for Scotland what sources of advice are currently available to him on the reduction of fire risk in historic buildings; and if he will list the amount paid in charges for such advice for each of the past three years. [11284]

Lord James Douglas-Hamilton: Since these are matters for Historic Scotland, I have asked the agency's chief executive, Mr. Graeme Munro, to write to the hon. Member.

Letter from Mr. Graeme Munro to Mrs. Gwyneth Dunwoody, dated 20 January 1997:

I refer to your recent Parliamentary Question concerning the sources of advice on the reduction of fire risk in historic buildings available to the Secretary of State for Scotland. It has been referred to me for answer since this is an operational matter falling within the remit of Historic Scotland.

In common with others, the Secretary of State for Scotland has available to him technical guidance on the reduction of fire risk in historic buildings published by the Fire Prevention Association, including "Fire Prevention in Historic Buildings and Town Centres" (published 1992) and "Heritage under Fire" (1995), and by Historic Scotland in "The Repair of Historic Buildings in Scotland" (1995) and other guidance prepared by fire brigades.

Historic Scotland, on behalf of the Secretary of State commissioned, in 1995, a multi-disciplinary research project from Edinburgh University to consider "Fire Protection in Scottish Historic Buildings". The research team is due to submit the report in Spring 1997 and, after consideration, it is hoped to publish a Technical Advice Note. The University research team is assisted by a Steering Group compromising representatives from the Scottish Office Environment Department and Fire Service, Historic Scotland, the Fire Protection Association, Strathclyde Fire Brigade, the National Library of Scotland, the National Trust for Scotland and the Architectural Heritage Society of Scotland. The project has been initiated as a direct consequence of the increasing awareness of the high loss to fire of Scotland's built heritage, and is likely to lead to further research on specific topics to enhance the understanding of fire risk and the means of providing increased protection for historic buildings. The cost of the current research project is £67,500 of which £40,690 was paid in 1995–96.

Historic Scotland is also currently preparing a Technical Advice Note in conjunction with the Fire Prevention Association on the sensitive installation of fully-charged water sprinkler systems in historic buildings. This publication will develop and enhance the experience gained during the installation of such a system in one of the Secretary of State's own properties, Duff House, Banff, (William Adam 1735) during its recent conversion to a country house art gallery.

The Secretary of State for Scotland is represented by Historic Scotland on the National Research Co-ordinating Committee for Fire Safety in Historic Buildings, set up by English Heritage to review the implementation of the Bailey Report following the Windsor Castle fire of 1992.

Representative bodies on the committee are:

Department of National Heritage

The Home Office

Historic Scotland

Historic Royal Palaces

Fire Protection Association

English Heritage

The Royal Household

The National Trust

The terms of reference of this body are to meet quarterly to report on implementation of the Bailey recommendations, to collect and publish fire safety research data, to co-ordinate research based on prioritised needs and to seek research funding by pooling resources, grants from existing programmes and additional share of PES bids.

Following the Windsor Castle fire and major fires in other historic buildings an internal report was prepared in 1992 by the then Head of the Works Services Division of Historic Scotland to assess the fire risk in the ancient monument estate. This resulted in the drawing-up by the Agency's professional staff with the assistance of local fire brigades, Fire Action Plans and an Emergency Procedures Manual for the most vulnerable monuments in state care and this work is on-going.

I hope this information is helpful.

Newcastle Disease

Mr. Flynn: To ask the Secretary of State for Scotland (1) how many recognised outbreaks of Newcastle disease have been recorded on farms in Scotland by area in each of the last five years; and if he will make a statement; [11547]

(2) how many *(a)* chickens, *(b)* turkeys and *(c)* other birds have been affected by Newcastle disease in Scotland in each of the last five years; and if he will make a statement. [11545]

Mr. Raymond S. Robertson *[holding answer 17 January 1997]:* There have been no recognised outbreaks of Newcastle disease in Scotland in the last five years. Widespread vaccination of poultry has been instrumental in maintaining the health status of the national poultry flock during the last decade.

Frozen Pipes Warnings

Mrs. Dunwoody: To ask the Secretary of State for Scotland what work has been carried out for his Department to determine a severe weather trigger for warnings to the general public of possible damage from burst pipes in buildings; what has been the role of the Building Research Establishment Executive Agency in this work; and if he will make a statement. [11276]

Mr. Kynoch: The severe weather working party, which was set up by my right hon. Friend the Secretary of State for Scotland in January 1996, received guidance from the Building Research Establishment Scottish laboratory on the development of a tentative weather trigger for the likely freezing of pipes in loft spaces in severe conditions in Scotland. The Scottish Office subsequently commissioned BRE to develop an appropriate cold weather indicator to act as a trigger for the issue of warnings to householders and others in Scotland of imminent severe weather and of the consequent risk of freezing and bursting of water pipes. BRE reported in October 1996.

AGRICULTURE, FISHERIES AND FOOD

Live Animal Transport

Mr. Win Griffiths: To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the advantages of withholding live animal export licences at times when disruption of the continental road system interferes with journey plans, to the detriment of the welfare of animals in transit. [10988]

Mrs. Browning: A licence is not required to export live farm animals to other member states of the EU. However, during periods of disruption, such as that recently caused by French lorry drivers, the Department checks closely on the circumstances prevailing at the time on routes declared to us on route plans, with a view to intervening if this is justified.

Cattle Cull

Mrs. Helen Jackson: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 13 January, *Official Report*, column *157*, if he will list the locations of the dry warehouses in England, Scotland and Northern Ireland, in which meat and bonemeal from animals slaughtered under the over-30-months scheme is stored, and the cold storage depots in the United Kingdom. [11305]

Mr. Baldry: The locations of the dry warehouses and cold storage depots referred to in my previous answer are as follows:

Location	*Number of dry warehouses*	*Number of cold storage depots*
England		
Wellingborough	—	1
Gillingham, Kent	—	1
Grimsby	—	2
Craven Arms	—	1
Bristol	—	2
London	—	1
Lancaster	—	1
Taunton	—	1
Hull	—	2
Tonbridge	—	1
Exeter	1	1
Gainsborough	—	1
Hereford	—	1
Manchester	—	2
Richmond	—	1
Liverpool	1	1
Stoke on Trent	—	1
Sheffield	—	1
Wallsend	—	1
Swanley	—	1
Cambridge	—	1
Wigan	—	1
Preston	1	—
Wrangton	1	—
Longton	1	—
N. Ireland		
Ardglass	—	1
Dundrum	—	1
Craigavon	—	2
Newtown Butler	—	1
Belfast	2	—
Newtownstewart	1	—
Mallusk	1	—
Lisnaskea	—	1
Scotland		
Fraserburgh	—	1
Glasgow	—	1
Locabriggs	—	1
Inverness	—	1
Ross Shire	—	1
Aberdeen	—	1
Fife	1	
Kirknewton	1	—
Wales		
Cardiff	—	1
Newport	—	1
Gaerwen	—	1

In addition, over-30-months scheme carcases have been stored at two container sites, one in Kent and the other in Hull. I regret that these were omitted in my previous answer.

Mrs. Jackson: To ask the Minister of Agriculture, Fisheries and Food what is the weekly cost of storage of *(a)* rendered meat and bonemeal and *(b)* carcases of cattle slaughtered under the over-30-months scheme; and when he expects the disposal to be completed. [11306]

Mr. Baldry: The weekly cost of storage depends upon stock levels. It is currently around £45,000 for rendered meat and bonemeal and £220,000 for unrendered carcase material. Disposal will be completed at a pace determined by control requirements and the availability of rendering and incineration capacity.

Mrs. Jackson: To ask the Minister of Agriculture, Fisheries and Food what disposal options other than high-temperature incineration are under consideration for cattle slaughtered and rendered under the over-30-months scheme. [11307]

Mr. Baldry: None.

Vitamin B6

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food by whom, and for what purpose, the Food Advisory Committee was asked to consider at its December meeting the use of vitamin B6; and if he will make a statement on the conclusions reached at that meeting. [11491]

Mrs. Browning: I asked the Department of Health's Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment—for advice on the toxicity of vitamin B6 in response to concerns expressed by the Consumers Association about the safety of dietary supplements containing high doses of vitamins and minerals. The COT's advice was passed to the Food Advisory Committee so that it could consider what action should be taken. The FAC endorsed the COT's conclusions and recommended that discussions be held with interested parties to explore the possibility of a voluntary limit on levels of vitamin B6 in dietary supplements. It also made it clear that it wishes to

consider this matter further in the light of those discussions and information about the market for high dose supplements.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food whether the Food Advisory Committee and the committee on toxicity consulted Consumers for Health Choice and the Society for the Promotion of Nutritional Therapy about the use of vitamin B6 prior to reaching conclusions on its safety. [11492]

Mrs. Browning: Neither the Food Advisory Committee nor the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment consulted Consumers for Health Choice or the Society for the Promotion of Nutritional Therapy before reaching its conclusions on the safety of vitamin B6. However, the FAC has recommended that officials discuss the conclusions with interested parties.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food how many adverse reactions as a result of vitamin B6 supplement in the United Kingdom were reported to his Department in each of the last three years for which figures are available; and if he will make a statement. [11493]

Mrs. Browning: No arrangement exists for the reporting to this Department of adverse reactions to vitamin and mineral supplements. A report into the toxicological problems resulting from exposure to traditional medicines and food supplements commissioned by this Department did not reveal any cases of adverse reactions to vitamin B6 during the period. However, evidence of adverse reactions has been published in the scientific literature.

TRANSPORT

Sleep-related Road Accidents

Mr. Dalyell: To ask the Secretary of State for Transport what is his policy in respect of financing the erection of permanent advisory "Tiredness Can Kill" signs on roads which have had a high incidence of sleep-related accidents. [9851]

Mr. Bowis: Sleep-related accidents are associated with particular times of day as well as types of road. The need for, and financing of "Tiredness Can Kill" signs on trunk roads and motorways is considered on the basis of local circumstances.

Mr. Dalyell: To ask the Secretary of State for Transport what action he is taking to raise public awareness of the dangers of driving while sleepy. [9852]

Mr. Bowis: We issued preliminary advice to drivers on how to combat sleepiness in September 1995. Further research is in progress into the relative effectiveness of other possible measures to ensure that the best advice is made available to drivers on how to minimise the risk of having a sleep-related accident. This phase of the research will report later this year, following which we will review the requirement for new advice.

Mr. Dalyell: To ask the Secretary of State for Transport what estimate he has made of the number of drivers who (i) undertake truck driving during the day and taxi driving at night, (ii) work for two companies, with consequences for their total tachograph entry and (iii) run more than one tachograph. [9853]

Mr. Bowis: None; we have no way of quantifying this.

Mr. Dalyell: To ask the Secretary of State for Transport what research he has *(a)* commissioned and *(b)* evaluated into roads which have a higher than average incidence of sleep-related vehicle accidents. [9855]

Mr. Bowis: Current casualty data do not allow a clear identification of roads with a higher than average incidence of sleep-related accidents. We are midway through a research programme into accident causation which is seeking to develop methods which will more accurately identify the incidence of such accidents. This will report later this year.

Mr. Dalyell: To ask the Secretary of State for Transport what assessment he has made of the extent to which rumble strips are effective in alerting sleepy drivers of large-wheel coaches and heavy goods vehicles with power transmissions. [9854]

Mr. Bowis: Rumble strips—raised rib markings—were initially introduced on motorways to separate the edge of the hard shoulder from the main carriageway, by improving the visual delineation in wet conditions at night. They also provide an audible/vibratory warning to vehicle drivers should they stray from the carriageway for any reason. Their effect in alerting sleepy drivers is an additional benefit.

We have not made an assessment of the effectiveness of rumble strips in alerting drivers; US studies suggest that they can reduce run-off-road accidents by 20 to 50 per cent.

Railway Station Car Parks

Mr. Hinchliffe: To ask the Secretary of State for Transport what assessment he has made of the implications of the High Court decision of 29 November in the case of Clarke *v.* Kato and others with regard to the status of railway station car parks and the possible future role of local authorities in designating taxi ranks in such car parks; and if he will make a statement. [11046]

Mr. Watts: The decision was made on the particular facts of the case in question and does not lay down a general principle. The significance of the decision is that if a car park is a "road" under the Road Traffic Act 1988, the general provisions of road traffic law will apply to it, such as the requirement for compulsory insurance. The case does not mean that land which is a road within the meaning of the Act because the owner permits the public to use it—as distinct from land over which the public have a right of way—no longer remains under the control of the owner. He remains free to decide what traffic is to be allowed over the land and for what purpose.

The decision therefore has no bearing on the designation of taxi ranks at railway station car parks, which remain a matter for the appropriate station operator.

Channel Tunnel (Safety)

Mrs. Dunwoody: To ask the Secretary of State for Transport what investigations are being carried out on his behalf, and by which organisations, into issues raised by the lorry fire in the channel tunnel on 18 November 1996, to ensure the safety of future passengers crossing under the English channel. [11264]

Mr. Watts: The Channel Tunnel Safety Authority is conducting an investigation into the channel tunnel fire. This investigation is being undertaken on behalf of both the French and UK Governments in line with the duties and responsibilities of the Intergovernmental Commission and the Channel Tunnel Safety Authority, established in articles 10 and 11 of the treaty of Canterbury 1986, Cmnd 9745.

Bus Emissions

Mrs. Helen Jackson: To ask the Secretary of State for Transport (1) how many inspections of bus emissions have been made in the South Yorkshire area during 1996; and how many of these have resulted in *(a)* prosecution and *(b)* a fine; [11047]

(2) if he will list the prosecutions brought and fines levied against bus companies, by region, which have breached the diesel emission limits during each of the past three years. [11048]

Mr. Bowis: I have asked the chief executive of the Vehicle Inspectorate executive agency to write to the hon. Member.

Letter from Ron Oliver to Ms Helen Jackson, dated 20 January 1997:

The Secretary of State has asked me to reply to your questions about the number of inspections of bus emissions made in the South Yorkshire area during 1996; and how many of these have resulted in (a) prosecution and (b) a fine; and the prosecutions brought and fines levied against bus companies by region, which have breached the diesel emissions limits during each of the last three years.

478 inspections of bus (PSV) emissions were carried out in the Nottinghamshire and South Yorkshire area during the 1995/96 financial year which resulted in the issue of 5 delayed prohibition notices. No immediate prohibitions were issued.

It is not usual practice for breaches of PSV emissions limits to be dealt with by a prosecution or fine. The issue of a prohibition notice is considered an effective means of dealing with emissions failures in respect of licensed PSV operators. Prohibition notices issued to licensed operators are available to the Traffic Commissioners to consider whether disciplinary action is required.

Vessels and Passengers (Requests for Assistance)

Mr. Corbyn: To ask the Secretary of State for Transport what requests for assistance from ships containing refugees in the Mediterranean have been reported to his Department since December 1996. [11179]

Mr. Bowis: None.

Mr. Corbyn: To ask the Secretary of State for Transport what guidance is given to United Kingdom-registered ships concerning the assistance to be offered to vessels or passengers in distress. [11182]

Mr. Bowis: The annual summary of admiralty notices to mariners and volume 5 of the admiralty list of radio signals, which are mandatory carriage on UK-registered ships, give explicit guidance to the masters of British ships. UK law provides that

"the master or person in charge of a vessel shall, so far as he can do so without serious danger to his own vessel, her crew and passengers (if any), render assistance to every person, . . . who is found at sea in danger of being lost."

The master of a British ship, on receiving at sea a distress signal or information from any source that a vessel or aircraft is in distress, must proceed with all speed to the assistance of the persons in distress—informing them, if possible, that he is doing so—unless he is unable, or in the special circumstances of the case considers it unreasonable or unnecessary to do so, or unless he is released from this obligation under certain conditions.

Rail Privatisation

Mr. Chris Davies: To ask the Secretary of State for Transport if he will list the estimated sums to be paid by way of subsidy in the financial year ending 31 March 1997 to the British Railways Board and each of the companies formerly owned by the board which have been privatised or franchised in the past five years. [11427]

Mr. Watts: My current estimate of the net payments of support, excluding payments under the performance regime, to be made by the franchising director to the British Railways Board and to franchise operators in the financial year 1996–97 is listed in the table.

Estimated payments in 1996–97

Payments to franchise operators	£ million
Anglia Railways Train Services Ltd.	8.777
Cardiff Railway Co. Ltd.	10.014
CrossCountry Trains Ltd.	30.675
Gatwick Express Railway Co. Ltd.	-4.192
Great Eastern Railway Ltd.	5.778
Great Western Trains Co. Ltd.	61.825
InterCity East Coast Ltd.	61.468
Island Line Ltd.	0.937
LTS Rail Ltd.	25.146
Merseyrail Electrics Ltd.	7.703
Midland Main Line Ltd.	16.188
Network SouthCentral Ltd.	73.610
South Wales and West Railway Ltd.	37.625
South West Trains Ltd.	63.207
Thames Trains Ltd.	18.780
The Chiltern Railway Co. Ltd.	11.650
The South Eastern Train Co. Ltd.	59.257
West Anglia Great Northern Railway Ltd.	14.208
Total Payments to Franchise Operators	502,655
Payments to British Rail	1,260.367
Total Payments	1,763,022

Marine Accident Reports

Mrs. Dunwoody: To ask the Secretary of State for Transport what guidelines he sets the marine accidents investigation branch for the time scale for producing reports following accidents or incidents. [11513]

Mr. Bowis: Major accidents require an inspector's inquiry to be conducted, leading to a chief inspector's report being produced. The chief inspector's target is to

submit the final report to the Secretary of State within 12 months of the date of the accident. Consultation with those considered by the chief inspector to have been adversely affected by the report may sometimes prevent this target being met.

In other accidents requiring full and detailed examination, summary reports may be released generally or to interested parties. Where these are to be published, the target is to do so within 10 months from the date of the accident.

MV Canberra (Inquiry)

Mrs. Dunwoody: To ask the Secretary of State for Transport what factors underlay the delay in producing the marine accidents investigation branch report into the incident involving the MV Canberra in December 1994. [11514]

Mr. Bowis: This was a complex investigation which involved not only the causes of the power failure but the actions of the master and officers with respect to navigational decisions and communication.

In addition, the consultation and validation process was complex, and some time was spent in exploring the legal implications of publishing the report in the light of the consultation.

Aircraft Safety

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list those airlines found to be *(a)* using unapproved parts and *(b)* flying without maintenance releases during the last two years. [11511]

Mr. Bowis: The Civil Aviation Authority routinely audit both airlines and their maintenance organisations. All CAA-approved maintenance organisations have procedures to reject on receipt unapproved parts and prevent their fitting to aircraft. However, the CAA has recorded one case in February 1995 where a part fitted was found not to be in full accordance with approved standards. The part presented no hazard to the safety of the aircraft, which was operated by Maersk Air, and appropriate action has been taken to prevent any recurrence. Procedures for the strict regulation and control of aircraft parts were outlined on 22 March 1996 by my hon. Friend the Member for Epping Forest (Mr. Norris) *Official Report*, column *392*.

In the past two years, one case has been found where a UK-registered aircraft has been released into service from routine maintenance without there being in force a certificate of release to service as required by Joint Aviation Authorities requirement JAR-145. This one case is currently under investigation by the CAA. It would be inappropriate to name the airline concerned while the investigation is under way.

Jubilee Line Extension

Mrs. Dunwoody: To ask the Secretary of State for Transport what research he has commissioned to be carried out into the structural safety of the Jubilee line extension to the London underground system during its construction, and by which organisations. [11265]

Mr. Bowis: This is a responsibility of London Transport, for which safety is the top priority. I understand that the Jubilee line extension construction safety record is commendable by the standards of the construction industry nationally.

Parliamentary Questions

Mrs. Dunwoody: To ask the Secretary of State for Transport on how many occasions, during the current parliamentary Session, answers to parliamentary questions which reveal information of a sort which is not normally disclosed, as defined in paragraph 5 of the guidance to officials on drafting answers to parliamentary questions, have been referred to him for a decision on whether or not a reply is given. [11285]

Sir George Young: None.

Coastguard Services

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the coastguard stations which are currently only on day watch; and what plans he has to restrict other coastguard stations to day watch operations over the next five years. [9761]

Mr. Bowis: No coastguard stations are currently on day watch only. There are no plans to restrict coastguard stations to day watch operations over the next five years.

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) which coastguard stations he is planning to downgrade; [9763]

(2) if he will place a copy of the Coastguard agency five-year plan in the Library. [9762]

Mr. Bowis: There is no five-year plan for the Coastguard agency. My right hon. Friend the Secretary of State has asked the agency's chief executive to develop a strategy for using the benefits of new communications technology to meet the expected requirements for distress monitoring and search and rescue co-ordination by Her Majesty's Coastguard into the 21st century. No strategy has yet been submitted. Coastguard staff will be consulted before any decisions are taken. In the meantime, we have no plans to downgrade any coastguard stations.

M11 Link Road

Mr. Cohen: To ask the Secretary of State for Transport how much has been spent on the M11 link road to date; and what is the current estimated total cost. [11058]

Mr. Bowis: Total spending to date is £176 million. The current estimated total cost is £340 million.

Driver Eyesight Standards

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many drivers of groups 1 and 2 vehicles he estimates will be unable to meet the new eyesight standards set out in the Motor Vehicles (Driving Licences) Regulations 1996. [11525]

Mr. Bowis: There are no changes in eyesight standards for group 1 drivers as a result of the new regulations. However, from 1 January 1998, group 1 drivers who obtained their licence before 1 January 1997 who, when renewing their licence, wish to retain the associated D1

entitlement—minibuses—will have to meet the higher group 2 eyesight standards. It is not possible to determine the numbers of licence holders who may be affected.

Drivers of group 2 vehicles who obtained their licence before 1 January 1997, who are unable to meet the revised eyesight standards for such vehicles in the new regulations but who can continue to meet the standards applicable when they obtained their entitlement, may renew their licence provided that they are able to satisfy the Secretary of State that they have not been involved in a road accident in the preceding 10 years where defective eyesight was a contributory factor and that they have had recent adequate experience of driving these vehicles. The number of existing group 2 drivers falling below the new eyesight standards is estimated at 3,000. It is not possible to determine how many of these would be unable to satisfy the Secretary of State that their licences should be renewed.

Personalised Number Plates

Mr. Donohoe: To ask the Secretary of State for Transport how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11412]

Mr. Bowis: There are none.

Marine Pollution Incidents

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many incidents involving the discharge into the sea by merchant shipping of *(a)* noxious liquid substances and *(b)* pollution hazard substances took place in the most recent year for which figures are available; and how many successful prosecutions were brought. [11523]

Mr. Bowis: In 1996, 347 incidents of suspected discharges of noxious liquid or other polluting substances in contravention of international regulations were reported to the marine pollution control unit. The source of these suspected violations was identified on 30 occasions, of which 23 involved oil and seven involved other substances. Of these 30 cases, three were referred to the Treasury Solicitor or procurator fiscal and in eight cases it was considered more appropriate to refer to the relevant flag state for action. Ten cases remain under investigation.

Radar Equipment (Milford Haven)

Mr. Dafis: To ask the Secretary of State for Transport what action he has taken to ensure the effective operation of radar equipment operating in the area of Milford Haven; what reports he has received regarding the effectiveness of the equipment on St. Ann's head since 1 January 1996; and if he will make a statement. [11350]

Mr. Bowis: The operation of this radar equipment is a matter for the Milford Haven port authority.

Overloaded Aircraft

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list those airlines found to be operating overloaded aircraft during the last two years. [11512]

Mr. Bowis: The Civil Aviation Authority audits UK airlines to ensure, among other things, that aircraft are operated within the weight limitations specified in their performance manuals. Incidence of operations outside these limitations is very low. Details of such operations are not held centrally and the information requested can be provided only at disproportionate cost.

Child Care Facilities

Mr. Allen: To ask the Secretary of State for Transport if Ministers are entitled to use child care facilities supported by his Department. [11596]

Mr. Bowis: The only child care facilities provided by my Department in central London are provided through the interdepartmental Westminster holiday playscheme, which is subsidised by the Department. Ministers may apply to use the facilities in the same way as members of staff.

Driver Accident Rates

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Transport what is the accident rate for drivers over the age of 70 years, and for each 10-year age group below 70 over the past 10 years. [11489]

Mr. Bowis: The latest available estimates are shown in the following table. The table shows that driver involvement rates in road injury accidents, in relation to the number of driving licence holders in the age group, fall with age. However, older car drivers and younger, mainly novice, drivers, drive fewer miles per year. When this reduced exposure to accident risk is taken into account, the table shows that, in relation to miles driven, the driver involvement rate increases for age groups over 60, and in relatively higher for 17 to 20-year-olds. There has been little change in relative rates between age groups since 1985–96.

Rate of car driver involvement in road injury accidents

Age band	*1985–86*		*1993–95*	
	Per thousand[1] car driving licence holders	*Per million vehicle kilometres*	*Per thousand[1] car driving licence holders*	*Per million vehicle kilometres*
17–20	30	3.3	27	3.4
21–29	15	1.4	14	1.3
30–39	11	0.9	10	0.8
40–49	9	0.7	8	0.6
50–59	7	0.6	7	0.5
60–69	6	0.7	5	0.6
70+	6	0.9	5	0.9

[1] The rates for each car driver age group are expressed as car driver involvements in injury accidents in relation to the number of full licence holders in each age group. The 17 to 20 year age group does not take into account provisional licence holders because their driving mileage is relatively very low, and accompaniment while learning could reduce their accident involvement risk. Inclusion could unduly bias comparisons between age groups.

Heavy Goods Vehicles

Mr. Chidgey: To ask the Secretary of State for Transport if the programme of bridge inspection and strengthening associated with the use of 40-tonne lorries will be completed by 1 January 1999; and what is the present estimate of the cost of this programme. [10903]

Mr. Watts: The current programme of assessment and strengthening of highway structures is not associated purely with the use of 40-tonne lorries; it is also aimed at ensuring that these structures continue to be safe for use by the large numbers of 38-tonne vehicles that now use

them. It is not the case that every structure on every road must be strengthened by 1 January 1999. Our objectives are that all assessments should have been completed by that date and that routes carrying significant flows of international traffic, including all trunk roads, should be capable of bearing 40-tonne lorries.

The trunk road network is the responsibility of the Highways Agency. The agency's latest estimate of the cost of assessing and strengthening trunk road structures alone is £450 million.

Other public roads are the responsibility of local highway authorities. Since 1991–92, my Department has made some £700 million available to local highway authorities for assessment and strengthening and a further £112 million is to be provided under the 1997–98 transport policies and programmes settlement. It is not possible at the present to provide an accurate estimate of the cost of outstanding assessment and strengthening work for local authority structures.

HEALTH

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health what is the average salary by decile for NHS dentists. [9012]

Mr. Malone: General dental practitioners are largely paid through fees—such as item of service fees and continuing care—rather than salaries. The table shows average gross fee earnings by decile for dental rates study group, DRSG, dentists in England.

Average gross fee earnings[1] by the decile for DRSG[2] dentists in 1995–96 in England

Decile[3]	*Average gross fee earnings*[1] *£*
Bottom	8,000
2	26,000
3	43,000
4	61,000
5	75,000
6	87,000
7	99,000
8	112,000
9	131,000
Top	188,000

[1] These have been rounded to the nearest £1,000. Gross fee payments do not account for all NHS earnings, which can include other payments such as maternity payments, long-term sickness payments and seniority payments. These additional payments amount to about £2,000 per practitioner on average.
[2] DRSG dentists are those who have been in practice throughout 1995–96. Dentists who have joined or left during the year have been excluded, as well as some other small groups.
[3] There were 13,687 DRSG dentists in England in 1995–96. Each decile comprises about 1,369 dentists.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 13 January, *Official Report*, columns *165–66*, how many adult patients and children were registered with the highest paid NHS dentist in each year from 1991–92 to 1995–96. [11890]

Mr. Malone: The dentist with the highest level of gross earnings in each of the years 1991–92 to 1994–95 had a very small number of registrations, and was engaged mainly in orthodontic treatment. For 1995–96, the dentist with the highest level of gross earnings had 8,991 adult registrations and 2,258 child registrations.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 14 January, *Official Report*, column *220*, in which London postal district the practice of the highest earning NHS dentist was situated in 1991–92, 1992–93, 1993–94, and 1994–95. [11889]

Mr. Malone: Giving this information would be in breach of the open government code of practice, which exempts information which could facilitate an unwarranted invasion of privacy.

Mr. Prentice: To ask the Secretary of State for Health if he will publish for consultation draft proposals for making extensive and wholly unnecessary dental treatment a criminal offence. [11900]

Mr. Malone: Extensive and wholly unnecessary dental treatment can constitute an assault for the purposes of the criminal law and there is therefore no need to introduce any further legislation.

Pay Parity

Miss Emma Nicholson: To ask the Secretary of State for Health what consultations he has had with the Department for Education and Employment on the matter of pay parity between clinical and academic medicine. [10839]

Mr. Malone: My right hon. Friend the Secretary of State and my right hon. Friend the Secretary of State for Education and Employment have discussed this issue. We fully support the arrangements announced by the Secretary of State for Education and Employment to enable pay parity to be maintained between clinical academics and their counterparts in the national health service.

Miss Nicholson: To ask the Secretary of State for Health what consultations he has had with the Treasury on the matter of pay parity between clinical and academic medicine. [10838]

Mr. Malone: None.

Anti-malarial Tablets

Mr. Chris Smith: To ask the Secretary of State for Health what information his Department has made available about the side effects of mefloquine anti-malarial tablets. [11241]

Mr. Malone: Information on the side effects associated with mefloquine is provided to health professionals in the manufacturer's product information which is authorised by the Licensing Authority. An information leaflet for patients is also provided.

In July 1996, information on neurological and psychiatric side effects associated with mefloquine was published in a bulletin called "Current Problems in Pharmacovigilance". This bulletin is distributed to all doctors and pharmacists and a copy is placed in the Library.

The British National Formulary also provides information on the side effects of mefloquine and the Department of Health pays for this to be sent to general practitioners twice a year. Information on mefloquine was

circulated to all doctors in the chief medical officer's update—10 May 1996—and in the book "Health Information For Overseas Travel", a copy of which has been sent to every general practitioner.

Private Finance Initiative

Mr. Chris Smith: To ask the Secretary of State for Health if he will set out the amount spent by each NHS trust on consultancy fees for every PFI project costing £5 million or more. [11255]

Mr. Horam: I refer the hon. Member to the reply that I gave the hon. Member for Dulwich (Ms. Jowell) on 25 November 1996, *Official Report*, column *119*.

Acute Beds

Mr. Thurnham: To ask the Secretary of State for Health what estimate he has made of the cost to the NHS from the blocking of acute beds by patients awaiting assessments or care arrangements from social services. [11195]

Mr. Burns: Information on costs is not collected centrally. An extra £16 million has been allocated to 69 health authorities for continuing care in 1996–97.

Queen Elizabeth Hospital

Mr. Chris Smith: To ask the Secretary of State for Health if Greenwich Healthcare NHS trust will be required to pay for public transport arrangements to the Queen Elizabeth hospital. [11254]

Mr. Horam: Greenwich Healthcare NHS trust has agreed to underwrite the excess costs of certain specified public transport services to its new site at the Queen Elizabeth hospital, up to a fixed limit, for a maximum period of 18 months.

Damages and Ex Gratia Payments

Mr. William Powell: To ask the Secretary of State for Health if he will list the total sum paid out in damages and ex gratia payments by each health authority and trust in England for each of the last five years arising from litigation initiated against that health authority or trust and the total annual legal costs incurred in respect of such claims. [11078]

Mr. Horam: The information is not centrally available.

NHS Trusts (Joint Responsibilities)

Mr. Chris Smith: To ask the Secretary of State for Health in how many locations in England more than one NHS trust is responsible for activities taking place on the same site. [11252]

Mr. Horam: This information is not held centrally.

Personalised Number Plates

Mr. Donohoe: To ask the Secretary of State for Health how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11418]

Mr. Horam: None.

Magnetic Resonance Imaging

Mr. Gordon Prentice: To ask the Secretary of State for Health what is the average cost to the NHS of purchasing the use of an MRI scanner for an NHS patient at a private hospital. [11883]

Mr. Horam: No details of the costs of magnetic resonance imager scanning are held by the Department of Health.

Mr. Prentice: To ask the Secretary of State for Health how many MRI scanners are available in the NHS; and what estimate he has made of the number in the private health sector. [11884]

Mr. Horam: Data on the numbers of magnetic resonance imager scanners in the national health service and the private health sector is not held centrally by the Department of Health.

Photo-refractive Keratectomy

Mr. David Atkinson: To ask the Secretary of State for Health what assessment his Department has made of the *(a)* effectiveness and *(b)* risks of photo-refractive keratectomy; and if he will make a statement. [11822]

Mr. Horam: The effectiveness and risks of photo-refractive keratectomy have been the subject of considerable research both in the United Kingdom and abroad, and the results have been made widely available in the professional literature. The decision on whether to provide this treatment in an individual case is primarily a matter for the patient and doctor concerned.

Refugee Children

Mr. Corbyn: To ask the Secretary of State for Health what is his latest estimate of the number of refugee children who have been taken into care or whose families have been supported by social services due to their prospect of destitution. [11178]

Mr. Burns: The information requested is not collected centrally.

Drug Wastage

Mr. Chris Smith: To ask the Secretary of State for Health what is his current estimate of the amount *(a)* in volume and *(b)* in value of drugs prescribed by doctors in the NHS and then not used by patients in the course of a year; and what plans he has to ensure that wastage is minimised. [11242]

Mr. Malone: This information is not collected. However, following publication last year of the Office of Population Censuses and Surveys—now Office for National Statistics—report "Residual Medicines", the Department is currently engaged in setting up repeat dispensing trials to test whether this would reduce drug waste. The Department, thorough a variety of measures, seeks to encourage general practitioners to review and effectively control their repeat prescribing. Repeat prescribing has been identified as a priority area in the Department's research programme.

Mental Health

Ms Coffey: To ask the Secretary of State for Health, pursuant to his answer of 13 January, *Official Report*,

column *175*, relating to funds returned to the general allocation for 1997–98, if he will provide the information separately in respect of patients with mental illness and patients with learning disabilities. [11638]

Mr. Burns: The information requested is not available centrally.

Ms Coffey: To ask the Secretary of State for Health (1) what extra allocation has been given to health authorities for 1997–98 in respect of *(a)* mental illness and *(b)* learning disability; and if he will list the authorities receiving such extra funding; [11637]

(2) if he will list by health authority and other appropriate bodies the reductions in 1997–98 in the special allocation which funds *(a)* the care of patients with mental illness admitted before June 1970 and *(b)* patients with learning disabilities admitted before June 1970 in (i) hospital-based and (ii) community-based accommodation. [11639]

Mr. Horam: All health authorities have received increases in their general allocations for 1997–98. It is for individual health authorities to decide the level of resources to allocate to mental illness and learning disability.

In addition, £25 million has been set aside centrally to support the further development of mental health services, comprising a new challenge fund of £10 million, and £15 million for further facilities for mentally disordered offenders. Details of the health authorities that will benefit from this extra funding will be announced shortly.

Changes for 1997–98 in the level of funding to health authorities for the old long stay—OLS—special allocation, which funds the care of patients with a mental illness admitted before 1 January 1971 and patients with a learning disability admitted before 1 January 1970, are shown in the table.

Some 0.1 per cent. of the growth in health authority general allocations is in place of the net reduction in the OLS special allocation to ensure that spending on mental health and people with learning difficulties can be maintained. These increases are shown in the table.

£000s

Health authorities	*A 0.1 per cent. growth in general allocations*	*B Increases in OLS special allocation*	*C Reduction in OLS special allocation*
Avon	400	—	2,095
Barking and Havering	179	70	—
Barnet	147	—	—
Barnsley	102	—	271
Bedfordshire	208	—	387
Berkshire	286	896	—
Bexley and Greenwich	211	—	599
Birmingham	475	—	643
Bradford	213	35	—
Brent and Harrow	226	99	—
Bromley	127	—	36
Buckinghamshire	245	—	14
Bury and Rochdale	172	—	108
Calderdale and Kirklees	254	—	197
Cambridge and Huntingdon	158	—	200
Camden and Islington	238	—	287
Cornwall and Isles of Scilly	212	—	217
County Durham	277	—	124
Coventry	133	—	—
Croydon	143	—	627
Doncaster	129	—	241
Dorset	308	—	54
Dudley	126	—	396
Ealing, Hammersmith and Hounslow	340	—	1,296
East and North Hertfordshire	192	231	—
East Kent	269	222	—
East Lancashire	236	—	93
East London and the City	340	—	—
East Norfolk	253	—	176
East Riding	244	—	252
East Surrey	173	—	2,680
East Sussex, Brighton and Hove	348	—	729
Enfield and Haringey	233	—	772
Gateshead and South Tyneside	176	—	71
Gloucestershire	229	46	—
Herefordshire	68	—	95
Hillingdon	110	—	296
Isle of Wight	64	—	15
Kensington, Chelsea and Westminster	196	—	1,148
Kingston and Richmond	148	—	184
Lambeth, Southwark and Lewisham	413	—	8
Leeds	316	—	
Leicestershire	352	—	1,470
Lincolnshire	262	—	240
Liverpool	239	—	52
Manchester	236	—	420
Merton, Sutton and Wandsworth	305	—	184—
Morecambe Bay	143	—	—
Newcastle and North Tyneside	232	—	—
North and East Devon	209	—	363
North and Mid Hampshire	206	—	1,333
North Cheshire	143	—	—
North Cumbria	135	—	106
North Derbyshire	158	—	—
North Essex	344	—	221
North Nottinghamshire	162	—	278
North Staffordshire	207	—	318
North West Anglia	167	80	—
North West Lancashire	218	—	235

£000s

Health authorities	A 0.1 per cent. growth in general allocations	B Increases in OLS special allocation	C Reduction in OLS special allocation
North Yorkshire	298	—	156
Northamptonshire	236	—	101
Northumberland	132	—	74
Nottingham	266	—	169
Oxfordshire	217	—	69
Portsmouth and South East Hampshire	226	1,087	—
Redbridge and Waltham Forest	218	—	—
Rotherham	112	71	—
Salford and Trafford	209	—	27
Sandwell	137	—	156
Sefton	135	—	54
Sheffield	254	41	—
Shropshire	166	—	77
Solihull	79	—	232
Somerset	197	83	—
South and West Devon	263	259	—
South Cheshire	274	—	38
South Derbyshire	230	—	19
South Essex	281	—	682
South Humber	137	—	63
South Lancashire	131	—	—
South Staffordshire	226	—	43
Southampton and South West Hampshire	218	171	—
St. Helen's and Knowsley	150	—	26
Stockport	117	—	—
Suffolk	264	—	274
Sunderland	138	262	—
Tees	250	46	—
Wakefield	143	134	—
Walsall	112	—	3
Warwickshire	207	—	159
West Hertfordshire	221	—	826
West Kent	381	55	—
West Pennine	210	—	—
West Surrey	260	55	—
West Sussex	318	—	553
Wigan and Bolton	252	—	360
Wiltshire	238	—	35
Wirral	152	—	—
Wolverhampton	110	—	—
Worcestershire	211	—	14
Total	21,412	3,942	23,742

1. All figures are at 1997–98 prices.

2. Figures may not sum exactly due to roundings.

3. Columns B and C show changes between the 1996–97 adjusted OLS special allocation and the 1997–98 OLS special allocation.

Ms Coffey: To ask the Secretary of State for Health if he will review the decisions of mental health review tribunals that are contrary to the advice of the responsible medical officer. [1,494]

Mr. Burns: Mental health review tribunals are independent judicial bodies and there is no provision in the Mental Health Act 1983 for review of tribunal decisions by my right hon. Friend the Secretary of State.

Ms Coffey: To ask the Secretary of State for Health if mental health review tribunals are advised whether the patient has a history of violence. [11495]

Mr. Burns: Information on whether a patient has a history of violence is provided for mental health review tribunals in the context of the statements by the responsible authority and my right hon. Friend the Secretary of State required under the Mental Health Review Tribunal Rules 1983.

Ms Coffey: To ask the Secretary of State for Health what plans he has to require mental health review tribunals to obtain the opinion of a doctor approved under section 12 of the Mental Health Act 1983 in addition to that of the responsible medical officer. [11496]

Mr. Burns: None.

Ms Coffey: To ask the Secretary of State for Health if mental health review tribunals are required to ensure that proper provision and support, in accordance with the care programme approach, has been made before deciding to discharge a patient. [11497]

Mr. Burns: Legislation under the Mental Health Act 1983 provides for mental health review tribunals to receive up-to-date reports on the patient's medical condition and social circumstances. Such reports will include recommendations for continuing care. The tribunal must take account of this information in deciding whether a patient should be discharged, and may direct a patient's discharge on a future date to allow time for aftercare arrangements to be put in place.

Ms Coffey: To ask the Secretary of State for Health what activities he has initiated in preparation for a review of the Mental Health Act 1983. [11498]

Mr. Burns: Officials will, from time to time, as with any other major policy area, meet individuals with a key interest to discuss issues relating to the operation of the Act.

Secure Accommodation (Young People)

Mr. Michael: To ask the Secretary of State for Health what was the average monthly cost of keeping a young person in secure accommodation in the last year for which figures are available. [10924]

Mr. Burns: Local authorities in England spent £31.5 million gross on the provision of secure accommodation during the year ending 31 March 1995, while the average number of children accommodated during the year was 245. The average monthly cost per child was therefore approximately £10,700.

Children's Health

Mr. Ainger: To ask the Secretary of State for Health what research his Department has commissioned into the occurrence in children of *(a)* tuberculosis, *(b)* rickets, *(c)* iron deficiency and *(d)* gastroenteritis. [11839]

Mr. Malone: The Department of Health and the Ministry of Agriculture, Fisheries and Food commissioned a comprehensive survey of diet and nutrition in pre-school children in 1993 entitled "National Diet and Nutrition Survey of Children Aged 1½ to 4½". This

showed that no particular socio-economic group was malnourished, and that average heights and weights continue to increase.

The Department is aware of occasional cases of rickets, caused by vitamin D deficiency. To address this issue, vitamin D has been made available to pregnant women and new mothers, and children under the age of five. Asian infants are thought to be at the highest risk of rickets, and a current departmental survey, "Infant Feeding in Asian Families", will determine whether further action is needed. The results of the survey are due in February.

The Department's policy research programme—PRP—is funding a research initiative into improved nutritional health, with a budget of £2.4 million. Target groups covered by this include children. The research initiative is jointly managed by the Department and the Medical Research Council.

On a regional level, South West region has funded research into "Infant anaemia—who should be screened and when?", which was undertaken at the university of Bristol with a contribution of £50,000 from the NHS.

Creutzfeldt-Jakob Disease

Mr. Marlow: To ask the Secretary of State for Health if he will list by month and year for each of the last five years the number of *(a)* diagnosed and *(b)* newly suspected cases of the new strain of CJD; to what extent the trends enable him to make assessments of future numbers; and what assessment he has made of likely future numbers. [11719]

Mr. Horam: The latest figures on the number of confirmed definite and probable cases of Creutzfeldt-Jakob disease in the United Kingdom, including the new variant, were published in a Department of Health press release on 6 January 1997, copies of which are available in the Library. Figures on suspected cases are not available. The classification of cases changes as the course of the disease proceeds and a definite diagnosis is usually possible only after death. In the past, about half the cases referred to the unit have turned out not to be CJD.

There is still very little known about new variant CJD, including important information on the incubation period, the route of infection, the level of exposure required to cause disease and the role of genetic susceptibility, so it is likely to be some years before we have sufficient information to make firm predictions of future numbers of cases.

Expenditure Statistics

Mr. Jim Cunningham: To ask the Secretary of State for Health what estimate he has made of expenditure on (i) intensive treatment units, (ii) surgical departments, (iii) non-surgical departments, and (iv) accident and emergency departments for each year since 1992 *(a)* nationally and *(b)* in the west midlands in (1) cash terms and (2) as a percentage change on the previous year. [10310]

Mr. Horam *[holding answer 13 January 1997]:* It is not possible to identify separately expenditure on intensive treatment units, because expenditure is measured by consultant specialty rather than type of treatment. The details requested of expenditure on other hospital services are in the table. It would be possible to provide data for the west midlands region only at disproportionate cost.

Expenditure on hospital services in England

	1992–93	*1993–94*		*1994–95*		*1995–96*	
	£ million	*£ million*	*Percentage change*	*£ million*	*Percentage change*	*£ million*	*Percentage change*
Surgical specialties	5,158	5,258	1.9	5,574	6.0	5,856	5.1
Non-surgical specialties	9,281	6,426	1.6	9,700	2.9	10,133	4.5
Accident and emergency	567	642	13.3	650	1.1	686	5.7

Notes:
1. Surgical includes: total of surgical specialties; renal transplant; heart transplantation; and surgical supra-regional services.
2. Non-surgical includes: total of medical specialties; maternity; psychiatric specialties; other specialties; renal dialysis; national poisons information services; psychiatric services for deaf people; and retinoblastoma services.
3. Figures are taken from purchaser expenditure data, but the breakdown between specialty groups has been derived from NHS providers' financial returns.
4. The 1995–96 figures are provisional.

Source:
1. The annual financial returns of national health service trusts.
2. The annual financial returns of the directly managed units of health authorities.
3. The annual financial returns of the special health authorities of the London postgraduate teaching hospitals.
4. Hospital and community health services programme budget.

Regional Health Authorities (Management Expenditure)

Ms Jowell: To ask the Secretary of State for Health how much was spent by each regional health authority on *(a)* conference registration fees, *(b)* lease cars for managers, *(c)* United Kingdom and overseas air travel, *(d)* hospitality and *(e)* business travel within the United Kingdom in (i) 1993–94, (ii) 1994–95 and (iii) 1995–96. [11718]

Mr. Malone: The information is not held centrally.

ATTORNEY-GENERAL

Serious Fraud Office

34. **Mr. Dykes:** To ask the Attorney-General when he next plans to meet officials from the Serious Fraud Office to discuss the work of the office. [9942]

The Attorney-General: I meet the director of Serious Fraud Office regularly to discuss matters of departmental interest, including particular cases.

Court of Appeal (Judgments)

35. **Mr. Jacques Arnold:** To ask the Attorney-General what assessment he has made of the advantages, in cases considered by the Court of Appeal on grounds of undue leniency, of the reasons for judgments being given at the same time as or within a short time of the judgment. [9944]

The Solicitor-General: It is for the Court of Appeal to decide in each case what is the appropriate course. When the court wishes to formulate detailed reasons, for example, in an important guideline case, it may announce its decision at the conclusion of the hearing but promulgate its reasoned judgment later.

Rights of Audience

36. **Mr. Austin Mitchell:** To ask the Attorney-General what proposals he has for securing rights of audience in the High Court for barristers employed by the Crown Prosecution Service. [9945]

The Attorney-General: An application by the Law Society for higher courts rights of audience for employed solicitors, including Crown prosecutors, is at present being considered by the Lord Chancellor and the designated judges. A decision relating to employed barristers has been postponed until this application has been determined.

Crown Prosecution Service

37. **Mr. John Marshall:** To ask the Attorney-General how many qualified lawyers are employed by the Crown Prosecution Service. [9946]

The Attorney-General: As at 31 December 1996, the Crown Prosecution Service employed the equivalent of 2,010 full-time lawyers.

NORTHERN IRELAND

Veterinary Laboratory, Omagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what estimate he has made of the saving from the proposed closure of the veterinary laboratory at Omagh; and if he will make a statement. [10835]

Mr. Ancram: The proposed closure of the veterinary science division, Omagh laboratory, would have made an annual saving of up to £320,000 in departmental running costs and a one-off saving of approximately £250,000 for the installation of a new incinerator, to meet emission standards required by the anticipated legislation and stemming from Council directive 84/360/EEC.

WALES

Road Improvements

11. **Sir David Knox:** To ask the Secretary of State for Wales what has been the total spending by central Government on roads in Wales since 1979; and how many miles of motorway and trunk roads have been constructed since that year. [9917]

Mr. Jonathan Evans: Since 1979, total spending on the roads programme in Wales is nearly £3 billion, including £510 million transport grant, 36 miles of motorway and 171 miles of trunk road have been completed or improved. Three major improvement schmes totalling another 16 miles are under construction.

GP Fundholders

12. **Mr. Jacques Arnold:** To ask the Secretary of State for Wales how many GP fundholders there are in Wales; and what plans there are to extend this scheme. [9918]

Mr. Gwilym Jones: There are 210 and a further 25 are expected to become fundholders from 1 April next. Fundholding now covers 52 per cent. of the population of Wales and I expect its popularity to continue to increase.

25. **Mr. Hayes:** To ask the Secretary of State for Wales what percentage of the population in Wales is served by fundholding GPs. [9932]

Mr. Jones: Fifty-two per cent. of the Welsh population are now covered by fundholding GPs, and this will rise to 55 per cent. by next April.

NHS Expenditure

13. **Mr. Mans:** To ask the Secretary of State for Wales how much was spent on the NHS in Wales in 1996 as a percentage of that spent in 1995. [9920]

Mr. Hague: In 1995–96, spending on the NHS in Wales as a percentage of that spent in 1994–95 was 105.8 per cent.

Local Government Finance

14. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales when he last met the treasurers of Welsh county and county borough councils to discuss local authority finance for 1996–97 in Wales. [9921]

Mr. Gwilym Jones: A meeting of the Welsh Consultative Council on Local Government Finance was held on 16 December 1996.

Nursery Vouchers

15. **Mr. Martyn Jones:** To ask the Secretary of State for Wales what further representations he has had about the introduction and implementation of nursery vouchers in *(a)* Clwyd and *(b)* Wales. [9922]

Mr. Jonathan Evans: Since my reply to the hon. Member's question on 15 July 1996 the Welsh Office has received some 1,700 further letters and some 20 petitions about the scheme, including some 60 letters and two petitions from the area covering the former Clwyd.

Roads Programme

16. **Mr. Ainger:** To ask the Secretary of State for Wales if he will make a statement on his Department's road programme for 1997–98. [9923]

Mr. Gwilym Jones: Details of improvements to the road network in 1997–98 will be published in the Welsh Office's departmental report in the spring.

Assisted Places Scheme

17. **Mr. Hanson:** To ask the Secretary of State for Wales what representations he has received about the proposed expenditure on assisted places in 1997–98. [9924]

Mr. Jonathan Evans: None.

Economic Prospects

18. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales if he will make a statement on the prospects for the Welsh economy in 1997. [9925]

Mr. Hague: Prospects for the Welsh economy in 1997 are very good indeed. Employment is rising and unemployment continues to fall; independent forecasters expect GDP in 1997 to grow faster in Wales than in the UK as a whole; and for Wales to continue to have the strongest manufacturing growth of all regions. Business surveys show that businesses in Wales remain very confident.

Income Statistics (Carmarthenshire)

19. **Mr. Denzil Davies:** To ask the Secretary of State for Wales if he will express the income per head in Carmarthenshire as a percentage of the United Kingdom figure. [9926]

Mr. Hague: There are no official data on income per head in Carmarthenshire. However, in April 1996, the average gross weekly earnings of full-time employees in Carmarthenshire were 87 per cent. of the UK average.

Burgner Report

20. **Mr. Thurnham:** To ask the Secretary of State for Wales when he will publish his response to the Burgner report; and if he will make a statement. [9927]

Mr. Jonathan Evans: My right hon. Friend the Secretary of State for Health published the Burgner report on 18 October 1996. On that date he announced the Government's response to some key recommendations of the report in a speech to the annual conference of the Association of Directors of Social Services. He also announced that a more detailed response will be included in a social services White Paper, which the Government expect to publish in February.

Meningitis (Cardiff University)

21. **Mr. Jon Owen Jones:** To ask the Secretary of State for Wales what consultations he has had with *(a)* university authorities and *(b)* Bro Taf health authority concerning meningitis at Cardiff university in autumn 1996. [9928]

Mr. Hague: I have asked for reports from the vice-chancellor at the university of Wales and Bro Taf health authority on the outbreak. Both reports are expected by the end of January.

Further Education Funding

22. **Mr. Dafis:** To ask the Secretary of State for Wales what estimates he has made of the trends in funding of further education between 1996–97 and 1997–98. [9929]

Mr. Jonathan Evans: Following my right hon. Friend's announcement on 12 December regarding public expenditure in Wales for 1997–98, the Department's officials wrote to the chief executive of the Further Education Funding Council for Wales giving details of the council's grant for further education in 1996–97 and 1997–98 and indicative funding for the next two years. A copy of the letter has been placed in the Library.

Youth Unemployment

23. **Mr. John Marshall:** To ask the Secretary of State for Wales if he will make a statement about youth unemployment in Wales. [9930]

Mr. Hague: Claimant unemployment among under-25s in Wales fell by 3,900, 12.3 per cent., in the year to October 1996. The rate in Wales is significantly lower than those in France, Italy and Spain, as well as below the EU average.

Private Finance Initiative

24. **Mr. Whittingdale:** To ask the Secretary of State for Wales how much money he expects to be raised through PFI projects in the next three years. [9931]

Mr. Hague: I expect the initiative to bring about £350 million of private sector capital investment in Welsh Office schemes.

Local Government Services

26. **Mr. Donald Anderson:** To ask the Secretary of State for Wales what representations he has received about the effect of the Budget settlement on local government services. [9933]

Mr. Gwilym Jones: My right hon. Friend and I discussed our proposals for the local government revenue settlement and capital spending plans for 1997–98 with representatives of local government at a meeting of the Welsh Consultative Council on Local Government Finance on 16 December 1996. In addition, my right hon. Friend and I have received around 20 written representations from the Welsh Local Government Association, Members of Parliament and individual local authorities.

Tai Cymru

27. **Mr. Wigley:** To ask the Secretary of State for Wales how many new units of social housing were provided by Tai Cymru in the past 12 months for which figures are available; and how many he forecasts for the next 12 months. [9934]

Mr. Jonathan Evans: During 1995–96, 3,802 dwellings were completed. Tai Cymru's target for 1996–97 is 3,500 dwellings.

Inward Investment

28. **Mr. Llwyd:** To ask the Secretary of State for Wales what steps he will take to ensure equity of distribution of job-creating inward investment between the east of Wales and the west of Wales; and if he will make a statement. [9935]

Mr. Hague: I will continue to work hard for the whole of Wales. Decisions on location are ultimately a matter for the companies concerned. I have, however, set targets for the Welsh Development Agency and the Development Board for Rural Wales to attract investment to areas outside the east of Wales.

A465 Construction

Mr. Hain: To ask the Secretary of State for Wales when he estimates the A465 Aberdulais to Glynneath road construction will be completed. [11034]

Mr. Gwilym Jones: I shall be writing to the hon. Member shortly, inviting him to the opening ceremony for this scheme, which is planned for the end of February.

Health Authority Savings Targets

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 17 December, *Official Report*, column *588*, on savings by health authorities, if he will list the principal elements of the savings targets for the health authorities which will be achieved in *(a)* 1997–98 and *(b)* 1998–99. [11807]

Mr. Hague: It is a matter for health authorities to determine how to make the savings, and when, provided that they achieve the overall target by the end of 1998–99. Progress towards the £8 million savings will be monitored through health authority annual accounts when the information becomes available.

Health Service Car Leasing Schemes

Mr. Ainger: To ask the Secretary of State for Wales what guidance his Department has issued to health authorities and health trusts on car leasing schemes for executive staff; and if he will make a statement. [11837]

Mr. Gwilym Jones: Guidance was issued in March 1996 in circular DGM(96)59 and repeated in DGM(96)125 issued in June 1996. Copies will be placed in the Library as soon as possible.

Mr. Ainger: To ask the Secretary of State for Wales how many representations he has received on the car leasing scheme of Dyfed-Powys health authority which was amended in 1996; and if he will make a statement on that scheme. [11836]

Mr. Jones: None. The scheme is a matter for the health authority.

Mr. Ainger: To ask the Secretary of State for Wales what monitoring his Department has made of health authorities and health trusts, car leasing schemes for executive staff. [11838]

Mr. Jones: Statutory auditors examine schemes, and Welsh Office officials do not undertake any specific monitoring.

North Wales Cancer Treatment Centre

Mr. Richards: To ask the Secretary of State for Wales if he will make a statement on progress in the negotiations between his Department and the North Wales health authority regarding the operational running costs of the proposed cancer treatment centre at Glan Clwyd national health service trust. [11720]

Mr. Gwilym Jones: Welsh Office officials are discussing revenue funding with the North Wales health authority and an announcement will be made shortly.

Sea Fisheries Committees

Mr. Ainger: To ask the Secretary of State for Wales if he will undertake to meet any future funding deficit of the South Wales Sea Fisheries Committee. [11782]

Mr. Jonathan Evans: No. Provision for the funding of sea fisheries committees is included in the annual local government revenue settlement. The funding of committees is a matter for the participating authorities.

Mr. Ainger: To ask the Secretary of State for Wales what plans he has to support the South Wales Sea Fisheries Committee to allow it to fulfil its increased statutory responsibilities as manager of the marine environment. [11783]

Mr. Evans: Sea fisheries committees are one of a large number of fisheries and conservation groups which have been granted relevant authority status under EU conservative directives. It will be some time before the committees can assess what, if any, specific role they will agree to accept under these directives, and they have been advised that any resource implications will be discussed with them at the appropriate time.

Mr. Ainger: To ask the Secretary of State for Wales what assessment he has made of the effects of the reorganisation of local authorities in Wales on the funding and effectiveness of sea fisheries committees. [11784]

Mr. Evans: Ministers and officials have met sea fisheries committees on several occasions to discuss this matter, and a further meeting is planned for this week. We have also written, on a number of occasions, to all the local authorities concerned, inviting them to advise us of any proposals they have for the future of sea fisheries committees. No proposals have come forward which have the support of all the authorities involved.

Mr. Ainger: To ask the Secretary of State for Wales what additional resources will be made available if sea fisheries committees are given additional powers to develop regional management of fisheries as part of a review of the common fisheries policy. [11785]

Mr. Evans: There are no plans for sea fisheries committees to develop regional management of fisheries as part of a review of the common fisheries policy.

SOCIAL SECURITY

Staff

Mr. Donohoe: To ask the Secretary of State for Social Security if he will list for his Department *(a)* how many people in total are employed, *(b)* how many of the total

number of staff are (i) male and (ii) female and *(c)* how many (I) men and (II) women are employed on a (1) full-time and (2) part-time basis. [9491]

Mr. Burt: The information is in the table.

	Male		Female	
Total	*Full time*	*Part time*	*Full time*	*Part time*
97,966	30,948	855	49,335	16,828

Figures as at 1 October 1996.

Disability Living Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many claimants of incapacity benefit also receive disability living allowance. [10215]

Mr. Andrew Mitchell: As at 31 May 1996, 641,000[1] claimants of incapacity benefit were also in receipt of disability living allowance.

[1] Five per cent. scan of the incapacity benefit and disability living allowance computer systems. Excludes a small number of cases paid clerically.

Benefit Fraud Hotline

Sir Irvine Patnick: To ask the Secretary of State for Social Security how many calls received by the benefit fraud hotline can be related to the Sheffield area; and if he will make a statement. [10303]

Mr. Heald: The numbers of calls for each individual area are not recorded separately. However, for the Sheffield area, the number of referrals for fraud investigation, generated by calls to the hotline, is 1,169 as at 22 November 1996.

Invalid Care Allowance

Ms Walley: To ask the Secretary of State for Social Security (1) what guidance was issued in respect of new arrangements affecting maximum earnings and allowed expenses for those in receipt of invalid care allowance; and on what date; [10332]

(2) when the new arrangements for invalid care allowance come into effect. [10333]

Mr. Burt: The Social Security Benefit (Computation of Earnings) Regulations 1996 and Social Security (Invalid Care Allowance) Amendment Regulations 1996 came into force on 25 November 1996.

For those claiming invalid care allowance for the first time after this date, a leaflet explaining the changes has been inserted in the claim pack. After the regulations had been laid before the House, but before the changes came into force, the Benefits Agency issued a loose-leaf notice in copies of the autumn edition of "Touchbase" magazine. "Touchbase" goes to approximately 90,000 organisations and bodies including libraries, citizens advice bureaux and associations representing carers. Additionally, when a case is due for review, and it appears that the customer will be affected, the customer is notified of the changes.

National Insurance

Mr. Gordon Prentice: To ask the Secretary of State for Social Security how many employers sought to avoid the payment of national insurance contributions by using shares and share options in ways which the Social Security (Contributions) Amendment (No. 6) Regulations 1996 will prohibit in the last year. [10415]

Mr. Heald: The information is not available in the format requested. However, these provisions are expected to increase contributions revenue by about £30 million a year.

Centenarians

Mr. Cox: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women who are over 100 years of age living in the United Kingdom are in receipt of a state retirement pension. [10883]

Mr. Heald: The information is not available in the format requested. Such information as is available is as follows.

As at 31 March 1996, there were 1,440 men and 7,960 women who were over 100 years of age living in Great Britain and in receipt of a state retirement pension.

For the numbers of men and women who are over 100 years of age living in Northern Ireland I refer the hon. Member to my right hon. and learned Friend the Secretary of State for Northern Ireland.

Notes:

1. Figures are based on a 5 per cent. sample.

2. State retirement pension comprises contributory retirement pension, non-contributory retirement pension and graduated retirement benefit.

Source:

"The Retirement Pension Bi-Annual Enquiry" at 31 March 1996.

Benefits Agency Medical Services

Mr. Alan Howarth: To ask the Secretary of State for Social Security when he expects to publish the results of the survey of service standards in the Benefits Agency medical services. [10992]

Mr. Burt: A copy has been placed in the Library.

Mr. Howarth: To ask the Secretary of State for Social Security what is the annual running cost of the Benefits Agency medical services. [10995]

Mr. Burt: I refer the hon. Member to the answer given by Peter Mathison, the chief executive of the Benefits Agency, to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 5 November 1996, *Official Report,* column *555.*

Cold Weather Payments

Mr. Hanson: To ask the Secretary of State for Social Security if he will make it his policy that weather stations situated in Wales be used for monitoring in respect of cold weather payments for all postcode areas in Wales. [11425]

Mr. Roger Evans: No. Postcodes are linked to specified weather stations based on expert advice from the Meteorological Office as to similarity of climate and not according to administrative boundaries.

Mrs. Dunwoody: To ask the Secretary of State for Social Security what work has been carried out for his Department to determine the effect of wind chill on

buildings; what has been the role of the Building Research Establishment executive agency in this work; and if he will make a statement. [11277]

Mr. Evans: Traditionally, wind chill is a concept designed to show the impact of wind on humans in the outside air and not its impact on buildings.

Advice received from the Meteorological Office—recommendations by the Meteorological Office for the summer of 1996 review of the cold weather payment scheme (August 1996)—placed in the Library, October 1996—suggested that, for much of the country, the effects of wind are too small and highly variable for there to be merit in reviewing the cold weather payment scheme for it, but invited the Government to decide whether further work was appropriate.

As said—to the Sixth Standing Committee on Delegated Legislation (18 December 1996, *Official Report,* column 10) and in the Cold Weather Payments (Wind Chill Factor) Bill Second Reading debate (17 January 1997, *Official Report,* column 593)—the merits of this approach will be considered as part of this summer's review.

Benefits Agency (Property Sales)

Mr. Jim Cunningham: To ask the Secretary of State for Social Security if he will list the Benefits Agency offices which have been assessed as (i) core, (ii) flexible and (iii) surplus in his Department's proposal to sell the property estate. [11002]

Mr. Roger Evans: The information has been placed in the Library.

The proposed transfer of responsibility for the DSS estate aims to improve value for money, increase ability to match accommodation to changing operational needs, and bring in private sector expertise in managing estates, leaving the Benefits Agency to concentrate on benefit delivery.

The Benefits Agency has reviewed its future estates needs and, for the purpose of the procurement, categorised its accommodation in three ways:

Core means an expected continued need for accommodation over the full 20-year duration of the proposed contract;

Flexible means that the agency will be able, but not committed to, vacate such property over a period of years should that reflect operational needs. It does not mean a formal decision to leave the accommodation at any particular time;

Surplus means it is not required from the start of the contract. The agency is currently paying for a considerable amount of unoccupied space.

Any proposed office closures continue to be subject to the normal consultation process, including ministerial approval.

Mr. Cunningham: To ask the Secretary of State for Social Security which of the bidders for the Benefits Agency's property estate are led by British companies. [11003]

Mr. Evans: The three consortiums bidding to provide the DSS with serviced accommodation are:

Mapley Holdings Ltd.

Partnership Property Management Ltd. (PPM)

OPUS.

The first two are led by American banks, Goldman Sachs and Nations bank, and the third by the Japanese bank, Nomura. However, each consortium bidding to provide the Department with serviced accommodation, includes property and facilities management companies, many of which are British and all the consortiums have appointed British chairman and are likely to appoint British chief executives.

Mr. Cunningham: To ask the Secretary of State for Social Security what consultations he has had with trade unions regarding the sale of the Benefits Agency's property estate. [11004]

Mr. Evans: The departmental trade unions have been consulted on the outcome of the feasibility study regarding the potential for such a transaction, the decision to implement the transfer of the estate to the private sector and the progress of the project since that decision.

Mr. Cunningham: To ask the Secretary of State for Social Security what consultation period he has provided before determining the nature of the sale of the property estate of the Benefits Agency; what estimate he has made of the revenue accruing from the sale; and what redundancies he estimates will ensue. [11005]

Mr. Evans: In September 1995, the Department commissioned a feasibility study to identify and consider options for the future ownership and management of the departmental estate and announced the decision to implement the transfer on 28 June 1996. The details of the transfer, which is part of the Department's estate transaction, are part of the on-going negotiations with three consortiums and will continue following the identification of the single preferred supplier.

The successful consortiums will be required to pay £250 million on completion of the contract to realise the immediate underlying value of the estate and the remaining value will be achieved through reduced running costs.

If jobs transfer to the private sector, it is envisaged that the Transfer of Undertaking (Protection of Employment) Regulations 1981 will apply. It will be necessary to reorganise the contract management arrangements and we will always seek to redeploy staff. Compulsory redundancies will be avoided wherever possible.

Income Support (Mortgage Interest)

Mrs. Helen Jackson: To ask the Secretary of State for Social Security what is the Treasury's current assumed rate of interest on mortgage repayments used to assess payments for people in receipt of housing benefit on their mortgages. [11052]

Mr. Roger Evans: The standard rate of interest used to calculate payments of income support mortgage interest is currently 6.89 per cent. This figure is the weighted average of the rates charged by the main building societies; it is based on statistics provided monthly by the Office for National Statistics. Movements of plus or minus 0.25 per cent. trigger a change in the standard rate.

Help with mortgage interest is paid with income support and not as housing benefit.

Mrs. Jackson: To ask the Secretary of State for Social Security if he will list the dates and changes made in the Treasury assumed rate of interest on mortgage repayments used to assess housing benefit over the past 12 months. [11053]

Mr. Evans: Changes in the standard interest rate set by the Department and used to calculate income support mortgage interest—not housing benefit—over the past 12 months are as follows:

Rate (per cent.)	*Date of commencement*
8.00	21 January 1996
7.74	21 April 1996
7.48	23 June 1996
7.16	25 August 1996
6.89	15 December 1996

War Pensions

Ms. Lynne: To ask the Secretary of State for Social Security if he will make a statement on the proposals to change the rules on backdating of awards to war pensioners in respect of ex-military service men who face a disablement not originally recognised as being caused by military service where medical evidence proves at some later date that military service was the cause of the disablement with particular reference to Gulf war syndrome. [11362]

Mr. Heald: Under the war pensions scheme, awards may be made in respect of any disablement which is attributable to service. Where a claim is made within seven years of termination of service—which is the case for all claims received so far in respect of service in the Gulf—the onus is on the Secretary of State to show beyond reasonable doubt that service has played no part in the cause or course of the claimed disablement. The benefit of any reasonable doubt is always given to the claimant.

Where a claim has been rejected solely on the ground that medical opinion is that the aetiology of particular condition is such that it is not caused by service, and there is a subsequent change in medical opinion on that issue, the Secretary of State may review his decision and make an award. He has the discretion to make the award for any period preceding the date of his review.

In order to simplify administration of the scheme and reduce the cost of delivery, it is proposed that where there is a change of medical opinion, any resulting award will be backdated for a maximum of one year preceding the review. No final decision on this proposal will be taken until comments from members of the Central Advisory Committee on War Pensions—who have been consulted on the change— have been fully considered. Any amendment to the law will apply to all changes of medical opinion, including any which affect conditions claimed due to service in the Gulf.

Written Answers to Questions

Tuesday 21 January 1997

LORD CHANCELLOR'S DEPARTMENT

Land Registration Act 1925

Mr. Barnes: To ask the Parliamentary Secretary, Lord Chancellor's Department when the report of the joint working party on the possible reform of the Land Registration Act 1925 will be finalised; and when it will be published. [12026]

Mr. Streeter: The joint working party hopes to complete its report in the early part of 1998 and it will be published shortly thereafter.

HOME DEPARTMENT

Child Sex Offenders

Mr. Thurnham: To ask the Secretary of State for the Home Department what is his best estimate of the number of previously convicted child sex offenders who will not be required to register under the terms of the Sex Offenders Bill. [10755]

Mr. Maclean: This is a highly complex matter. No precise estimate is available of the number requested. Officials are preparing a paper containing estimates of various categories of sex offender which I will send to the hon. Member. Copies of the paper will be placed in the Library.

Domestic Burglaries

Mr. John Marshall: To ask the Secretary of State for the Home Department if he will make a statement on the number of domestic burglaries in the London borough of Barnet during each of the last five years and the trend during 1996–97. [10777]

Mr. Maclean: The available information has been provided by the Commissioner of Police of the Metropolis. No estimates for the trend for 1996–97 are available. However, the latest published recorded crime statistics relate to 12 months to June 1996 and the number of recorded domestic burglaries in Barnet for this period is 3,438. The available information for the last five calendar years is contained in the table; during this period there has been an 18 per cent. fall in the number of domestic burglaries in Barnet.

Offences of domestic burglaries recorded in the London borough of Barnet, 1991–95:

1991: 4,209

1992: 4,425

1993: 3,892

1994: 2,532

1995: 3,450

Surveillance Operations

Mr. Cohen: To ask the Secretary of State for the Home Department how many times per year he estimates that chief constables will exercise the powers granted to them in part III of the Police Bill; and if he will make a statement. [11236]

Mr. Maclean: Figures are not held centrally on the number of authorisations. However, an exercise undertaken to inform debate on the Police Bill confirmed that, in 1995, there were approximately 2,100 chief officer authorisations by police and customs of intrusive surveillance operations in the United Kingdom.

Lethal Toxicity Tests

Mr. Cohen: To ask the Secretary of State for the Home Department which lethal toxicity tests other than the LD50 are included in the category, acute and sub-acute quantitative whole body lethal toxicity tests, in the 1990 to 1994 statistics on scientific procedures on living animals in Great Britain. [11170]

Mr. Sackville: Any tests requiring a quantitative estimate of the lethal dose were included: LD50/LC50 tests, LD10/LC10 tests, fixed dose procedure tests and any other test methods—mainly sub-acute, repeat dose tests—considered to fall within the following definitions:

(a) dose ranging or limit setting lethal toxicity tests (including indicator tests);

(b) lethal toxicity tests (including tests in which a statistically valid quantitative result was required); and

(c) non-lethal clinical sign toxicity tests.

Criminal Conviction Certificates

Mr. Cohen: To ask the Secretary of State for the Home Department what plans he has to refund the cost of obtaining criminal conviction certificates to individuals who are in receipt of a jobseekers's allowance; and what is the cost of obtaining such a certificate. [11061]

Mr. Maclean: We have no such plans. We envisage that the cost of obtaining a criminal conviction certificate will be in the region of £5 to £6.

Mr. Cohen: To ask the Secretary of State for the Home Department how many criminal conviction certificates he estimates will be issued annually if the Police Bill is enacted. [11059]

Mr. Maclean: Once the new system for criminal record checks is fully functioning, we estimate that up to 5 million criminal conviction certificates will be issued each year.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement concerning the production of criminal conviction certificates by motorists, when they renew their motor insurance, in order to demonstrate to insurers that they have not been convicted of offences which could be associated with road rage. [11060]

Mr. Maclean: Criminal conviction certificates will be available to individuals. It will be for them to decide whether to show a certificate to anyone who may request it.

Damages and Ex Gratia Payments

Mr. William Powell: To ask the Secretary of State for the Home Department if he will list the total sum paid out in damages and ex gratia payments by each police force in England for each of the last five years arising from litigation initiated against the police force and the legal costs incurred in respect of such claims. [11079]

Mr. Maclean: This information is not held centrally.

Office of the Data Protection Registrar

Mr. Cohen: To ask the Secretary of State for the Home Department what is the estimated cost to public funds for each of the next three financial years of *(a)* the Office of the Data Protection Registrar and *(b)* the Police Information Technology Organisation. [11237]

Mr. Sackville: The gross estimates are:

(a) Office of the Data Protection Registrar:

1997–98: £4 million

1998–99: £4 million

1999–2000: £4 million

The implementation of the European Community directive on data protection by October 1998 may affect the figures for 1998–99 and 1999–2000.

(b) Police Information Technology Organisation:

1997–98: £51 million

1998–99: £38 million

1999–2000: £43 million

Police Bill

Mr. Cohen: To ask the Secretary of State for the Home Department what representations he has received on the consistency of the provisions of the Police Bill, with United Kingdom obligations under the European convention on human rights; and if he will make a statement. [11235]

Mr. Maclean: I have received representations from hon. Members of both Houses as well as members of the public and the legal profession. I believe that the provisions of the Police Bill are fully consistent with our obligations as signatories to the convention.

Cheltenham Festival

Mr. Cohen: To ask the Secretary of State for the Home Department what representations he has received in respect of the inquiry established by the racing authorities into events at the Cheltenham festival in 1996 referred to in his answer of 26 March 1996, *Official Report*, column *495*; and if he will make a statement. [11080]

Mr. Sackville: None

Child Care Facilities

Mr. Allen: To ask the Secretary of State for the Home Department if Ministers are entitled to use child care facilities supported by his Department. [11592]

Mr. Howard: Ministers of the Crown are able to make use of the child care facilities provided by their Department on the same basis as civil servants working for the Department.

Taylor Inquiry

Mr. Loyden: To ask the Secretary of State for the Home Department (1) if he will place in the Library a list of those people whose statements were considered by the Taylor inquiry into the Hillsborough disaster but who were unable to be called to give verbal evidence; [11429]

(2) if he will place in the Library a copy of the list of the people who gave evidence to the Taylor inquiry into the Hillsborough disaster. [11322]

Mr. Maclean: Information about the persons and organisations who gave or submitted evidence to the inquiry is contained in the appendices to the interim report, Cm 765, and the final report, Cm 962, of the inquiry by Lord Justice Taylor, copies of which are available in the Library.

Mr. Loyden: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the findings of the Taylor inquiry into the Hillsborough disaster. [11321]

Mr. Maclean: The final report of the inquiry by Lord Justice Taylor, Cm 962, was presented to Parliament in January 1990 and is available in the Library.

Fire Authorities

Mr. Mackinlay: To ask the Secretary of State for the Home Department what powers he has to, and in what circumstances he can, hold a public inquiry into a fire authority's fire cover provisions and proposals. [11335]

Mr. Sackville: My right hon. and learned Friend's approval is required under section 19(4) of the Fire Services Act 1947 when any reduction in the number of fire stations, fire appliances or firefighting posts in a brigade is proposed. Under section 19(8) of that Act, he may, for the purposes of his functions under section 19, hold such public local inquiries as he thinks fit. He also has certain other powers under the Act to order public local inquiries in particular circumstances.

Dronabinol

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what considerations led him to reschedule dronabinol under the Misuse of Drugs Act 1971 to allow it to be used medicinally. [11877]

Mr. Sackville: The amendment to permit the medical use of dronabinol reflected its rescheduling under the United Nations convention on psychotropic substances.

The rescheduling under the United Nations conventions was based on advice from the World Health Organisation that dronabinol had been demonstrated to have a specific medical use as an anti-nausea drug for patients undergoing chemotherapy treatment for cancer.

Casinos

Mr. Devlin: To ask the Secretary of State for the Home Department when he expects to implement his proposed changes to the permitted areas for casino operation. [11875]

Mr. Kirkhope: On 12 November, we issued revised proposals on expanding the list of casino permitted areas. The consultation period ends on 31 January.

In considering the responses, we will also wish to take account of local authority boundary changes in areas such as Teesside.

We will make our final decisions when we have evaluated all the responses to the consultation.

Cautions (Costs)

Mr. Michael: To ask the Secretary of State for the Home Department (1) what was the average monthly cost of cautioning plus schemes in the last year for which figures are available; [10927]

(2) what was the average cost of administering a caution in the last year for which figures are available. [10931]

Mr. Maclean *[holding answers 20 January 1997]:* This information is not held centrally.

CS Gas Trials

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department which polices forces in England and Wales are involved in CS gas trials. [10853]

Mr. Maclean *[holding answers 20 January 1997]:* The following forces participated in the CS spray trials which took place between 1 March and 31 August 1996:

Avon and Somerset Constabulary
Cambridgeshire Constabulary
Cleveland Constabulary
Dorset Police
Durham Constabulary
Dyfed-Powys Police
Greater Manchester Police
Kent Constabulary
Leicestershire Constabulary
Merseyside Police
Metropolitan Police
Northumbria Police
North Yorkshire Police
West Mercia Constabulary
West Midlands Police
West Yorkshire Police

Sandwich Panels (Fire Safety)

Mrs. Dunwoody: To ask the Secretary of State for the Home Department what research he has commissioned into the fire safety implications of the presence of lightweight polymer-cored sandwich panels in the food processing industry and by which organisations this research has been carried out. [11262]

Mr. Sackville *[holding answer 20 January 1997]:* The fire research and development group of the Home Office commissioned the Building Research Establishment to undertake an initial review of the fire safety of large insulated sandwich panels. Small-scale laboratory tests have been carried out to examine the ignitability and general fire behaviour of the panels with a view to more detailed and extensive tests being commissioned by the Department of the Environment.

Indonesia (Police Training)

Mrs. Clywd: To ask the Secretary of State for the Home Department what concerns were expressed by his Department in 1984 about the involvement of Bramshill police college in the national police management training bilateral aid project in Indonesia; and what information his Department had about the involvement of United Kingdom trained Indonesian policemen in human rights abuses following their training. [11644]

Mr. Maclean *[holding answer 20 January 1997]:* Concerns expressed in 1984 about the project related to the possible involvement of Indonesian police officers in abuses of human rights in Indonesia; and the need to ensure that the normal work of the police staff college was not adversely affected by any one programme of overseas training. No information was available about the activities of Indonesian police officers following their training.

Behaviourally Disturbed Young People

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department what studies his Department has evaluated into the correlation between attention deficit hyperactivity disorder and juvenile crime; if he will make it his policy to ensure that juveniles convicted of more than three crimes should be assessed for ADHD by a medical practitioner competent in the pharmacological treatment of this condition; and if he will make a statement. [11539]

Mr. Maclean: I have been asked to reply.

The Cambridge study of delinquent development, which was largely funded by the Home Office, found, among other results, that the incidence of hyperactivity, attention deficit and impulsivity at ages eight to 10 years independently predicted future juvenile convictions. However, the causes of juvenile delinquency are complex and wide ranging, and hyperactivity is only one of many. The Government have no plans to amend their policies in the manner suggested by the hon. Member.

ENVIRONMENT

Housing (Northamptonshire)

Mr. William Powell: To ask the Secretary of State for the Environment how many housing association houses were *(a)* built, *(b)* acquired and *(c)* restored to use in each local authority in Northamptonshire, in each of the last five years. [11065]

Mr. Clappison: Information compiled by the Housing Corporation on housing association houses provided with Housing Corporation and local authority funding in Northamptonshire is as follows:

Corby

	New build	*Acquired*	*Rehabilitated*	*Do-it-yourself shared ownership*	*Total*
Housing Corporation funded					
1991–92	52	0	0	0	52
1992–93	0	24	0	1	25
1993–94	28	0	0	15	43
1994–95	63	0	0	2	65

Corby

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
1995–96	20	0	0	1	21
Total	163	24	0	19	206
LA funded					
1991–92	0	0	0	0	0
1992–93	0	0	0	0	0
1993–94	0	0	0	0	0
1994–95	63	0	0	0	63
1995–96	49	35	8	0	92
Total	112	35	8	0	155

Daventry

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
Housing Corporation funded					
1991–92	12	0	0	0	12
1992–93	20	45	0	2	67
1993–94	27	0	0	2	29
1994–95	48	7	0	8	63
1995–96	36	0	0	7	43
Total	143	52	0	19	214
LA funded					
1991–92	0	0	0	0	0
1992–93	0	0	0	0	0
1993–94	4	0	0	0	4
1994–95	66	0	5	0	71
1995–96	87	71	5	0	163
Total	157	71	10	0	238

East Northamptonshire

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
Housing Corporation funded					
1991–92	0	0	0	0	0
1992–93	16	36	0	0	52
1993–94	12	0	0	3	15
1994–95	86	21	0	3	110
1995–96	50	1	0	1	52
Total	164	58	0	7	229
LA funded					
1991–92	16	0	0	0	16
1992–93	24	0	0	0	24
1993–94	10	0	0	0	10
1994–95	22	0	0	0	22
1995–96	11	0	0	0	11
Total	83	0	0	0	83

Kettering

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
Housing Corporation funded					
1991–92	13	0	0	0	13
1992–93	98	78	0	1	177
1993–94	56	0	0	2	58
1994–95	41	0	0	1	42
1995–96	6	2	0	4	12
Total	214	80	0	8	302

Kettering

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
LA funded					
1991–92	0	0	0	0	0
1992–93	0	0	0	0	0
1993–94	23	0	0	0	23
1994–95	0	21	3	0	24
1995–96	0	0	0	0	0
Total	23	21	3	0	47

Northampton

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
Housing Corporation funded					
1991–92	0	0	0	0	0
1992–93	112	60	8	6	186
1993–94	25	3	37	13	78
1994–95	10	2	13	22	47
1995–96	172	0	48	26	246
Total	319	65	106	67	557
LA funded					
1991–92	0	0	0	0	0
1992–93	0	0	0	0	0
1993–94	13	6	2	0	21
1994–95	20	22	25	0	67
1995–96	65	2	4	0	71
Total	98	30	31	0	159

South Northamptonshire

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
Housing Corporation funded					
1991–92	0	0	0	0	0
1992–93	0	18	0	2	20
1993–94	10	1	0	10	21
1994–95	25	0	0	17	42
1995–96	65	0	0	6	71
Total	100	19	0	35	154
LA funded					
1991–92	0	0	0	0	0
1992–93	0	0	0	0	0
1993–94	24	0	0	0	24
1994–95	0	3	3	0	6
1995–96	26	5	0	0	31
Total	50	8	3	0	61

Wellingborough

	New build	Acquired	Rehabilitated	Do-it-yourself shared ownership	Total
Housing Corporation funded					
1991–92	16	0	0	0	16
1992–93	0	25	0	3	28
1993–94	47	0	0	8	55
1994–95	10	0	0	9	19
1995–96	94	0	0	6	100
Total	167	25	0	26	218

Wellingborough

	New build	*Acquired*	*Rehabilitated*	*Do-it-yourself shared ownership*	*Total*
LA funded					
1991–92	0	0	0	0	0
1992–93	0	0	0	0	0
1993–94	0	0	0	0	0
1994–95	0	0	0	0	0
1995–96	50	0	0	0	50
Total	50	0	0	0	50

Mr. Powell: To ask the Secretary of State for the Environment how many dwellings were owned by each district in Northamptonshire at the time that the right to buy was introduced; how many are owned at the latest date; what percentage that is of the original figure; and what receipts, net of discount, have been raised. [11067]

Mr. Clappison: Information is not available on stock numbers at the time of or receipts since the introduction of the right to buy—October 1980. The available data are set out in the table.

	Dwelling stock owned by local authorities at 1 April[1] *1980*	*1996*	*Percentage change in stock April 1980 to March 1996*	*Receipts from sales (net of discounts) April 1980 to March*[2] *1996 £ thousand*
Corby	13,628	7,346	–46	59,491
Daventry[3]	6,082	3,883	–36	35,215
East Northamptonshire	6,047	4,185	–31	26,412
Kettering	6,626	4,751	–28	27,684
Northampton[4]	12,925	15,503	+20	75,729
South Northamptonshire	5,745	3,518	–39	32,538
Wellingborough	7,750	5,717	–26	34,053

[1] Source: housing investment programme (HIP1) returns.
[2] Source: quarterly P1B returns; figures include receipts from voluntary sales as well as right to buy.
[3] The receipts figures exclude receipts between January and March 1987 which were not reported by the authority.
[4] The increase in Northampton's stock reflects the 6,400 dwellings that it acquired from Northampton new town in April 1985. Adding an estimate of the new towns stock in April 1980 would produce a fall over the period of around 25 per cent. The receipts figures exclude receipts between January and March 1986 which were not reported by the authority.

Council Housing

Mr. Cox: To ask the Secretary of State for the Environment what was the housing waiting list, on 1 January, in each of the London borough council authorities; and if he will make a statement. [11313]

Mr. Clappison: Local authorities in England report the numbers of households on their housing waiting list at 1 April each year in their annual housing investment programme—HIP1—returns.

The numbers reported as being on by London borough councils' lists at 1 April 1996 were as follows:

London borough	*Number of households on the waiting list*
Camden	6,873
City of London	822
Hackney	10,294
Hammersmith and Fulham	6,187
Haringey	3,793
Islington	8,485
Kensington and Chelsea	4,725
Lambeth	13,081
Lewisham	11,766
Newham	8,975
Southwark	6,662
Tower Hamlets	6,718
Wandsworth	5,620
Westminster	3,674
Barking and Dagenham	1,679
Barnet	2,975
Bexley	3,863
Brent	9,503
Bromley	2,983
Croydon	5,496
Ealing	9,669
Enfield	3,557
Greenwich	6,445
Harrow	1,772
Havering	2,332
Hillingdon	3,387
Hounslow	6,232
Kingston upon Thames	1,901
Merton	3,737
Redbridge	1,903
Richmond upon Thames	3,071
Sutton	1,921
Waltham Forest	8,555

Bed-and-breakfast Accommodation

Mr. Cox: To ask the Secretary of State for the Environment how many people were in bed-and-breakfast accommodation in each of the London boroughs on 1 January. [11314]

Mr. Clappison: Information is published on households accommodated under statutory homelessness provisions in a quarterly information bulletin, entitled "Households found accommodation under the homelessness provisions of the Housing Act 1985: England". The bulletin includes a table on homeless households temporarily accommodated and this identifies those in bed-and-breakfast accommodation.

In the Library are copies of the bulletin, the latest of which provides statistics for the third quarter of 1996.

Revenue Support Grant (Sunderland)

Mr. Mullin: To ask the Secretary of State for the Environment what was the revenue support grant for the borough of Sunderland at current prices in each year since 1990. [11336]

Sir Paul Beresford: The information requested is as follows. The figures in real terms in 1995–96 prices have been rebased using the gross domestic product deflator.

Year	Revenue support grant (£ million)
1990–91	86.326
1991–92	82.395
1992–93	121.324
1993–94	117,333
1994–95	133.464
1995–96	126.283
1996–97	122.837
1997–98	[1]120.383

[1] Provisional.

Environmental Protection Act 1990

Mr. Gordon Prentice: To ask the Secretary of State for the Environment if he will list the sections of the Environmental Protection Act 1990 which are not in force. [11521]

Mr. Clappison: The Department does not hold information centrally on those provisions of Acts which are not in force. However, the annex to Statutory Instrument No. 3056 of 28 November 1996 sets out the provisions of the Environmental Protection Act 1990 which have been brought into force by commencement orders. A copy has been placed in the Library.

Granny Annexes (Council Tax)

Ms Lynne: To ask the Secretary of State for the Environment, pursuant to his answer of 17 December to the hon. Member for Portsmouth, South (Mr. Martin) *Official Report*, column *551*, on changes to the payment of council tax for granny annexes, what estimate he has made of *(a)* the number of elderly and disabled people who will gain financially from the changes, *(b)* the number of households which will face a higher council tax banding following the changes and *(c)* the total fall in income for local councils from the changes; and what plans he has to compensate local councils for the fall in income. [11430]

Sir Paul Beresford: We estimate that up to 50,000 dwellings will be removed from valuation lists as a result of this measure, with an offsetting one-band increase in banding in around one quarter of cases. This would reduce the tax yield by around £15 million to £20 million, or less than 0.2 per cent. We do not expect the impact on local authorities to be significant. None the less, future rate support grant settlements will take into account the change in yield.

Child Care Facilities

Mr. Allen: To ask the Secretary of State for the Environment if Ministers are entitled to use child care facilities supported by his Department. [11595]

Sir Paul Beresford: Ministers' eligibility to use available child care facilities supported by my Department could be considered on the basis of value for money, in accordance with the Department's delegated responsibility for establishing and maintaining such schemes.

Household Estimates (Tyne and Wear)

Mr. Cousins: To ask the Secretary of State for the Environment if he will set out the mid-year population and household estimates for each district in Tyne and Wear for each year from 1986 to 1996; and how changes in these estimates have affected the projections for 2016. [11613]

Sir Paul Beresford: Mid-year population estimates for 1986 to 1994—the latest data available from stated sources—are reproduced in the following tables. Population projections for 1997 and 2016 are also given together with projected change between those two dates.

Latest household projections data collated are from 1991. These data are similarly reproduced in the following tables. Projections data for 1981 and 2016 are also included. Projected change between 1996 and 2016 is illustrated.

Projected population (1993 Base)

Local Authority	June 1997	June 2016	Change	Percentage change
Gateshead	201,978	195,333	-6,645	-3
Newcastle	282,496	280,645	-1,851	-1
North Tyneside	193,565	188,112	-5,453	-3
South Tyneside	158,483	160,549	2,065	1
Sunderland	298,128	297,689	-439	0

Source:
NOMIS (Crown Copyright Reserved).

Mid-year population estimates

Local Authority	June 1986	June 1987	June 1988	June 1989	June 1990	June 1991	June 1992	June 1993	June 1994
Gateshead	206,294	205,653	204,784	204,132	203,146	203,078	203,072	202,850	202,444
Newcastle	282,401	283,719	280,834	278,825	278,996	278,161	281,706	285,310	283,556
North Tyneside	194,338	195,346	195,809	196,078	195,548	195,456	195,166	194,751	194,082
South Tyneside	157,120	156,575	156,148	156,314	156,638	157,210	157,290	157,200	156,665
Sunderland	297,815	297,156	296,188	296,360	296,310	296,446	297,147	297,806	297,226

Source:
NOMIS.

Household projections (Mid-year estimates)

	[1]1981	[1]1991	[1]1992	[1]1993	[2]1994	[2]1995	[1]1996	[1]2016
Gateshead	81,000	84,000	84,000	85,000	85,000	86,000	86,000	94,000
Newcastle	110,000	117,000	119,000	121,000	120,500	120,600	123,600	137,000
North Tyneside	77,000	82,000	83,000	83,000	83,400	84,100	84,000	89,000

Household projections (Mid-year estimates)

	[1]1981	[1]1991	[1]1992	[1]1993	[2]1994	[2]1995	[1]1996	[1]2016
South Tyneside	62,000	65,000	65,000	66,000	65,800	66,200	67,000	76,000
Sunderland	108,000	117,000	118,000	119,000	119,500	119,600	121,000	137,000

Source:

[1] Figures as appear in "Projection of Households in England to 2016 (HMSO)".
Figures are rounded to nearest thousand.

[2] Figures as provided by DOE (housing data statistics).

	1996	2016	Change	Percentage change
Gateshead	86,000	94,000	8,000	9.3
Newcastle	123,000	137,000	14,000	11.4
North Tyneside	84,000	89,000	5,000	5.9
South Tyneside	67,000	76,000	9,000	13.4
Sunderland	121,000	137,000	16,000	13.2

Abandoned Mines

Mr. Meacher: To ask the Secretary of State for the Environment what recent communications his Department has had with the Environment Agency in respect of the implementation of plans to clean up contaminated waters from abandoned mines. [12097]

Mr. Robert B. Jones: My officials are in regular contact with the Environment Agency regarding proposals for remedial work and the remediation of sites where minewater pollution has a serious impact on the aquatic environment.

Mr. Meacher: To ask the Secretary of State for the Environment if he will require the Environment Agency to update the report prepared by the National Rivers Authority in 1993 on the pollution of water in abandoned mines. [12066]

Mr. Jones: There is no specific requirement for the Environment Agency to update its report. However, the agency is constantly collecting new information on water pollution from abandoned mines, and it may wish to issue reports or other communications from time to time.

Mr. Meacher: To ask the Secretary of State for the Environment what meetings *(a)* Ministers and *(b)* officials of his Department have held with the Coal Authority since 31 October 1994 in regard to pollution and decontamination of abandoned coal mines. [12067]

Mr. Jones: Ministers in my Department have held no meetings with the Coal Authority since it was set up. Officials have held a small number of meetings to discuss issues related to water pollution from abandoned coal mines, and they continue to maintain regular contact with the authority. The Environment Agency works closely with the Coal Authority and has held seven meetings in the period. These have dealt with the production and review of a memorandum of understanding between the two organisations and, more recently, joint work to identify sites affected by discharges form abandoned coal mines where remediation is necessary and feasible.

Mr. Meacher: To ask the Secretary of State for the Environment what visits *(a)* he and *(b)* officials of his Department have made to assess the levels of pollution in abandoned mine workings during his term as Secretary of State. [12068]

Mr. Jones: The assessment of water pollution in abandoned mines is a responsibility of the Environment Agency, which maintains an extensive monitoring programme for that purpose. Officials of the Department of the Environment have made a small number of informative visits to sites affected by minewater pollution, and maintain regular contact with the Environment Agency on this issue.

Mr. Meacher: To ask the Secretary of State for the Environment what information his Department collates on *(a)* the levels of contamination and *(b)* the methods adopted to clean up polluted water from abandoned mines (i) previously in private ownership and (ii) currently in private ownership. [12069]

Mr. Jones: The Environment Agency is responsible for the collection and collation of information regarding water pollution from abandoned mines and it collects all relevant data on water chemistry and stream biology. Discharges from abandoned mines are highly site specific but, in general, the parameters recorded are pH, dissolved oxygen, total and dissolved iron, other metals, salinity, flow and biological diversity. Where minewater pollution is being treated, the methods vary according to the nature of the discharge and of the site itself. The current or former ownership of the abandoned mine is not relevant to the approach adopted.

Isocyanate Compounds

Mr. Foulkes: To ask the Secretary of State for the Environment if he will instruct the Health and Safety Executive to review the safety precautions for the use of isocyanate compounds; if he will instruct them to *(a)* review the use of isocyanate by Scottish Power employees in the depots in (i) Kilmarnock and (ii) Motherwell and *(b)* evaluate other recent experience and research; and if he will make a statement. [11927]

Sir Paul Beresford: Control of exposure to isocyanates is regulated by the Control of Substances Hazardous to Health Regulations 1988. These regulations are kept under constant review by the Health and Safety Executive. The HSE also produces guidance on implementing these regulations with respect to isocyanates.

In 1993 the HSE investigated a report of occupational asthma in an employee of Scottish Power in Motherwell. As a result, controls by Scottish Power were improved. A review of those controls at both the Kilmarnock and Motherwell depots by the HSE is currently under way.

The HSE's enforcement activities and links to industry and trade unions ensure that any new evidence and research is identified and addressed for any regulatory implication.

Satellites

Mr. Simon Coombs: To ask the Secretary of State for the Environment when he proposes to announce the outcome of his recent consultation exercise on possible changes to the permitted development rights for satellite and other antennas. [12303]

Mr. Robert B. Jones: Last year, we consulted on some possible minor amendments to the present rights to install satellite dishes and other antennas without the need to submit a planning application. The changes were intended to keep the legislation up to date with developments in telecommunications. They attracted considerable support and we have therefore decided to proceed with them.

The main change is bringing the permitted size of satellite dishes in the south and east of the country into line with the rest of the country. The slight increase in permitted dish size in the south and east will then enable householders in these areas to access more readily the choice of satellite channels currently enjoyed by the rest of the UK and allow the different satellite TV companies to compete on a more equal basis.

We will also be giving a new freedom to telephone users who wish to change to a radio fixed-link service enabling them to install a small antenna on their building—or two in the case of a large building. This will widen the choice of telephone services available to the consumer. And finally, there will be a new flexibility to install a satellite antenna rather than a terrestrial antenna on large buildings, helping businesses to communicate more easily.

These changes will increase consumer choice and promote further competition in the telecommunications industry, but will have a minimal impact on the appearance of towns and the countryside. Planning applications will continue to be required in a range of circumstances in conservation areas, national parks and areas of outstanding natural beauty. We are now preparing the necessary order.

SCOTLAND

Housing Associations

Mr. Donohoe: To ask the Secretary of State for Scotland what access *(a)* the public and *(b)* tenants are allowed to the minutes of housing associations; and if copies of those minutes are provided to Scottish Homes. [11330]

Mr. Raymond S. Robertson: The publication and circulation of minutes are matters for individual housing associations and practice varies between associations. As the regulating body for housing associations, Scottish Homes has access to minutes of association meetings and requires associations to provide copies of these for all meetings held in the six months prior to a monitoring visit.

Mr. Donohoe: To ask the Secretary of State for Scotland what powers Scottish Homes has to monitor the operation of housing associations in Scotland. [11331]

Mr. Robertson: The Housing Associations Act 1985 and the Housing (Scotland) Act 1988 give Scottish Homes a range of regulatory responsibilities, including the maintenance of a register of housing associations and the supervision and control of registered housing associations in Scotland. Scottish Homes publishes an annual report of its monitoring activities.

Irvine Housing Association

Mr. Donohoe: To ask the Secretary of State for Scotland if he will request the registration and monitoring section in Scottish Homes to investigate delays by the Irvine Housing Association in giving its tenants membership of the association. [11703]

Mr. Raymond S. Robertson: Responsibility for the supervision and control of registered housing associations in Scotland lies with Scottish Homes. I have asked its chairman, Mr. John Ward, to investigate the matter and respond directly to the hon. Member.

I have asked to see a copy of the report.

Science Centre

Mr. Stewart: To ask the Secretary of State for Scotland what discussions he has had concerning plans for the establishment of a Scottish science centre; and if he will make a statement. [11659]

Mr. George Kynoch: My right hon. Friend and I have had various discussions on this matter. The Scottish Science Trust and the associated network of science centres are the subject of applications for funding by the Millennium Commission. Decisions on those applications are a matter for the commission.

Prior Options Review

Mrs. Ray Michie: To ask the Secretary of State for Scotland what was the *(a)* profit-related pay and *(b)* bonus given to the chief executive of each Government research institution currently being considered under the prior options review in 1996 and 1995; and if he will make a statement. [11941]

Mr. Raymond S. Robertson: Prior option reviews were conducted on the five Scottish agricultural and biological research institutes—SABRIs—the Scottish Agricultural Science Agency—SASA—and the Scottish Office Fisheries Research Services—FRS.

The SABRIs are non-profit-making organisations. The pay of the directors is determined within the terms and conditions of service applying to staff at the institutes. Pay is performance-related but bonuses are not paid.

The SASA and FRS are parts of the Scottish Office. The pay of the directors of each is determined within the standard pay arrangements for the senior civil service and is neither profit-related nor in the form of a bonus.

East Ayrshire Community Hospital

Mr. Foulkes: To ask the Secretary of State for Scotland when he received the alternative proposals for the funding of the East Ayrshire community hospital; what discussions have taken place between his Department and officers of the Ayrshire and Arran Community NHS trust about the plans; what

recommendations have been made to him by the trust; when he expects to decide on the proposals; and if he will make a statement. [11926]

Lord James Douglas-Hamilton: Further negotiations between the trust and the preferred private finance initiative bidder are currently under way and are covered by commercial confidentiality. Once the outcome of the negotiations is known an announcement will be made.

Education (Fees and Awards) (Scotland) Regulations

Mr. Stewart: To ask the Secretary of State for Scotland if he will link the home fee status classification of students and the rules of eligibility that may be adopted for awards specified in the Education (Fees and Awards) (Scotland) Regulations 1983, as amended, to those who are settled in the United Kingdom under the immigration laws. [12351]

Mr. Raymond S. Robertson: Revised Education (Fees and Awards) (Scotland) Regulations will be laid before Parliament to consolidate the 1983 regulations. An amendment will be laid thereafter to the consolidated regulations to add a requirement of being settled in the United Kingdom under the immigration laws to the existing criteria for establishing a "relevant connection" for the purpose of student fee classifications by institutions and to the rules of candidate eligibility for certain awards which may be adopted under the regulations.

NATIONAL HERITAGE

Nelson

Mr. Spellar: To ask the Secretary of State for National Heritage if her Department will assess the advantages of making millennium fund money available for preparations for the commemoration of the battle of Trafalgar and the death of Nelson. [10866]

Miss Virginia Bottomley: The Millennium Commission is currently inviting proposals for activities which will unite and inspire people throughout the United Kingdom in celebration of the millennium. A proposal to commemorate the battle of Trafalgar and the death of Nelson could be made in that context, although it would be for the commission to determine whether such a scheme was appropriate for its funding. It may also be possible for such a proposal to be put to the heritage lottery fund, which would assess it against its published criteria.

Greenwich Exhibition

Mr. Rooker: To ask the Secretary of State for National Heritage if she will make a statement in her capacity as Secretary of State on the role of public finance and management in the proposed London exhibition at Greenwich in 2000. [10766]

Mrs. Virginia Bottomley *[holding answer 13 January 1997]:* The exhibition at Greenwich will be a national exhibition, sited in London, forming the focal point of a national festival which will last throughout the year 2000. It will be funded by a combination of a national lottery grant from the Millennium Commission, private sector sponsorship and revenue generated by the exhibition itself.

The precise structure of the operating company which will run the exhibition is being finalised but the commission will, through the terms and conditions of grant, ensure that the operating company delivers a superb exhibition which represents value for money. Expenditure of grant from the Millennium Commission is subject to the financial directions which I have issued to it.

National Lottery (Northamptonshire)

Mr. William Powell: To ask the Secretary of State for National Heritage if she will list each national lottery award made to each constituency in Northamptonshire since 20 March 1995. [11194]

Mr. Sproat: There have been 80 awards totalling £8,864,423 to projects in Northamptonshire. A breakdown of awards by constituency, up to the end of December 1996, is shown in the following table:

Northamptonshire awards

Body	*Award date*	*Recipient*	*Award amount*	*UK constituency*
Sports	20 November 1996	Welland Gliding Club	4,000.00	Corby
Charity	20 November 1995	Corby Mind	50,000.00	Corby
Charity	11 August 1996	Duston Pensioners Voice	1,263.00	Daventry
Sports	18 June 1996	Bringtons and Nobottle Cricket Club	2,500.00	Daventry
Sports	5 September 1996	Long Buckby Cricket Club	3,563.00	Daventry
Heritage	14 February 1996	Crick Church Bells Restoration Fund	7,000.00	Daventry
Charity	11 August 1996	Deanshanger Day Centre	7,086.00	Daventry
Sports	8 August 1995	Long Buckby Community Centre	7,200.00	Daventry
Heritage	12 December 1996	Colwyn Preservation Society	17,000.00	Daventry
Sports	15 May 1995	Potterspury Sports and Social Club	23,300.00	Daventry
Charity	11 August 1996	Age Concern Daycentre Group, Weedon	31,000.00	Daventry
Sports	16 May 1995	Moulton Football Club	35,067.00	Daventry
Charity	11 August 1996	Wheels To Adventure	43,800.00	Daventry
Sports	10 October 1996	Brightwell Recreation Ground Association	50,485.00	Daventry
Sports	20 June 1996	Brackley Tennis Club	91,000.00	Daventry
Sports	3 July 1995	Daventry District Council	614,000.00	Daventry
Heritage	12 December 1996	Sulgrave Manor Board	745,000.00	Daventry
Charity	20 November 1995	Accommodation Concern	2,200.00	Kettering
Charity	11 August 1996	1st Burton Latimer Scout Group	6,780.00	Kettering
Charity	19 December 1995	Kettering Welfare Rights Advisory Service	7,245.00	Kettering

Northamptonshire awards

Body	*Award date*	*Recipient*	*Award amount*	*UK constituency*
Sports	8 November 1995	Scaldwell Sports Club	9,871.00	Kettering
Charity	11 August 1996	Geddington Youth Club	12,000.00	Kettering
Charity	20 November 1995	Kettering Mind	22,046.00	Kettering
Sports	9 January 1996	Northampton Sailing Club	35,000.00	Kettering
Arts	13 September 1995	Moulton Players	60,000.00	Kettering
Sports	5 September 1996	Clipston Playing Field Trust	71,500.00	Kettering
Charity	11 August 1996	Kettering Youth Information	92,098.00	Kettering
Charity	20 November 1995	Kettering Volunteer Bureau	107,032.00	Kettering
Charity	19 December 1995	Teamwork Workbridge	230,000.00	Kettering
Charity	11 August 1996	Abington and Kingsley Pensioners Voice	500.00	Northampton North
Charity	20 November 1995	Northampton Active Group	5,000.00	Northampton North
Sports	10 October 1995	Fernie Fields Sports Club (VANAID FC)	10,188.00	Northampton North
Charity	11 August 1996	Northamptonshire Association of Youth Clubs	20,081.00	Northampton North
Charity	19 December 1995	Be Positive	90,000.00	Northampton North
Charity	11 August 1996	Northamptonshire Society For Autism	103,050.00	Northampton North
Sports	8 August 1995	Weston Favell Upper School	553,750.00	Northampton North
Sports	10 May 1996	Northamptonshire Association of Youth Clubs	714,825.00	Northampton North
Charity	19 December 1995	Hartwell Playgroup	500.00	Northampton South
Charity	19 December 1995	Rural Support Group	2,195.00	Northampton South
Charity	19 December 1995	Women's Health Information And Support Centre	2,500.00	Northampton South
Arts	17 May 1995	Northamptonshire County Council	7,500.00	Northampton South
Sports	10 October 1996	Rushmere Tennis Club (formerly Nationwide)	7,800.00	Northampton South
Sports	2 July 1996	Harpole Bowls Club	18,650.00	Northampton South
Heritage	20 December 1995	St. Andrews, Little Billing	19,000.00	Northampton South
Charity	19 December 1995	Northampton and District Citizens Advice Bureau	24,354.00	Northampton South
Charity	20 November 1995	Off The Hook	25,040.00	Northampton South
Charity	11 August 1996	Care And Repair	26,795.00	Northampton South
Charity	19 December 1995	Northampton Physically Handicapped And Able-bodied Club	28,600.00	Northampton South
Charity	19 December 1995	Northamptonshire Victims Support Scheme	28,820.00	Northampton South
Sports	16 May 1995	Kislingbury Bowls Club	42,500.00	Northampton South
Charity	11 August 1996	Lord Hesketh Youth Centre	46,933.00	Northampton South
Charity	20 November 1995	Northampton Womens Aid	52,488.00	Northampton South
Charity	19 December 1995	Northampton Youth Counselling And Information Service	56,300.00	Northampton South
Sports	9 January 1996	Nether Heyford P C	57,181.00	Northampton South
Charity	20 November 1995	Northampton Unwaged Training Resource And Advice Centre	57,591.00	Northampton South
Sports	3 July 1996	Roade Football Club	67,454.00	Northampton South
Charity	11 August 1996	Enterprise Training Project	83,670.00	Northampton South
Charity	11 August 1996	Welfare Rights Advice Service	89,866.00	Northampton South
Arts	26 June 1996	Royal Theatre Northampton	100,000.00	Northampton South
Arts	23 July 1996	The Derngate Trust	100,000.00	Northampton South
Charity	11 August 1996	Northampton Soup Kitchen	108,204.00	Northampton South
Charity	11 August 1996	Northamptonshire Charter For Youth	195,500.00	Northampton South
Charity	19 December 1995	The Council On Addiction For Northamptonshire (C A N)	242,000.00	Northampton South
Sports	4 July 1995	Bugbrook Playing Fields Association	292,100.00	Northampton South
Heritage	14 February 1996	English Heritage	300,000.00	Northampton South
Millennium	11 September 1995	Northamptonshire County Council	736,000.00	Northampton South
Sports	9 August 1996	Northamptonshire County Council	1,381,787,00	Northampton South
Sports	9 August 1996	Wellingborough Town Cricket Club	3,100.00	Wellingborough
Charity	11 August 1996	Wellingborough District Racial Equality Council	5,000.00	Wellingborough
Sports	10 October 1996	Bozeat Playing Field Association	9,155.00	Wellingborough
Charity	20 November 1995	Rock Street Playgroup	10,000.00	Wellingborough
Charity	11 August 1996	The Society Of St. Vincent De Paul	35,030.00	Wellingborough
Charity	19 December 1995	Community Help And Training (c H A T)	37,764.00	Wellingborough
Charity	19 December 1995	National Society For The Prevention Of Cruelty To Children	47,400.00	Wellingborough
Sports	3 July 1996	Finedon Town Bowls Club	70,119.00	Wellingborough
Charity	11 August 1996	Service Six	70,887.00	Wellingborough
Charity	11 August 1996	Oakfield Limited	81,200.00	Wellingborough
Charity	23 October 1995	Delos Community Trust	110,000.00	Wellingborough
Sports	6 June 1995	Wellingborough Rugby Football Club	131,690.00	Wellingborough
Charity	11 August 1996	Wellingborough District Hindu Association	165,320.00	Wellingborough
Total			8,864,423.00	
			80 Awards	

Personalised Number Plates (Executive Agencies)

Mr. Donohoe: To ask the Secretary of State for National Heritage how many personalised number plates there are in the ownership of the executive agencies operated by her Department; and if she will list them. [11413]

Mr. Sproat: There are no personalised number plates in the ownership of the executive agencies operated by my Department.

Tourism

Mr. Tyler: To ask the Secretary of State for National Heritage if she will set out the Exchequer grant for the promotion and support of tourism for each of the years 1979–80 to 1996–97 for the English, Wales, Scottish and Northern Ireland tourist boards and the British Tourist Authority *(a)* as totals and *(b)* per head of population aged over 16 years in those areas. [11540]

Mr. Sproat *[holding answer 17 January 1997]:* The total Government grant awarded to each of the statutory tourist boards for each year from 1979 to the current year in cash figures, and expressed per head of population for the countries covered by the boards was as follows:

	British tourist authority		*English tourist board*		*Scottish tourist board*		*Wales tourist board*		*Northern Ireland tourist board*	
	GIA £ million	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*
1979–80	12.8	0.31	10.3	0.29	4.3	1.11	3.7	1.75	3.9	3.74
1980–81	14.2	0.34	11.5	0.32	5.2	1.34	4.3	2.02	4.8	4.57
1981–82	16.2	0.39	12.7	0.36	6.1	1.57	5.1	2.38	5.3	4.98
1982–83	18.1	0.43	14.9	0.41	7.2	1.84	5.6	2.61	5.2	4.86
1983–84	16.9	0.40	14.9	0.41	8.1	2.06	5.0	2.31	4.5	4.17
1984–85	17.3	0.41	17.7	0.49	10.0	2.50	6.4	2.95	5.1	4.67
1985–86	17.1	0.40	16.7	0.45	8.7	2.19	7.7	3.53	5.4	4.81
1986–87	20.6	0.48	20.3	0.55	9.1	2.29	7.9	3.60	5.6	5.04
1987–88	22.0	0.51	23.3	0.63	9.1	2.28	8.8	3.98	5.0	4.43
1988–89	23.7	0.54	25.8	0.70	9.9	2.49	9.3	4.17	5.4	4.79
1989–90	25.6	0.58	21.8	0.58	11.9	2.97	10.0	4.45	5.7	5.02
1990–91	27.5	0.62	17.2	0.46	12.3	3.06	10.6	4.70	7.5	6.57
1991–92	29.2	0.66	15.7	0.41	12.8	3.18	11.4	5.04	7.1	6.12
1992–93	30.9	0.70	16.2	0.43	13.6	3.38	13.7	6.04	11.6	9.86
1993–94	32.2	0.73	14.9	0.39	13.8	3.43	13.8	6.07	12.1	10.17
1994–95	33.2	0.75	11.3	0.30	17.4	4.31	14.4	6.34	12.5	10.43
1995–96	34.5	0.77	10.0	0.26	16.9	4.19	14.7	6.46	13.7	11.36
1996–97	35.5	0.79	10.0	0.26	18.3	4.53	14.7	6.45	14.7	12.12

Source:
Office for National Statistics, Department of National Heritage.

Mr. Tyler: To ask the Secretary of State for National Heritage if she will set out the Exchequer grant for the promotion and support of tourism for each of the years 1979–80 to 1996–97 for the English, Wales, Scottish and Northern Ireland tourist boards and the British Tourist Authority at 1979 prices *(a)* as totals and *(b)* per head of population aged over 16 years in those areas. [11541]

Mr. Sproat *[holding answer 17 January 1997]:* The total Government grant to the statutory tourist boards, expressed in 1979 prices for each year from 1979 to 1996, and expressed per head of population aged over 16 years for the countries covered by the boards, was as follows:

All GIA figures at 1979 prices	*British tourist authority*		*English tourist board*		*Scottish tourist board*		*Wales tourist board*		*Northern Ireland tourist board*	
	GIA £ million	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*	*GIA £ million*	*£ per head population aged over 16 years*
1979–80	12.8	0.31	10.3	0.29	4.3	1.11	3.7	1.75	3.9	3.74
1980–81	12.0	0.29	9.7	0.27	4.4	1.13	3.6	1.69	4.1	3.90
1981–82	12.5	0.30	9.8	0.27	4.7	1.21	3.9	1.82	4.1	3.85
1982–83	13.0	0.31	10.7	0.30	5.2	1.33	4.0	1.86	3.7	3.45
1983–84	11.6	0.27	10.3	0.28	5.6	1.43	3.4	1.57	3.1	2.87
1984–85	11.3	0.27	11.6	0.32	6.6	1.67	4.2	1.94	3.4	3.12
1985–86	10.6	0.25	10.4	0.28	5.4	1.36	4.8	2.20	3.4	3.03
1986–87	12.4	0.29	12.2	0.33	5.5	1.38	4.8	2.19	3.4	3.06
1987–88	12.6	0.29	13.3	0.36	5.2	1.30	5.0	2.26	2.9	2.57
1988–89	12.7	0.29	13.8	0.37	5.3	1.33	5.0	2.24	2.9	2.57
1989–90	12.8	0.29	10.9	0.29	6.0	1.50	5.0	2.23	2.9	2.56
1990–91	12.8	0.29	8.0	0.21	5.7	1.42	4.9	2.17	3.5	3.06
1991–92	12.7	0.29	6.8	0.18	5.6	1.39	5.0	2.21	3.1	2.67

All GIA figures at 1979 prices	British tourist authority GIA £ million	British tourist authority £ per head population aged over 16 years	English tourist board GIA £ million	English tourist board £ per head population aged over 16 years	Scottish tourist board GIA £ million	Scottish tourist board £ per head population aged over 16 years	Wales tourist board GIA £ million	Wales tourist board £ per head population aged over 16 years	Northern Ireland tourist board GIA £ million	Northern Ireland tourist board £ per head population aged over 16 years
1992–93	12.9	0.29	6.8	0.18	5.7	1.41	5.7	2.51	4.9	4.17
1993–94	13.1	0.30	6.1	0.16	5.6	1.39	5.6	2.46	4.9	4.12
1994–95	13.3	0.30	4.5	0.12	7.0	1.74	5.8	2.55	5.0	4.17
1995–96	13.4	0.30	3.9	0.10	6.6	1.63	5.7	2.51	5.3	4.39
1996–97	13.5	0.30	3.8	0.10	7.0	1.73	5.6	2.46	5.6	4.62

Source:
Offices of National Statistics, Department of National Heritage.

Heritage Lottery Awards

Sir Patrick Cormack: To ask the Secretary of State for National Heritage how many of the heritage lottery awards made to date have been claimed in full; and what proportion this represents of the total awards in terms of *(a)* number and *(b)* amount. [10824]

Mr. Sproat *[holding answer 20 January 1997]:* To date the heritage lottery fund has announced awards to 605 projects totalling £370,912,187. Full payments have been made to 77 projects worth £31,071,205—that is, 13 per cent. of the total number and 8 per cent. of the total amount.

A further 294 projects have received first payments totalling £92,655,186.

Consultants

Mr. Milburn: To ask the Secretary of State for National Heritage what estimates she has made of the amount spent on external consultants by her Department's non-departmental public bodies in each of the last five years. [10158]

Mr. Sproat *[holding answer 13 January 1997]:* No such estimates have been made. However, the available information provided by my Department's non-departmental public bodies is given in the following table:

Financial year	Expenditure in £ million
1991–92	9.2
1992–93	9.2
1993–94	11.4
1994–95	12.5
1995–96	16.0

ATTORNEY-GENERAL

Behaviourally Disturbed Young People

Mr. Ieuan Wyn Jones: To ask the Attorney-General if he will introduce measures to ensure that *(a)* the police and *(b)* the Crown Prosecution Service obtain an assessment for attention deficit hyperactivity disorder for children and adolescents convicted of more than three crimes; and if he will make a statement. [11535]

Mr. Maclean: I have been asked to reply.

The Cambridge study of delinquent development, which was largely funded by the Home Office, found, amongst other results, that the incidence of hyperactivity, attention deficit and impulsivity at age eight to 10 years independently predicted future juvenile convictions. However, the causes of juvenile delinquency are complex and wide ranging, and hyperactivity is only one of many. The Government have no plans to amend their policies in the manner suggested by the hon. Member.

Discontinued Cases

Mr. Cox: To ask the Attorney-General (1) what is the number and percentage of cases that have been *(a)* discontinued and *(b)* written off in magistrates courts in England and Wales in each year since 1986; and if he will make a statement; [10920]

(2) what assessment he has made of the reasons for the increase in the number of cases written off in table 6.2 of "Criminal Statistics England and Wales for 1995"; and if he will make a statement. [10921]

The Attorney General: The information requested is available in a consistent format only from 1991 when the present method of recording was adopted. Figures since that date were as follows:

Year ending September	1992	1993	1994	1995	1996
Discontinued	187.399	185.824	159.085	158.594	153.468
Percentage of completed cases	12.8	13.4	11.9	11.9	12
Written off	84.379	103.323	119.598	133.303	110.454
Percentage of completed cases	5.8	7.4	8.9	10	8.6

A case "written off" is not thereby terminated. The majority occur when defendants cannot be traced by the police or a warrant for arrest remains unexecuted. Such cases can recommence if and when the defendant can be traced.

In most cases the reason for discontinuance is that it becomes impossible to proceed further because, for example, key witnesses fail to appear at court, refuse to give evidence or change their story; because defendants produce driving documents at court and so establish their

innocence; or because of evidential gaps in the prosecution case which cannot be filled by the police. Whenever possible, in practice in around 75 per cent. of such cases, the Crown Prosecution Service will consult the police before discontinuance and a survey in 1994 showed that the police objected initially to discontinuance in only 4 per cent. of cases when consulted.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Parliamentary Building

Mr. Porter: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations his officials have made to other EU Governments about the necessity of a new EU parliamentary building in *(a)* Brussels and *(b)* Strasbourg; and if he will make a statement; [11105]

(2) what representations he and his officials made to monitor the spending of United Kingdom public funds on the new European Union Parliament building in Brussels; and if he will make a statement. [11107]

Mr. David Davis: The United Kingdom has consistently pressed for value for money and sound financial practice in all European institutions. Overall ceilings for expenditure are set by the Council, but within that, spending by the European Parliament on building and other programmes is a matter for the Parliament in the first place, subject to scrutiny of its spending by the European Court of Auditors. We have not made separate representations.

Mr. Porter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list an inventory of internal fixtures and fittings and building costs, in sterling, of the new European Union Parliament in Brussels; what has been the cost to United Kingdom public funds; and if he will make a statement. [11106]

Mr. Davis: Title 2 of section 1 of the general budget of the European Union for the financial year 1996—*Official Journal of the European Committees*, volume 39 of 29 January 1996—gives details of the

"buildings, equipment and miscellaneous operating expenditure"

of the European Parliament.

The United Kingdom's contribution to the 1996 EU budget represented 15 per cent. of the budget.

Mr. Porter: To ask the Secretary of State for Foreign and Commonwealth Affairs what is *(a)* the total cost and *(b)* the cost to British public funds of building the new European Union Parliament building in Brussels; and if he will make a statement. [11108]

Mr. Davis: The total cost of the new European Parliament building in Brussels was estimated to be 831 million ecu, or £612.7 million, by the European Commission on 29 October 1996.

The UK's contribution to the 1996 EU budget represented 15 per cent. of the budget.

Angola

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future of the United Nations mission in Angola. [11840]

Sir Nicholas Bonsor: The UN Security Council will discuss soon the future of the UN mission in Angola—UNAVEM III. We envisage that following the progressive withdrawal of UNAVEM III at the end of its mandate—28 February 1997—a residual UN presence will continue to be needed. This will probably include a political component, human rights monitors and military and police observers.

Arms Trafficking

Sir Alan Haselhurst: To ask the Secretary of State for Foreign and Commonwealth Affairs when the committee established by the Government to inquire into controls and procedures relating to trafficking in arms reported; what are its main conclusions; and if he will make a statement. [12263]

Mr. Rifkind: Following media reports linking British companies to the supply of arms in contravention of UN embargoes to Rwandan extremists in Zaire, the Government announced on 19 November that they had established an inter-departmental committee to examine rigorously the United Kingdom's procedures in relation to trafficking in arms and to determine whether there had been a gap in controls, and if so what action needed to be taken. The committee's terms of reference were given to the House in a written answer from the Minister of State, Foreign and Commonwealth Affairs *Official Report*, 11 December 1997, columns *270–71*.

The committee's report was submitted on 17 December. It notes that Customs investigators are seeking to establish whether there have been any illegal acts coming within the United Kingdom's jurisdiction. It would not be appropriate to comment further on Customs and Excise investigations at this stage.

The UN arms embargo on Rwanda was not implemented in the Crown dependencies, and there was also a delay in its implementation in the dependent territories. The gap in controls, which the report notes was a narrow one, has already been put right as recommended by the committee. Consideration is also being given to whether the precise terms of the existing Orders in Council implementing the UN arms embargo against Rwanda are adequate.

The committee reached four main conclusions: first, that there had been a lack of consistency in implementing embargoes in the UK, its dependent territories, and the Crown dependencies; secondly, that there were no structured arrangements for ensuring the timely and accurate imposition of embargoes; thirdly, that there was a need for greater clarity and transparency on the scope of the embargoes; finally, that under current UK legislation, trafficking could be prohibited only in relation to binding UN arms embargos.

The committee recommended that:

(a) The UN arms embargoes against Rwanda, Somalia and Liberia should be implemented in the Crown dependencies as soon as possible. The necessary orders were made on 19 December.

(b) All future binding UN arms embargoes should be applied promptly in the UK and in Crown dependencies and the dependent territories, in accordance with HMG's international obligations.

(c) As a matter of policy, all other arms embargoes should be applied promptly in the UK, the Crown dependencies and the dependent territories, in consultation with the dependent territories concerned.

(d) An inter-departmental committee, chaired by the Cabinet Office, should co-ordinate the introduction, application, amendment and lifting of all arms embargoes, including their scope and announcement.

(e) This committee should also consider the preparation of a public document, which would set out the basis and scope of all current arms embargoes and which would be kept up to date.

(f) It should be determined, as a matter of priority, whether the precise terms of the Order in Council implementing the UN arms embargo against Rwanda are adequate and any necessary remedial action taken.

(g) A considered assessment of the advantages and disadvantages of primary legislation to prohibit arms trafficking, taking account of the factors identified in this report, should be conducted as part of the current Government review of strategic export controls.

The Government have endorsed the committee's report, a copy of which has been placed in the Library of the House, and will be implementing its recommendations.

TREASURY

Bowel Cancer

Sir Julian Critchley: To ask the Chancellor of the Exchequer how many new cases of bowel cancer were diagnosed on average in each of the last 10 years; and how many people died of carcinoma of the bowel in 1995. [10833]

Mrs. Angela Knight: The number of deaths that occurred in England and Wales in 1995, together with aged standardised rates per 100,000 population, and the data on new cases of bowel cancer are given in the following tables:

The numbers of deaths that occurred in England and Wales in 1995 (together with age standardised rate per 100,000)

	Males		Females	
	Numbers	Rate[1]	Numbers	Rate[1]
Malignant neoplasm of small intestine, including duodenum (ICD[2] 152)	116	0.4	98	0.3
Malignant neoplasm of colon (ICD[2] 153)	5,178	18.1	5,636	13
Malignant neoplasm of rectum, rectosigmoid junction and anus (ICD[2] 154)	2,813	9.9	2,122	4.9
Bowel cancer (ICD[2] 152–154)	8,107	28.5	8,107	28.5

[1] The male and female rates have been directly standardised against the (same) European Standard Population so that the mortality for males can be compared with that for females.
[2] International Classification of Diseases, 9th Revision.

Incidence of bowel cancer (ICD9 152, 153 and 154), numbers and rates per 100,000[1], England and Wales, 1982–91: males and females ([1]directly age standardised using European standard population)

	Male		Female	
Year	Numbers	Rate	Numbers	Rate
Malignant neoplasm of small intestine including duodenum (ICD9 152)				
1982	154	0.6	145	0.4
1983	182	0.7	157	0.5
1984	178	0.7	167	0.5
1985	205	0.8	171	0.5
1986	168	0.7	175	0.5
1987	189	0.8	175	0.5
1988	181	0.7	196	0.5
1989	177	0.7	193	0.6
1990	178	0.7	191	0.5
1991	216	0.8	185	0.5
Malignant neoplasm of colon (ICD9 153)				
1982	6,837	27.3	8,633	23.7
1983	6,955	27.8	8,709	23.6
1984	7,020	27.5	8,651	23.0
1985	7,399	28.7	9,066	24.1
1986	7,163	27.6	9,016	23.9
1987	7,679	29.3	9,323	23.8
1988	7,714	29.1	9,413	24.1
1989	7,802	29.1	9,102	23.0
1990	8,024	29.8	9,316	23.5
1991	8,069	29.5	9,403	23.7

	Male		Female	
Year	Numbers	Rate	Numbers	Rate
Malignant neoplasm of rectum, rectosigmoid junction and anus (ICD9 154)				
1982	5,364	21.4	4,541	12.7
1983	5,543	21.9	4,641	12.9
1984	5,564	21.9	4,549	12.4
1985	6,028	23.3	4,693	12.7
1986	5,659	21.7	4,554	12.3
1987	5,644	21.6	4,553	12.1
1988	5,849	22.2	4,587	12.3
1989	5,690	21.4	4,565	12.0
1990	5,898	22.1	4,474	11.9
1991	5,826	21.6	4,441	11.8
Bowel cancer (ICD9 152–4)				
1982	12,354	49.4	13,319	36.8
1983	12,681	50.4	13,506	37.0
1984	12,763	50.1	13,367	35.9
1985	13,632	52.8	13,931	37.3
1986	12,990	49.9	13,746	36.7
1987	13,512	51.7	14,051	36.5
1988	13,745	52.1	14,196	36.9
1989	13,669	51.2	13,860	35.6
1990	14,100	52.6	13,981	35.9
1991	14,111	52.0	14,029	35.9

[1] The male and female rates have been directly standardised against the (same) European Standard Population so that the mortality for males can be compared with that for females.

Landfill Tax

Sir David Steel: To ask the Chancellor of the Exchequer what plans he has to permit a temporary exemption to landfill tax for those local authorities which are forced to dispose of unsold paper for recycling, which was collected to meet the Government's target for recycling waste by 2000. [11165]

Mr. Oppenheim: I have no plans to do so.

Bathability Services

Sir Cranley Onslow: To ask the Chancellor of the Exchequer what representations have been received by HM Customs and Excise about the application of VAT to bathability services; and if he will make a statement. [11585]

Mr. Oppenheim: Supplies of bathing services in the home when provided by a public body as a welfare provision otherwise than for profit are not liable to VAT. One representation has been received by HM Customs and Excise.

Inland Revenue Office, Salisbury

Mr. Key: To ask the Chancellor of the Exchequer if he will make a statement about the future of the inland revenue local office in Salisbury. [11008]

Mr. Jack *[holding answer 20 January 1997]:* The board of Inland Revenue is currently considering reorganisation proposals from its network controllers which include the creation of a new-style office in Salisbury.

Insurance Premium Tax (Holiday Insurance)

Sir Peter Fry: To ask the Chancellor of the Exchequer what estimate he has made of the revenue forecast from the imposition of a rate of insurance premium tax of 17.5 per cent. on holiday insurance sold by travel agents; and what account it takes of switching of the purchase of holiday insurance from travel agents to insurance brokers in order to incur the lower rate of insurance premium tax. [11451]

Mr. Oppenheim *[holding answer 20 January 1997]:* Around £70 million of the estimated £235 million revenue yield in 1998–99—published in the 1997–98 "Financial Statement and Budget Report"—is from charging the higher rate of insurance premium tax on travel insurance; the remaining £165 million is from charging the higher rate of insurance premium tax on mechanical breakdown insurance of various types and insurance sold with TV and car hire. The travel insurance costing incorporates assumptions about changes in behaviour in response to the increased rate of IPT and this includes the option to buy travel insurance direct from insurers or through insurance brokers.

Sir Peter Fry: To ask the Chancellor of the Exchequer what submissions or correspondence he has received from the Foreign and Commonwealth Office in respect of holiday makers going abroad uninsured as a result of the proposed 17.5 per cent. rate of insurance premium tax on holiday insurance sold by travel agents; and if he will place copies of such submissions or correspondence in the Library. [11452]

Mr. Oppenheim *[holding answer 20 January 1997]:* No such submissions or correspondence have been received.

Sir Peter Fry: To ask the Chancellor of the Exchequer what is his estimate of the VAT currently lost to the Exchequer as a result of travel agents selling higher margin insurance with a high holiday discount instead of a low holiday discount and a lower insurance margin. [11453]

Mr. Oppenheim *[holding answer 20 January 1997]:* VAT lost to the Exchequer is not dependent on the practice of holiday price discounting by travel agents. The usual pricing structure of the industry is that low margins are applied to holidays and high margins are applied to the associated sales of VAT exempt insurance.

Sir Peter Fry: To ask the Chancellor of the Exchequer what assessment has been made by his Department of the commercial impact on travel agents of the proposed imposition of a higher rate of insurance premium tax on holiday insurance sold by travel agents than on similar insurance sold by insurance brokers and agents. [11679]

Mr. Oppenheim *[holding answer 20 January 1997]:* Current pricing differentials and marketing practices in this sector, coupled with the fact that insurance provided free by travel agents will not be subject to the higher rate of insurance premium tax, suggest that the proposed tax differential in favour of other insurance agents and brokers is unlikely to have a significant effect on purchasing behaviour.

Work Force (Barrow)

Mr. Hutton: To ask the Chancellor of the Exchequer what was the size of the work force in the Barrow travel-to-work area in *(a)* 1990 and *(b)* 1996. [11022]

Mrs. Angela Knight *[holding answer 16 January 1997]:* The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. John Hutton, dated 21 January 1997:

The Chancellor of the Exchequer has asked me to reply as the Director of the Office for National Statistics to your recent question on the size of the workforce in the Barrow-in-Furness travel-to-work area in 1990 and 1996.

The workforce is made up of the workforce in employment (employees, self-employed, armed forces and government-supported training participants) plus the claimant unemployed. However, information at travel-to-work area is available only for employees in employment and for claimant unemployment. The available information, closest to the dates requested, is provided in the following table:

Barrow in Furness travel-to-work area (at September)

	Employees	*Claimant unemployed*
1989	42,700	2,452
1991	36,100	3,749
1993	32,500	4,921

Source:
ONS.

1995 information for travel-to-work areas is expected shortly, and I will write to you when it is available.

Non-departmental Public Bodies (Expenditure)

Mr. Milburn: To ask the Chancellor of the Exchequer what estimate he has made of total expenditure by non-departmental public bodies in each year since 1993–94; and what projections he has made for future years. [11442]

Mr. Waldegrave *[holding answer 17 January 1997]:* No information is held centrally on the total expenditure of non-departmental public bodies, or of projections for

their total expenditure in future years. We do not do so because the annual public expenditure survey does not distinguish explicitly between direct expenditure by Departments and expenditure of the NDPBs they sponsor. "Public Bodies 1996", published by the Cabinet Office in December 1996, includes information about the gross expenditure of executive non-departmental public bodies in 1993–94, 1994–95 and 1995–96.

Value Added Tax

Mr. Milburn: To ask the Chancellor of the Exchequer, pursuant to his answer of 18 December 1996, *Official Report*, column *642*, relating to VAT, if he will provide equivalent information on VAT registrations and deregistrations for 1996. [11447]

Mr. Oppenheim *[holding answer 17 January 1997]*: The registration and deregistration information for 1996 is in the attached schedule.

Registrations and deregistrations for 1996

Collection	*Registration*
Northern Ireland	4,057
Central England	15,960
Anglia	10,994
South-east England	7,476
South England	14,454
Thames Valley	20,465
London Central	17,375
London South and Thames	12,521
East England	16,309
North-west England	15,611
North England	14,089
Scotland	12,271
Wales West and Borders	16,533

Collection	*Deregistrations*
Northern Ireland	3,250
Central England	15,788
Anglia	10,215
South-east England	7,194
South England	13,593
Thames Valley	17,356
London Central	12,159
London South and Thames	10,146
East England	15,771
North West England	15,059
North England	14,070
Scotland	11,728
Wales West and Borders	16,411

EDUCATION AND EMPLOYMENT

Child Care Facilities

Mr. Allen: To ask the Secretary of State for Education and Employment if Ministers are entitled to use child care facilities supported by her Department. [11597]

Mr. Robin Squire: Ministers of the Crown are able to make use of the child care facilities provided by the Department.

Teachers (Early Retirement)

Mr. David Nicholson: To ask the Secretary of State for Education and Employment if she will make a statement on trends in teachers' premature retirement over the past 10 years; and what reports she has evaluated into advice issued by local education authorities relating to premature retirement over this period. [11588]

Mrs. Gillan: The following table shows the number of premature retirements for each of the last 10 years. The figures vary, but the peak number in 1995–96 was 44 per cent. above the number in 1986–87. My right hon. Friend has made no evaluation of research into advice issued by LEAs relating to premature retirement over this period.

Year of retirement	*Number of retirees*
1986–87	9,087
1987–88	7,559
1988–89	12,346
1989–90	12,334
1990–91	11,692
1991–92	10,287
1992–93	12,214
1993–94	12,233
1994–95	10,608
1995–96	13,055

Mrs. Peacock: To ask the Secretary of State for Education and Employment if she will list the total sum paid out in enhanced pension payments to teachers taking early retirement in Kirklees metropolitan council area in each of the past 10 years. [11790]

Mrs. Gillan: The information requested is given in the following table, which has been derived from the Department of Environment's RO1 return. The figures for years 1985–86 to 1988–89 are drawn from memorandum line 2 and are for premature retirement compensation only. Those for subsequent years are for premature retirement and Crombie compensation payments, and it is not possible to split them down further.

Year	*(£000)*
1985–86	164
1986–87	29
1987–88	221
1988–89	534
1989–90	568
1990–91	255
1991–92	1,372
1992–93	838
1993–94	397
1994–95	410

Student Loans

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) how many students applied for student loans in each year since 1993; and if she will make a statement; [11337]

(2) how many students who graduated in each year between 1989 and 1995 are still in debt to the Student Loans Company; and if she will make a statement. [11338]

Mr. Forth: These are matters for the Student Loans Company. I have asked the chief executive to write to the hon. Member with the information requested.

Career Development Loans

Mr. Stewart: To ask the Secretary of State for Education and Employment what is her latest estimate of current expenditure on and take-up of career development loans in *(a)* the Eastwood constituency, *(b)* Renfrewshire and *(c)* Scotland. [11658]

Mr. Paice: Expenditure estimates on CDLs are not available below national level. The number of approved CDLs in Scotland for the year 1996–97 as at 31 December is 617. Figures below Scotland can be provided only at disproportionate cost.

Education and the Community (MORI Research)

Sir Irvine Patnick: To ask the Secretary of State for Education and Employment what questions relating to, and mentioning, marriage were included in the research conducted by MORI on behalf of the School Curriculum and Assessment Authority. [11660]

Mrs. Gillan: Recipients of the questionnaires issued to the samples surveyed by MORI were asked to refer to the consultation document, which set out both the values statements and the view of some of the members of the forum on values that a reference to marriage should be included in the statement on the family. They were asked for views on whether any of the values statements required strengthening. Focus group discussions were prompted in a similar fashion.

Sir Irvine Patnick: To ask the Secretary of State for Education and Employment for what reasons the consultation document on the national forum for values in education and the community issued by SCAA did not specify the date for the end of the consultation period; when it was sent; and if she will make a statement. [11661]

Mrs. Gillan: The School Curriculum and Assessment Authority will take into account all comments received by 10 January when it considers what recommendations to put to Ministers. SCAA initially failed to notify some of those who requested its consultation document that the deadline for responses was 29 November. In the light of concerns expressed to it, it subsequently notified all who had requested the document and had not yet responded that they had until 10 January to do so.

Mrs. Peacock: To ask the Secretary of State for Education and Employment how many *(a)* parents, *(b)* head teachers and heads of personal and social education and *(c)* school governors were involved in the qualitative research conducted by MORI on behalf of the School Curriculum and Assessment Authority. [11559]

Mrs. Gillan: The MORI research included a quantitative and a qualitative element. The quantitative research comprised: an omnibus survey of a representative sample of 1,455 adults, including 597 parents; a postal survey of some 700 organisations with an interest, including teacher associations, parents' and governor's organisations; and a postal survey of a random sample of 3,200 schools—1,200 secondary and 2,000 primary schools. The qualitative research comprised four focus group discussions, each involving five to 10 parents; four focus group discussions, each involving six to eight school governors; and six focus group discussions, each involving four to eight head teachers or heads of PSE. In addition, anyone could request a copy of the document "Consultation on values in education and the community" and respond to it.

Mrs. Peacock: To ask the Secretary of State for Education and Employment for what reasons the concept of marriage was not included in the main body of the report arising from the consultation exercise on the national forum for values in education and the community conducted by SCAA. [11560]

Mrs. Gillan: The consultation document set out the draft statement of values agreed by the vast majority of forum members and quoted a more tightly drawn reference to family values, preferred by five forum members, which made specific reference to marriage.

Marriage is mentioned several times in MORI's consolidated report on the consultation, discussed by the forum at its meetings on 6 January. The forum approved, with slight amendment, a revised reference to the family in the draft values statement which gives greater prominence to marriage.

Adult Literacy and Numeracy

Mr. Blunkett: To ask the Secretary of State for Education and Employment when she will make available the findings of the latest Organisation for Economic Co-operation and Development study on adult literacy and numeracy skills. [11185]

Mr. Paice *[holding answer 20 January 1997]:* The national report for the international adult literacy survey will be published as soon as possible after the Office for National Statistics receives the data from Statistics Canada, the body co-ordinating the survey, and checks and analyses have been carried out to ensure we are satisfied with the accuracy and quality of the figures. We expect this to be by the autumn of this year, which is in line with the time scale originally planned for this complex international survey.

Medical School (Southern England)

Sir Robert Hicks: To ask the Secretary of State for Education and Employment when she expects to announce the proposed location of a new medical school in the south of England; and if she will make a statement. [11102]

Mr. Forth *[holding answer 20 January 1997]:* My right hon. Friend has no plans to announce the setting up of a new medical school. It is the Government's view that the planned increases in medical student intakes recommended in the 1995 report of the Medical Workforce Standing Advisory Committee can be accommodated within the existing medical schools.

Training and Enterprise Councils

Mr. Hoyle: To ask the Secretary of State for Education and Employment if she will make a statement on the performance of TECs in England and Wales to date in respect of achieving the 100 per cent. plan target in relation to financial systems management information, the collection of evidence, audit and supplies. [11367]

Mr. Paice: TECs have made significance progress in addressing the former shortcomings in financial control relating to training and enterprise programmes identified by the Comptroller and Auditor General in reports on the Department's appropriation accounts up to 1991–92. It was these which gave rise to the commitment to the Public Accounts Committee in January 1992 that the Department would institute a plan to achieve 100 per cent. effectiveness in financial control in TECs and, through them, their providers of training and other activities. All TECs in England are currently assessed as low risk for financial control purposes. The Comptroller and Auditor General's latest report[1] acknowledges that the priority given by the Department to financial control has resulted in a substantial reduction in incorrect and uncertain payments to TECs and their providers. The Government continue to set rigorous financial control standards for TECs to safeguard the large amounts of public funding provided to them and to refine these standards to build upon the progress made through the original 100 per cent. plan. The responsibility for the TECs in Wales falls to the Secretary of State for Wales. The Welsh Office has confirmed that, on the most recently completed risk assessment audits, all the TECs in Wales had also achieved low-risk status.

[1]Report by the Comptroller and Auditor General: "Department for Education and Employment: Financial Control of Payments made under the Training for Work and Youth Training Programmes in England" (HC 402 Session 1995–96, published 12 June 1995).

Class Sizes (Primary Schools)

Mr. Hardy: To ask the Secretary of State for Education and Employment how many children in primary schools are currently in classes of more than 30 pupils. [11895]

Mr. Robin Squire: The information requested is shown in the following table.

Number of pupils in one teacher classes of size 31 or more in maintained primary schools in each local education authority area in England: January 1996

Corporation of London	0
Camden	447
Greenwich	1,412
Hackney	664
Hammersmith	1,036
Islington	982
Kensington and Chelsea	187
Lambeth	857
Lewisham	917
Southwark	2,051
Tower Hamlets	859
Wandsworth	2,373
Westminster	544
Barking	1,603
Barnet	1,848
Bexley	8,821
Brent	2,259
Bromley	11,850
Croydon	6,341
Ealing	5,508
Enfield	8,840
Haringey	984
Harrow	3,833
Havering	5,678
Hillingdon	4,820
Hounslow	5,674
Kingston upon Thames	7,095
Merton	3,955
Newham	2,381
Redbridge	9,060
Richmond upon Thames	2,309
Sutton	4,235
Waltham Forest	3,282
Birmingham	25,642
Coventry	7,638
Dudley	6,618
Sandwell	11,812
Solihull	8,403
Walsall	7,241
Wolverhampton	6,762
Knowsley	5,254
Liverpool	12,051
St. Helens	5,563
Sefton	10,670
Wirral	6,987
Bolton	11,719
Bury	6,968
Manchester	9,687
Oldham	9,434
Rochdale	8,316
Salford	6,997
Stockport	8,247
Tameside	11,508
Trafford	9,389
Wigan	11,087
Barnsley	8,677
Doncaster	9,609
Rotherham	5,732
Sheffield	11,181
Bradford	11,449
Calderdale	6,331
Kirklees	14,395
Leeds	21,455
Wakefield	10,673
Gateshead	2,443
Newcastle upon Tyne	6,792
North Tyneside	4,897
South Tyneside	4,067
Sunderland	4,148
Isles of Scilly	0
Avon	26,647
Bedfordshire	11,867
Berkshire	18,309
Buckinghamshire	22,753
Cambridgeshire	18,065
Cheshire	32,225
Cleveland	13,869
Cornwall	14,936
Cumbria	11,382
Derbyshire	41,217
Devon	28,078
Dorset	19,654
Durham	19,881
East Sussex	20,971
Essex	34,741
Gloucestershire	14,246
Hampshire	44,938
Hereford and Worcester	13,225
Hertfordshire	23,396
Humberside	27,832
Isle of Wight	2,243
Kent	44,212
Lancashire	54,099
Leicestershire	21,784
Lincolnshire	13,962
Norfolk	13,224
North Yorkshire	18,663
Northamptonshire	11,089
Northumberland	8,478
Nottinghamshire	32,931
Oxfordshire	10,608
Shropshire	13,425
Somerset	13,649
Staffordshire	32,163
Suffolk	7,940
Surrey	14,197
Warwickshire	17,566
West Sussex	14,447
Wiltshire	15,128
England	1,260,587

National Funding Formula

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will make it her policy not to introduce a national funding formula. [12065]

Mr. Robin Squire: The Government published a discussion paper on national funding for grant-maintained schools in May 1996. The Government are analysing the responses, which have raised a number of issues.

Education (Fees and Awards) Regulations

Mr. Peter Bottomley: To ask the Secretary of State for Education and Employment what plans she has to link the home fee status classification of students and the rules of eligibility that may be adopted for awards specified in the Education (Fees and Awards) Regulations 1994, as amended, to those who are settled in the United Kingdom under the immigration laws. [12262]

Mr. Forth: Further to the account of the outcome of the programme of work arising from the scrutiny on enforcement of the immigration laws on 24 October 1996 by the Minister of State, Home Office, my hon. Friend the Member for Maidstone (Miss Widdecombe), *Official Report*, column 2, I confirm that revised Education (Fees and Awards) Regulations will be laid before Parliament to add a requirement of being settled in the United Kingdom under the immigration laws to the existing criteria for establishing a "relevant connection" for the purpose of student fee classifications by institutions and to the rules of candidate eligibility for certain awards which may be adopted by education authorities and other specified bodies.

AGRICULTURE, FISHERIES AND FOOD

Public Appointments

Mr. Milburn: To ask the Minister of Agriculture, Fisheries and Food how many of the individuals appointed by his Department to public positions in the last year were first identified by the public appointments unit. [8534]

Mr. Boswell *[holding answer 10 December 1996]:* None of those appointed in the last year were first identified by the public appointments unit.

Chief Medical Officer

Mr. Cohen: To ask the Minister of Agriculture, Fisheries and Food how many times he has met the chief medical officer over the last six months; and if he will list the issues discussed. [9634]

Mr. Douglas Hogg: I and my officials have regularly met the chief medical officer over the last six months to discuss issues of importance to human health and food safety.

Personalised Number Plates (Executive Agencies)

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11411]

Mr. Boswell: The executive agencies operated by this Ministry do not have any personalised number plates.

Wash Shrimp Fishery

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what research he has commissioned on the impact of dredging on the Wash shrimp fishery; and if he will assess the advantages of allocating alternative dredging areas to evaluate the impact of dredging on the shrimp fishery. [11641]

Mr. Baldry: An intensive dredging operation is being carried out in a licensed area known as area 107, well outside the mouth of the Wash, to provide sand to replenish the beaches along 22 km of the Lincolnshire coast.

When asked to contribute to a Government view on the necessary increase to the quantity licensed for extraction, I insisted on an extensive monitoring programme. Work undertaken has confirmed that the shrimp population in the general area has declined, but has shown no evidence as yet to link this with the dredging operations and studies of the area have shown that a healthy benthic community has been maintained even quite close to the dredging area. There are no scientific grounds therefore, at present for moving the dredging to a different area.

Vitamin B6

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food what plans he or his officials have to meet Consumers for Health Choice and other consumer and practitioner organisations to discuss the work of the Food Advisory Committee in connection with vitamin B6. [11501]

Mrs. Browning: Officials will shortly be inviting Consumers for Health Choice and other organisations representing consumer, nutritional therapy and industry interests to meetings to discuss the Food Advisory Committee's recommendations on vitamin B6.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food (1) what scientific peer-reviewed studies were considered by the Food Advisory Committee and the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment in connection with their recent conclusions on the use of vitamin B6; and to what extent those committees took note of comments on studies of vitamin B6 supplementation by Alan Gaby MD in 1990; [11499]

(2) what assessment his Department has made of the published results of studies of vitamin B6 supplementation undertaken by Brush MG and Perry M, by Baker H and Frank O, by Pauling L and by Mitwalli A, Blair G and Oreopoulos DG; and whether these papers were considered by the Food Advisory Committee and the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment in connection with their recent conclusions on vitamin B6. [11500]

Mrs. Browning: The Food Advisory Committee's recommendations were based on advice on the toxicity of vitamin B6 provided by the Department of Health's

Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment. The COT considered 31 publications from international scientific journals, one chapter from a book on vitamin B6 and three reports from other committees, including one from the EC Scientific Committee for Food. The Department of Health has arranged for a list of the papers considered to be deposited in the Library of the House. The papers referred to by the hon. Gentleman were not among those considered.

Beef Producers

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food if he will now take action to ensure that beef producers are not more greatly disadvantaged by the effect of the BSE problem than are dairy farmers. [11845]

Mr. Baldry: Inevitably, not all producers will have been affected equally by the BSE problem over the last 10 months, or benefited equally from the wide range of measures which the Government have introduced. While the dairy industry has benefited from the calf processing aid scheme and from the over-30-months scheme for cattle, the beef industry is also receiving direct aid which will be worth over £250 million. The key point is that the survival of the UK beef and dairy industries has been assured. For the longer term, we are committed to ensuring that the beef export ban is lifted and that all other economic conditions are in place to provide both industries with a viable future.

Mr. Hardy: To ask the Minster of Agriculture, Fisheries and Food what further assessment he has made of the difficulties faced by smaller beef producers.[11846]

Mr. Baldry: I have nothing to add to the reply given to the hon. Member on 6 November, *Official Report*, column *582*, other than to note that the total of EU and Exchequer funds being made available in direct support to UK beef producers now stands at over £250 million.

Newcastle Disease

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food which strains of Newcastle disease have been recorded in the current *(a)* Ross on Wye and *(b)* East Sussex outbreaks; and if he will make a statement. [12095]

Mrs. Browning: The central veterinary laboratory, which is an international reference laboratory for Newcastle disease, has given these outbreaks a designation of C1. This classification records the way that monoclonal antibodies react to the virus isolate in cell structure.

DUCHY OF LANCASTER

Child Welfare

Ms Walley: To ask the Deputy Prime Minister, pursuant to his oral answer of 14 January, *Official Report*, column 127, on the health of British children, what factors underlay his rejection of the Health Visitors Association's survey. [11601]

The Deputy Prime Minister: The "Health Visitors' Association Centenary Survey: Return of Diseases and Social Conditions of the 19th Century" was published on 25 November 1996 without details of the survey's design, methodology, sampling technique or response rate. Without these, it is not possible to assess the validity of the conclusions.

DEFENCE

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence if he will place in the Library copies of the 800 documents on Gulf war illness to which reference is made at paragraph 1.B.17 of his Department's organophosphate pesticide investigation team report D/OPPIT/3 of 6 December. [9593]

Mr. Soames: The documents referred to in paragraph 1.B.17 of the organophosphate pesticide investigation team's report are a miscellaneous collection of papers related to the issue of illness of personnel who served in the Gulf war contained in files located in one particular area of my Department. From the records of the team, the collection comprises internal minutes, notes, briefs and submissions; external letters and faxes; draft PQ material, *Hansard* extracts and a parliamentary petition; press releases, clippings and media transcripts; and published research papers and reports. The team's report does not suggest that this material in any way represents a coherent or comprehensive picture of my Department's consideration of this issue. The team made this reference simply to indicate the scale of the task which faced them in carrying out their work against very tight deadlines.

By its nature a good deal of the material is already in the public domain. The remainder would need to be checked document by document against the requirements of the "Code of Practice on Access to Government Information", though most if not all of it is likely to be covered by the internal discussion and advice exemption in the code. Checking of the material to provide the information requested could be done only at disproportionate cost.

Gulf War (Vaccinations)

Mr. Campbell-Savours: To ask the Secretary of State for Defence which vaccines on the list of vaccines placed in the Library were administered to personnel serving during the conflict with Iraq. [11293]

Mr. Soames: I refer the hon. Member to the memorandum "UK vaccination programme during the Gulf Conflict (1990–1991)" which was placed in the Library of the House on 10 December 1996, and to the document D/SG(Hlth) 2/3/2/9 dated October 1993 "Report on the vaccines used for Operation Granby", which is also available in the Library of the House.

Service Personnel (Hong Kong)

Mr. Cox: To ask the Secretary of State for Defence (1) how many British service personnel have been charged with disorderly conduct by *(a)* the military and *(b)* the civil police authorities in Hong Kong in each of the past three years; [11317]

(2) if he will make a statement on recent disturbances in Hong Kong caused by British service personnel; and if he will make a statement on the *(a)* damage caused and *(b)* compensation sought; [11318]

(3) what recent discussion he has had with *(a)* the Governor of Hong Kong and *(b)* the senior military officer in Hong Kong regarding the behaviour of British service personnel stationed in Hong Kong; and if he will make a statement; [11316]

(4) how many British service personnel were arrested for disturbances caused in Hong Kong over the Christmas period. [11315]

Mr. Soames: On 21 December 1996, a number of soldiers intervened in a fight between two groups of European construction employees who had been drinking in a bar. One soldier was subsequently arrested for fighting, along with seven civilians. I am not aware that any damage was caused by the soldiers or that compensation is being sought from them. Indeed, the Royal Hong Kong police later praised the soldiers for attempting to intervene in a difficult situation.

The matter is in the hands of the Royal Hong Kong police, who are now considering charges against those arrested.

Over the past three years the number of personnel charged and convicted of disorderly conduct—an offence covering fighting, drunkenness, causing a disturbance and disorderly conduct within barracks—was:

	Civilian authorities		*Military authorities*
	Charged	*Convicted*	*Convictions*
1994	18	14	[1]36
1995	7	4	10
1996	12	6	26

[1] Records of cases brought under military law, but dismissed, are not held centrally.

Four service personnel were arrested for such offences between 20 December 1996 and 4 January 1997, three of whom are included in the 1996 figures.

Commander British Forces, Hong Kong is responsible for all disciplinary matters concerning British service personnel in Hong Kong. He liaises directly with the governor, and with the Royal Hong Kong police where appropriate. The maintenance of discipline is taken extremely seriously. The British garrison in Hong Kong has an excellent record and we are determined that this will continue to be maintained until the garrison leaves in June.

Personalised Number Plates (Executive Agencies)

Mr. Donohoe: To ask the Secretary of State for Defence how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11421]

Mr. Soames: None.

Gibraltar

Mr. Colvin: To ask the Secretary of State for Defence if he will publish a timetable for the rundown of his Department's jobs on Gibraltar and make a statement on measures taken to assist in the retraining of military personnel for alternative employment. [11819]

Mr. Soames: The 1994 review of the Gibraltar garrison, which identified the core tasks in Gibraltar and associated manpower levels required, made reductions in military and civilian strengths possible. The reduction in military posts is now virtually complete. The reduction in civilian posts will take place over the next few years, primarily in 1998 and 1999; precise details have yet to be established. There are no military redundancies specifically related to this rundown but my Department is working closely with the Gibraltar Government and the trades unions on providing suitable re-training of civilian personnel for alternative employment.

Service Accommodation

Mr. Fabricant: To ask the Secretary of State for Defence what further changes to the terms of the non-movers package 1993 originally on offer to entitled officers Her Majesty's Treasury has authorised his Department to make. [11907]

Mr. Soames: The non-movers package was introduced by the Treasury as an aid to relocating key staff. The responsibility for determining relocation expenses was transferred to Government Departments in 1993. Under that delegation the MOD decided to make the non-movers package more widely available in order to assist those affected by the major relocations that have been taking place in the Department. We have no plans to make major changes to current arrangements.

Mutual Defence Agreement

Mr. Simpson: To ask the Secretary of State for Defence what is the estimated cost of implementing the US-UK 1958 mutual defence agreement for co-operation on the uses of atomic energy for defence purposes since it was last amended. [12090]

Mr. Soames: The information requested is not held centrally and could be provided only at disproportionate cost.

Mr. Simpson: To ask the Secretary of State for Defence (1) how many times he has made requests to the United States Government for permission to transfer nuclear weapons information of United States provenance provided under the US–UK 1958 mutual defence agreement for co-operation on the uses of atomic energy for defence purposes to France; [12082]

(2) on how many occasions there have been requests by the United States Government for permission to transfer nuclear weapon information of British provenance provided under the US–UK 1958 mutual defence agreement for co-operation on the uses of atomic energy for defence purposes to France. [12083]

Mr. Soames: We are not aware of any such requests by either party.

Service Redundancies

Dr. David Clark: To ask the Secretary of State for Defence if he will list the costs incurred by his Department as a result of redundancies in each of the three services in each of the past six years. [11456]

Mr. Soames: The "Options for Change" redundancy programme began in financial year 1992–93. In that year redundancy payments of £232 million were made. In 1993–94, 1994–95 and 1995–96 the payments totalled £509 million, £453 million and £187 million respectively.

These costs are split between the three services as follows:

£ million

	1992–93	*1993–94*	*1994–95*	*1995–96*	*[1]1996–97*
RN	12	95	75	28	41
Army	209	328	281	16	5
RAF	11	86	97	143	138
Total	232	509	453	187	184

[1] Estimate.

The payments include special capital payments, early payment of terminal grants, commuted pension payments and the first year's payment of immediate pensions.

The figures for 1996–97 are an estimate as the RAF redundancy programme will not be completed until the end of the year.

Dr. Clark: To ask the Secretary of State for Defence if he will list the costs of recruitment in each of the services in each of the past six years. [11457]

Mr. Soames: The costs of recruitment in each of the services for each of the last six years is as shown. Total army recruitment costs for the first year are not available as they cannot be identified separately.

£ million

Year	*RN*	*Army*	*RAF*
1990–91	23.48	n/a	26.33
1991–92	26.83	42.20	27.98
1992–93	19.00	42.60	27.45
1993–94	21.10	48.61	27.60
1994–95	19.50	45.91	27.87
1995–96	21.88	56.20	26.88

Armed Service Personnel

Mr. Hardy: To ask the Secretary of State for Defence what was the strength of *(a)* uniformed personnel and *(b)* civilian employees within each of the armed services as at 1 January 1997. [11847]

Mr. Soames: The most recent figures available relate to 1 December 1996 and are published by the Defence Analytical Services Agency in "Service and Civilian Personnel Statistics Monthly Return (SCPS) 1", which is available in the House of Commons Library. Figures for 1 January 1997 will be available in the first week of February 1997. The breakdowns of regular armed forces and permanent UK based civilian staff as at 1 December 1996 are as follows:

	Navy personnel	*Army personnel*	*RAF personnel*	*All service personnel*	*Civilian employees*
Navy budget areas	42,321	988	193	43,502	22,444
Army budget areas	168	98,348	294	98,810	34,426
RAF budget areas	110	192	54,689	54,991	16,690
Central budget areas	3,082	10,221	5,437	18,740	21,471
Trading funds	136	96	206	438	14,960
Service LEPs (including Gurkhas)	206	4,620	—	4,826	—
All	46,023	114,465	60,819	221,307	109,993

In accordance with civilian headcount conventions, part-timers are counted as the proportion of full-time hours they work. Totals may not equal the sum of the parts due to rounding. Included in the 114,465 Army personnel are 1,183 reserves serving in the former Yugoslavia.

Territorial Army

Dr. David Clark: To ask the Secretary of State for Defence if he will list the size of the Territorial Army in each of the last five years; and what is his Department's estimate of the figure in each of the next three years. [11454]

Mr. Soames: The size of the Territorial Army over the last five years is as follows:

Size of the Territorial Army[1]

Year	*Establishment*	*Strength*
1 April 1992	[2]71,000	70,100
1 April 1993	71,000	67,200
1 April 1994	63,500	63,600
1 April 1995	59,000	58,400
1 April 1996	59,000	57,300

[1] Figures exclude non-regular permanent staff.

[2] This is an estimate figure reflecting the drawdown of the Territorial Army to its post-"Options for Change" structure.

The planned establishment of the Territorial Army at 1 April for 1997, 1998 and 1999 will be 59,000. The actual strength in each of the three years will depend largely on recruitment and retention patterns.

Military Provost Guard Service

Mrs. Dunwoody: To ask the Secretary of State for Defence how many Military Provost Guard Service personnel are planned to be stationed at *(a)* Chicksands, *(b)* Chilwell-Chetwynd barracks, *(c)* BOD Donnington and *(d)* Land Command Wilton from 1 April 1997. [11289]

Mr. Soames *[holding answer 20 January 1997]:* The Military Provost Guard Service pilot scheme will involve a total of 118 Military Provost Guard Service soldiers stationed at Chicksands, Chilwell-Chetwynd Barracks, BOD Donnington and Wilton. Given the potential implications for the security of military establishments, I have decided to withhold the details of the specific number of security personnel deployed at specific sites

under exemption 1 of the code of practice on access to Government information relating to defence, security and international relations.

Mrs. Dunwoody: To ask the Secretary of State for Defence if he has commenced recruitment for the Military Provost Guard Service. [11287]

Mr. Soames *[holding answer 20 January 1997]:* Recruitment to the Military Provost Guard Service has commenced, but no soldiers will be enlisted until parliamentary procedures are completed.

Mrs. Dunwoody: To ask the Secretary of State for Defence what plans he has to introduce Military Provost Guard Service at *(a)* Woolwich garrison, *(b)* Catterick garrison, *(c)* Dishforth, *(d)* Arborfield, *(e)* Grantham and *(f)* Weeton barracks. [11288]

Mr. Soames *[holding answer 20 January 1997]:* Should the trial prove successful at pilot sites, it would be the intention to replace Ministry of Defence police officers with Military Provost Guard Service soldiers at other military locations where Ministry of Defence police officers are complemented for armed guarding rather than constabulary duties. The locations will be the subject of consultation with the Defence Police Federation and the trade unions concerned nearer the time.

Mrs. Dunwoody: To ask the Secretary of State for Defence if the Military Provost Guard Service personnel are to be issued with SA80 assault rifles. [11290]

Mr. Soames *[holding answer 20 January]:* The SA80 5.56mm service rifle is the standard issue rifle for the British Army. As such, it will be the primary weapon used by Military Provost Guard Service soldiers whilst carrying out armed guarding duties, as it currently is for Ministry of Defence police officers and full engagement soldiers. In appropriate cases, the 9mm Browning pistol may be issued.

Mrs. Dunwoody: To ask the Secretary of State for Defence if he will make a statement on the rules of engagement to be employed by the Military Provost Guard Service personnel. [11291]

Mr. Soames *[holding answer 20 January 1997]:* I have decided to withhold the information requested under exemption 1 of the code of practice on access to Government information relating to defence, security and international relations."

NORTHERN IRELAND

Targeting Social Need Policy

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement on the role of the targeting social need policy initiative in education in respect of community differentials. [10941]

Mr. Ancram: The Department's targeting social need policy focuses on the targeting of additional resources at those schools with the greatest need in terms of social and educational disadvantage, regardless of the community to which those schools or their pupils belong. Just over 60 per cent. of TSN funding allocated to schools under the local management of schools arrangements goes to Catholic maintained schools, and that is a reflection of the additional identified need in those schools.

Further Education Colleges

Mr. Worthington: To ask the Secretary of State for Northern Ireland what provision has been made for the costs of redundancies under his proposals for the incorporation of further education colleges; and upon whom such costs will fall. [10942]

Mr. Ancram: Discussions are taking place with education and library boards on the transfer of resources and functions; these include the staffing implications of the transfers. Decisions have yet to be made on the financial arrangements in the event of any redundancies.

School Rolls

Mr. Worthington: To ask the Secretary of State for Northern Ireland what are the current total school rolls at *(a)* primary and *(b)* secondary level; and what forecast he has made of school rolls at primary and secondary level in (i) five and (ii) 10 years time. [10944]

Mr. Ancram: The information requested is as follows:

	Primary enrolments	*Secondary enrolments*
1995–96 (actual)	185,413	150,888
2000–01 (projected)	173,721	154,223
2005–06 (projected)[1]	n/a	n/a

[1] School population projections are made only for seven years beyond actual enrolments.

Motor Cyclist Fatalities

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will make it his policy to record and publish the age of motor cyclist fatalities and the size of motor cycle involved. [11201]

Sir John Wheeler: The number of motor cyclist fatalities, broken down by age and gender, is published in the Royal Ulster Constabulary's "Road Traffic Accident Statistics" annual report. The relevant breakdown by age from the 1995 report is given below.

The size of the motorcycles involved in the fatalities are not currently published although the following categories are held on the RUC traffic database and are available on request: moped, motorcycle under 125cc and motorcycle 125cc or above. It is not the intention to publish this as a separate entry.

Road users killed and injured, by age
1995

	Pedestrians		*Drivers of motor vehicles*		*Motor cyclists*		*Pedal cyclists*	
Age	*K*	*I*	*K*	*I*	*K*	*I*	*K*	*I*
Under 5	1	115	—	—	—	—	—	12
5–10	4	263	—	—	—	—	1	109
11–15	4	204	—	3	—	1	—	82
16–19	3	97	4	421	—	31	—	23
20–24	—	77	10	948	1	65	—	29
25–34	3	114	12	1,757	2	64	1	65
35–44	6	69	6	1,052	3	35	—	28

Road users killed and injured, by age
1995

	Pedestrians		Drivers of motor vehicles		Motor cyclists		Pedal cyclists	
Age	K	I	K	I	K	I	K	I
45–54	3	67	4	650	1	17	1	14
55–59	2	24	2	189	—	3	—	8
60–64	6	25	3	119	—	2	—	6
65 and over	15	127	7	261	1	2	1	5
Totals	47	1,182	48	5,400	8	240	4	381

	Passengers[1]		Pillion passengers		Drivers and passengers of "other" vehicles		Total	
Age	K	I	K	I	K	I	K	I
Under 5	5	210	—	—	—	—	6	337
5–10	3	346	—	2	—	—	8	720
11–15	1	346	—	1	—	6	5	643
16–19	5	613	—	3	—	7	12	1,195
20–24	6	665	—	10	—	3	18	1,797
25–34	5	951	1	8	—	22	24	3,001
35–44	1	399	—	—	—	6	16	1,589
45–54	3	306	—	—	—	3	12	1,057
55–59	2	111	—	—	—	6	6	341
60–64	—	110	—	—	—	—	8	262
65 and over	5	241	—	—	—	3	29	639
Totals	36	4,298	1	24	—	56	144	11,581

[1] Includes pedal-cycle passengers.

Northern Ireland Water

Mr. Michael Brown: To ask the Secretary of State for Northern Ireland what plans he has to privatise Northern Ireland water. [11167]

Mr. Moss: Privatisation of water and sewerage services in Northern Ireland remains the Government's ultimate goal, although it is not practicable for several years. As an interim step, the Water Service has been established as an executive agency from 1 April 1996 which will enable it to improve its commercial orientation.

Public Bodies

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement on the changes he has made in the financial provision for the headquarters administration of non-departmental public bodies. [10984]

Sir John Wheeler: The planned provision for administration for the main non-departmental public bodies is expected to fall overall by about 2 per cent. next year compared with the previous 1997–98 plans. I expect these reductions to be absorbed through improved efficiency, without affecting services.

Central Appointments Unit Central Register

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if a copy of the central appointments unit central register has been made available to (i) the Irish side of the Anglo-Irish secretariat at Maryfield and (ii) the Irish Government. [11199]

Sir John Wheeler: No. The list has never been made available to the Irish side of the Anglo-Irish secretariat or to the Irish Government.

Libraries Budget

Mr. Worthington: To ask the Secretary of State for Northern Ireland what is the budget for libraries in cash and constant price terms for 1996–97 and 1997–98; what consequences this will have for the provision of services; and if he will make a statement. [10982]

Mr. Ancram: Each education and library board receives a block grant and decides on the resources which the library service should be given having regard to the Government's priorities. The budget for libraries in 1996–97 is £25.139 million and the boards will submit their proposals for 1997–98 expenditure to the Department for approval by 31 January.

In its announcement on funding for the education service, the Government have made it clear that they intend that schools, and the classroom in particular, should continue to receive priority, but in giving priority to the classroom some reductions in provision are assumed for the library service which may include a cut equivalent to £1.9 million or 50 per cent. of the budget for book purchasing for public libraries compared with 1996–97. However, the precise effect on the library service cannot be measured until the budget figures have been agreed.

Air Freight

Mr. Beggs: To ask the Secretary of State for Northern Ireland what assessment he has made of the extent to which the present level of air freight services between Northern Ireland and Great Britain meets the needs of Northern Ireland industry; and if he will make a statement. [10954]

Mr. Ancram: A comprehensive assessment of the extent to which the present level of air freight services between Northern Ireland and Great Britain meets the needs of Northern Ireland industry has not been made. The present level of air freight services has not been raised as a general issue of concern by local industry.

Marches and Parades

Mr. Worthington: To ask the Secretary of State for Northern Ireland what estimate he has made of the cost of policing marches and parades during 1996. [10978]

Sir John Wheeler: Marches and parades are largely policed as part of normal police duties, and separate costings are not held centrally; where the public order situation demands, it may be necessary to deploy additional resources, and so incur additional costs. Costs arising from the main marching season in 1996 have been estimated at some £13 million.

Fluoridation

Mr. Michael Brown: To ask the Secretary of State for Northern Ireland what plans he has to fluoridate Northern Ireland's drinking water. [11168]

Mr. Moss: All four health and social services boards in Northern Ireland have sought approval to proceed with proposals to have the water supplies for their resident populations fluoridated. I am currently considering these requests with a view to making a recommendation to my right hon. and learned Friend in the very near future.

Gallaher Ltd.

Mr. Pendry: To ask the Secretary of State for Northern Ireland what Government assistance has been given to the cigarette manufacturers Gallaher Ltd. in support of the relocation of its factory in Hyde, Tameside to Ballymena in Northern Ireland. [11162]

Mr. Ancram: Gallaher Ltd. has been offered grant assistance amounting to £9,957,000 towards its rationalisation and investment costs of £46.5 million in Northern Ireland.

Personalised Number Plates (Executive Agencies)

Mr. Donohoe: To ask the Secretary of State for Northern Ireland how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11410]

Sir John Wheeler: None.

TRANSPORT

Road Traffic (New Drivers) Act 1995

Dr. Michael Clark: To ask the Secretary of State for Transport when he will announce the implementation date for the Road Traffic (New Drivers) Act 1995; and if he will make a statement. [12261]

Mr. Bowis: I am pleased to announce that this Act will be fully in force by 1 June 1997. It will be partially commenced on 1 March to allow regulations to be made in advance. Any person who first passes a British driving test on or after 1 June 1997 will be subject to a two-year probationary period. A driver who incurs six or more penalty points on the licence from offences committed before the end of that period will lose entitlement to a full driving licence and revert to learner status until passing another driving test, theory and practical.

Rail Services (West Coast Line)

Mr. Jim Cunningham: To ask the Secretary of State for Transport how many trains travelling along the west coast line to London Euston from Coventry were diverted via Northampton, for the last three months that figures are available; and if he will express the figures as a percentage of the total number of trains running on the service. [11010]

Mr. Watts: This is a matter for the train operators concerned and the information is not available in the exact form requested. In the period 13 October 1996 to 24 December 1996 inclusive, of 2,004 InterCity West Coast London and West Midlands services run to London Euston on Mondays to Saturdays, 42.2 per cent.—were diverted via Northampton.

Mr. Cunningham: To ask the Secretary of State for Transport how many trains travelling along the west coast line to *(a)* London Euston, *(b)* Birmingham and *(c)* Coventry (i) failed to arrive at the time advertised in the timetable and (ii) were delayed by more than 15 minutes, in the last three months for which figures are available; and if he will express the figures as a percentage of the total number of trains running on the service. [11009]

Mr. Watts: This is a matter for the train operators concerned. Most of the data requested for InterCity West Coast's train services are given in the table, except where it is not available in that form.

Reliability and punctuality for InterCity West Coast train services (London and the West Midlands) 13 October–24 December 1996 inclusive

	Euston	Services to Birmingham	Coventry
Number of trains run	2,004	2,014	2,058
Number (percentage) of trains run which arrived at time advertised	1,224 (61)	1,123 (56)	831 (40)
Number (percentage) of trains run which arrived within one to 10 minutes of time advertised	443 (22)	490 (24)	809 (39)
Number (percentage) of trains run which arrived more than 10 minutes after time advertised[1]	337 (17)	401 (20)	418 (20)

All data given relate to Monday to Saturday services; data for Sunday services are not readily available.

All percentages are rounded to nearest whole point.

[1] Data are not readily available on services arriving more than 15 minutes after the time advertised.

Motor Cyclists

Mr. Chidgey: To ask the Secretary of State for Transport which organisation his Department consulted over the implementation of the new compulsory basic training regulations for motor cyclists. [11458]

Mr. Bowis: The organisations listed were sent a copy of the August 1995 consultation paper which first announced the proposed change.

Approved Driving Instructors National Joint Council

Associations of Chief Police Officers (England and Wales, Northern Ireland and Scotland)

Association of County Councils

Association of District Councils

Association of Industrial Road Safety Officers

Association of London Boroughs Road Safety Officers

Association of London Authorities

Association of Metropolitan Authorities

Automobile Association

British Motorcyclists Federation

Chartered Institute of Transport

City of London Police

Civil Service Motoring Association Ltd.

Community Transport Association London

Community Transport Services

Confederation of British Industry

Convention of Scottish Local Authorities
County Road Safety Officer's Association
Disabled Drivers' Association
Disabled Drivers' Motor Club
Disabled Motorists Federation
Driving Instructors Association
General and Municipal Workers' Union
Guild of Experienced Motorists
Institute of Advanced Motorists
Institute of Professional Driving Examiners
Institute of Road Safety Officers
Joint Action Group on Motorcycle Training
Justices' Clerks Society
Learn and Live Campaign
London Boroughs Association
Magistrates Association
Motorcycle Action Group
Motorcycle Industry Association Ltd.
Motorcycle Retailers Association
Motor Schools Association of Great Britain Ltd.
National Association of Citizens Advice Bureaux
National Council of Inland Transport
National Farmers Union
National Farmers Union of Scotland
National Union of Civil and Public Servants
Office of the Commissioner of The Police for the Metropolis
Parliamentary Advisory Committee on Transport Safety
Royal Scottish Automobile Club
Royal Society for the Prevention of Accidents
Scottish Courts Administration
Trades Union Congress—Economic and Social Affairs Department
Transport and General Workers Union
Transport Association
United Road Transport Union
Approved Motorcycle Training Organisations—408

Mr. Chidgey: To ask the Secretary of State for Transport what advice organisations, consulted on the CBT regulation for motor cyclists, gave as to the amount of time needed for rider training agencies to train and test those motor cyclists and moped riders who are affected by the recent change in legislation. [11459]

Mr. Bowis: Consultees did not know the number that would be directly affected by the change, but some motor cycle industry bodies supported giving a year's notice before the change was implemented. In the light of these representations, we deferred implementation for six months until 1 January 1997, 17 months after the change was originally proposed.

Mr. Chidgey: To ask the Secretary of State for Transport what measures were taken to publicise the changes in the CBT regulations; what information was given; when it was disseminated; and to which bodies. [11460]

Mr. Bowis: Advice about the change was included in the Department of Transport's factsheet about motor cycling from February 1996, "The Driving Test" handbook from July, "The Motorcycling Manual" handbook from October, leaflets issued with driving licences since August and with vehicle tax renewals from October. Meetings were held with motor cycle industry representatives in March and July to discuss publicity arrangements. A leaflet was prepared and bulk copies supplied in May to motor cycle dealers, trainers and road safety officers. Copies were also supplied to motor insurance companies. Advice was sent to organisations teaching the "knowledge" to learner London taxi drivers in August and October. There has been considerable coverage on the television, including a piece during prime time in September, and in the national newspapers and the specialist press. Letters were sent at the start of December to some 283,000 registered keepers of small motor cycles and mopeds. We recognised that many of these would be unaffected as they held a full licence or had already taken CBT, but the letter would provide guidance were others to wish to use the motor bikes.

Mr. Chidgey: To ask the Secretary of State for Transport what extra resources his Department has made available to deal with the number of people needing to take their CBT. [11461]

Mr. Bowis: The Department of Transport does not directly provide CBT courses. These are provided by approved training bodies which may be commercial organisations, voluntary bodies or local authorities.

Mr. Chidgey: To ask the Secretary of State for Transport what plans he has for further consultations relating to improving safety for learner motor cyclists; and if he will allow an additional three-month period for existing riders who do not have CBT to undertake training without having their licence revoked. [11462]

Mr. Bowis: In October we consulted interested parties about measures to improve safety for learner motor cyclists and we are currently considering the responses. I have no plans to reintroduce a distinction in CBT rules between those who obtained their licence before 1 December 1990 and those who obtained their licence after.

Mr. Chidgey: To ask the Secretary of State for Transport if he will repeal the one-year ban on learner motor cyclists who fail to pass their full test within two years of being granted a provisional licence. [11463]

Mr. Bowis: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Southport (Mr. Banks) on 12 November 1996, *Official Report*, column *115*.

Mr. Chidgey: To ask the Secretary of State for Transport what further changes to the motor cyclist licensing requirements he proposes to introduce; and what form these will take. [11464]

Mr. Bowis: A wide-ranging consultation paper about motor cycle training was issued in October 1996 and I shall consider possible changes to training in the light of responses.

Land Compensation Act 1973

Mr. Gordon Prentice: To ask the Secretary of State for Transport if he will amend the Land Compensation Act 1973 to lay a statutory duty on county councils to invite individual claims for compensation from persons whose property may be diminished in value by physical factors arising out of public infrastructure works. [11878]

Sir Paul Beresford: I have been asked to reply.

The interdepartmental working group on blight is currently looking at a range of issues related to losses arising during the various stages of major infrastructure development. I will look with care at any recommendations for changes to legislation which it may make.

OVERSEAS DEVELOPMENT ADMINISTRATION

United Nations Industrial Development Organisation

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held recently with his EU counterparts regarding the future of UNIDO. [11892]

Dr. Liam Fox: Officials from EU missions met last week in Vienna in order to make a preliminary assessment of UNIDO's core activities. The conclusions of the group will be considered by the EU working group on the UN in Brussels on 23 January.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons he commissioned an Overseas Development Administration report on UNIDO in 1996; and what was the cost of that report. [11894]

Dr. Fox: We commissioned an external assessment of UNIDO's policies and performance in order to help us reach a view on its continued relevance and value as a development agency. The assessment cost £75,500.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received regarding UNIDO. [11891]

Dr. Fox: Following the announcement on 9 December of our intention to withdraw from UNIDO, we have received communications from the chair of the G77 and China in New York, the representative of the British staff in UNIDO and the Federation of International Civil Servants' Associations. Four letters from hon. Members of this House have also been received.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the value of the work of UNIDO. [11893]

Dr. Fox: As we made clear in our letter of withdrawal to the Secretary-General of the UN, and in a parallel letter to the Director-General of UNIDO, we recognise the value of some of the work of UNIDO but have concluded that there is no longer a case for a separate UN institution for industrial development. We believe this work should be carried out in a more broadly based UN development agency.

Angola

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the progress of the peace process in Angola. [11841]

Dr. Liam Fox: The peace process is at a crucial stage. During her recent visit, my right hon. and noble Friend the Minister for Overseas Development urged the Angolan Government and UNITA to complete the outstanding provisions of the Lusaka protocol. We hope that a Government of unity and national reconciliation will be formed on 25 January.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the reasons for UNAVEM III's withdrawal—the United Nationals Angola verification mission—from Angola. [11842]

Dr. Fox: UN Security Council resolution 976 of 8 February 1995, which authorised the establishment of UNAVEM III, envisaged completion of its mandate by February 1997. The Security Council's decision in resolution 1087 of 11 December 1996 to authorise the gradual and progressive withdrawal of UNAVEM reflected the recent positive steps in the peace process including the UN Secretary-General's special representative's declaration in December 1996 that UNITA had completed its military commitments under the Lusaka protocol.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he makes of the effect of the withdrawal of UNAVEM III on the peace process in Angola. [11843]

Dr. Fox: We are working with other Security Council members to ensure that UNAVEM III and any successor UN presence remains in place for long enough to safeguard the success of the peace process.

Bangladesh

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance has been given by Her Majesty's Government to *(a)* the Government of Bangladesh and *(b)* (i) British and (ii) international non-governmental organisations working in Bangladesh to assist the Biharis in Bangladesh; and if he will make a statement. [11247]

Dr. Liam Fox: Since 1990, Her Majesty's Government have provided bilateral assistance totalling £770,000 for health and education projects involving Bihari communities in Bangladesh. As part of the Overseas Development Administration's support for the fourth health and population project of the Government of Bangladesh, £164,596 has been spent in support of reproductive health and child nutrition activities by the Al-Falah model clinic in the Geneva camp. Through ODA's joint funding scheme, the British non-governmental organisation Concern Worldwide had received £607,957 for primary education projects.

SOCIAL SECURITY

Accord Information Technology System

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what are the estimated *(a)* start-up costs and *(b)* annual costs for the new accord information technology system. [10513]

Mr. Burt: The information is not yet available as work to define the new systems has not yet reached the stage where service providers can submit technical solutions, and thus predict costs.

Income Support

Mr. Denham: To ask the Secretary of State for Social Security how many cases of error in the calculation of income support for mortgage interest payments were identified in the 1994 review of such cases; and what was the average and total amount of error involved. [10815]

Mr. Roger Evans: The administration of income support is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. John Denham, dated 20 January 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking, how many cases of error in the calculation of Income Support for mortgage interest payments were identified in the 1994 review of such cases; and what was the average and total amount of error involved.

As a result of the National Audit Office report a full review of the housing cost element of all Income Support cases was undertaken in 1994.

At the end of June 1995 the review exercise had identified 308,590 cases in error, the total value being £85,505,632. Of that £77,865,018 were overpayments and £7,640,614 underpayments. Therefore the average value of error was £277.08.

I hope you find this reply helpful.

Family Credit

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his latest estimate of *(a)* the cost and *(b)* the numbers gaining from reducing the family credit taper to (i) 60 per cent. and (ii) 50 per cent. [10989]

Mr. Roger Evans: The information is set out in the table.

Estimated cost/saving and numbers gaining from reducing the family credit taper (1997–98)

Taper	*Family credit*	*Housing benefit*	*Council tax benefit*	*Income support/jobseeker's allowance (income-based)*	*Net cost*	*Number of gainers*
60 per cent.	+£290 million	–£20 million	–£5 million	–£5 million	+ 260 million	585,000
50 per cent.	+£730 million	–£40 million	–£10 million	–£5 million	+ 675 million	770,000

1. Estimates are based on the 1994–95 family resources survey, uprated to 1997–98 prices and benefit levels.
2. Estimates of costs are rounded to the nearest £5 million.
3. Estimates of gainers are rounded to the nearest 5,000.

Housing Benefit

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his estimate of the savings to his Department resulting from each of the changes to *(a)* restrict the amount of housing benefit payable on rents above the local reference level of 50 per cent. of the difference, *(b)* calculate housing benefit on the basis of single room rent levels for people aged under 25 years and *(c)* introduce payment of housing benefit in arrears. [10974]

Mr. Roger Evans: The information is set out in the table:

£ million

	1996–97	*1997–98*	*1998–99*
Restricting the amount of housing benefit payable on rents above the local reference level of 50 per cent.	58	113	141
Calculating housing benefit on the basis of single room rent levels for people aged under 25	13	57	62
Paying housing benefit in arrears	105	120	75

Mr. Howarth: To ask the Secretary of State for Social Security what is the average amount of *(a)* housing benefit and *(b)* council tax benefit payable to claimants (i) with earnings from employment, (ii) also receiving family credit and (iii) also receiving disability working allowance. [10975]

Mr. Evans: The information is as follows:

Average amount of housing benefit/council tax benefit (May 1995)

	Housing benefit £	*Council tax benefit* £
With earnings from employment	31.99	4.98
Also receiving family credit	30.98	4.49
Also receiving disability working allowance	27.81	5.33

Source:
Housing benefit management information system, 1 per cent. annual sample inquiry for housing benefits/council tax benefits recipients not in receipt of income support, for Great Britain taken at the end of May 1995.

Note:
This analysis has only provided the weekly amount of benefit for those who do not also receive income support. There are cases where housing benefit/council tax benefit recipients with income support who also have earnings from employment, family credit and disability working allowance.

Mr. William Powell: To ask the Secretary of State for Social Security if he will list the most recently available figure for the housing benefit live load in each district of Northamptonshire; and what are the costs involved. [11076]

Mr. Evans: The information is set out in the table.

Northamptonshire local authority district	*Number of housing benefit recipients (1995–96 average)*	*Housing benefit expenditure costs (1995–96)* £
Corby	5,230	8,964,000
Daventy	2,860	5,091,000

Northamptonshire local authority district	Number of housing benefit recipients (1995–96 average)	Housing benefit expenditure costs (1995–96) £
East Northants	3,690	6,949,000
Kettering	4,680	9,778,000
Northampton	14,030	30,549,000
South Northants	2,710	5,563,000
Wellingborough	4,720	8,639,000

Sources:
1. DSS local authority expenditure claim forms.
2. Department of the Environment local authority expenditure claim forms.
3. DSS housing benefit management information system.

Child Support Agency

Ms Lynne: To ask the Secretary of State for Social Security if he will provide a month by month breakdown of the benefit savings achieved by the Child Support Agency from April 1994 to the latest month available using the same headings as in his answer of 19 July 1995, *Official Report*, columns *501–502*. [9961]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from A. Chant to Ms Liz Lynne, dated 20 January 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency benefit savings.

In my reply to you of 12 June 1995, Official Report, col 492, I gave a breakdown of the benefit savings collected from 1 April 1994 up to 31 March 1995. I then wrote to you on 22 November 1995, Official Report, col 231-232, where I gave updated figures to 30 September 1995. In my further reply of 7 December 1995, Official Report, col 435-438, I provided a month by month breakdown of benefit savings for the period 1 April 1994 to 30 September 1995.

In preparing this response, it has become apparent that some figures previously quoted now require amendment. The attached tables show the revisions where necessary, covering the full period specified in your question. In 1995/95, Departmental statisticians examined benefit savings arising from reductions in Family Credit as a result of CSA assessments, and from the withdrawal of Income Support claims within four weeks of CSA action. They concluded that in each case the savings were being under counted. As a consequence, it has been necessary to make retrospective adjustments to the 1995/96 figures in those two categories.

You should also note that 1995/96 and 1996/97 figures for Family Credit and Housing Benefit are now available on a month by month basis. (This was not the case for 1994/95.)

I hope this is helpful.

Benefit savings—1 April 1994 to 31 March 1995

(£ million)

Category of benefit savings	April	May	June	July	August	September	October	November	December	January	February	March	Total 1994–95
Resulting from pre-CSA assessments:													
Paid direct by absent parent to parent with care	10.00	10.00	10.00	10.00	10.59	10.23	10.42	9.84	10.41	10.16	8.76	9.11	119.52
Paid through Agency collection service to SoS	1.25	1.10	0.99	0.93	0.71	0.68	0.46	–0.011	0.34	0.51	0.031	0.006	6.996
Resulting from CSA assessments:													
Paid direct by absent parent to parent with care	0.80	0.80	0.80	0.80	1.46	1.37	1.13	1.23	1.01	1.08	1.29	1.99	13.76
Paid through Agency collection service to SoS	1.78	1.82	2.36	3.08	3.43	3.75	3.53	4.30	3.88	4.52	5.85	9.65	47.95
Deductions from absent parent's IS payments	0.037	0.045	0.052	0.11	0.20	0.17	0.23	0.30	0.24	0.17	0.37	0.46	2.384
Income support claim cessations:													
Maintenance exceeds rate of benefit	1.66	1.23	2.36	4.24	2.33	1.60	1.31	2.62	1.52	1.57	1.85	1.55	23.84
Income support claim withdrawn within four weeks of CSA action	18.80	19.92	21.14	14.90	15.40	16.45	17.26	17.13	11.15	13.81	15.10	18.47	199.53
Reductions in Family Credit or Disability Working Allwoance resulting from CSA assessment	Monthly breakdown not available												12.84
Housing Benefit/Council Tax reductions resulting from CSA assessments	Monthly breakdown not available												52.25
Total	34.327	34.915	37.702	34.06	34.12	34.25	34.34	35.409	28.55	31.82	33.251	41.236	479.07

Benefit savings—1 April 1995 to 31 March 1996

£ million

Category of benefit savings	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*March*	*Total 1995–96*
Resulting from pre-CSA assessment:													
Paid through Agency collection service to SoS	0.25	0.19	0.29	0.40	0.21	0.24	0.24	0.16	0.10	0.25	0.41	0.05	2.79
Resulting from CSA and pre-CSA assessment:													
Paid direct by absent parent to parent with care	10.67	11.19	10.83	11.08	11.19	10.74	10.78	10.31	10.21	10.20	9.49	10.09	126.78
Resulting from CSA assessment:													
Paid through Agency collection service to SoS	4.11	5.58	5.36	4.73	5.16	5.21	4.68	6.68	5.24	7.98	5.88	7.51	68.12
Deductions from absent parent's IS payments	0.45	0.87	0.73	0.68	0.72	0.73	–1.41	0.33	0.28	0.24	0.29	0.41	4.32
Income Support claim cessations:													
Maintenance exceeds rate of benefit	0.96	0.75	0.62	0.63	0.77	0.57	0.71	0.73	0.48	0.84	0.48	0.54	8.08
Income Support claim withdrawn within four weeks of CSA action	14.55	16.97	16.87	13.85	14.99	17.09	18.73	18.80	10.33	13.08	13.35	12.09	180.70
Reductions in Family Credit or Disability Working Allowance resulting from CSA assessments	3.00	3.07	3.36	2.88	2.80	3.39	3.78	3.82	2.15	3.73	3.80	4.18	39.96
Housing Benefit/Council Tax reductions resulting from CSA assessments	4.91	5.86	5.88	4.69	5.16	5.93	6.40	6.45	3.58	4.50	4.63	4.19	62.18
Total	38.90	44.48	43.94	38.94	41.00	43.90	43.91	47.28	32.37	40.82	38.33	39.06	492.93

Benefit savings—1 April 1996 to 30 November 1996 (£ million, rounded to two decimal points)

Category of benefit savings	*April 1996*	*May 1996*	*June 1996*	*July 1996*	*August 1996*	*September 1996*	*October 1996*	*November 1996*	*1996–97 YTD*
Resulting from pre-CSA assessments:									
Paid through Agency collection service to SoS	0.07	0.07	0.07	0.04	0.07	0.05	0.07	0.05	0.48
Resulting from CSA and pre-CSA assessments:									
Paid direct by absent parent to parent with care	9.65	10.00	9.65	9.94	9.98	9.43	9.35	8.87	76.87
Resulting from CSA assessments:									
Paid through Agency collection service to SoS	7.12	7.57	7.33	8.09	7.23	7.80	8.88	7.88	61.89
Deductions from absent parent's I S payments	0.20	0.33	0.34	0.32	0.50	0.41	0.48	0.65	3.23
Income support claim cessations:									
Maintenance exceeds rate of benefit	0.44	0.47	0.35	0.52	0.40	0.50	0.69	0.56	3.92
Income support claim withdrawn within four weeks of CSA action	10.35	13.01	11.70	12.33	12.75	13.56	16.94	14.37	105.00
Reductions in family credit or disability working allowance resulting from CSA assessments	4.00	4.16	3.52	3.78	3.32	4.33	5.09	4.58	32.80
Housing benefit/council tax reductions resulting from CSA assessments	3.61	4.46	4.02	4.17	4.35	4.71	5.80	4.93	36.04
Total	35.43	40.07	36.98	39.18	38.59	40.79	47.28	41.89	320.21

Due to rounding, in-month figures do not necessarily sum exactly to in-month or year-to-date totals.

Ms Lynne: To ask the Secretary of State for Social Security if he will update the figures on revenue collected by the Child Support Agency in his answer of 29 November 1995, *Official Report*, columns *742–43*, with reference to the latest available data and indicating for each month since 1995, *(a)* the amount of revenue demanded attributable to type A interim assessments and *(b)* the amount offsetting state funds. [9965]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from A. Chant to Ms Liz Lynne, dated 20 January 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about that element of child support maintenance that is paid via the Agency.

The available information on maintenance scheduled for payment and collected by the Agency is set out in the attached table, together with how much of the maintenance collected by the Agency each month has offset benefit spending.

In addition, between October 1995 and March 1996, £76.89 million arising from Agency assessments was paid directly between parents who do not use the Agency's collection service. The figure for the current financial year, to the end of November 1996, is £95.68 million.

Information on the amount of revenue attributable to Type 'A' interim maintenance assessments is not currently available.

I hope this is helpful.

Annex A: Maintenance scheduled for payment and collected by the agency

£ million

	Assessed and scheduled for payments via Agency collection service	*Paid via Agency collection service*	*Amount collected via Agency which offsets benefit spending*
1995–96			
October	39.63	11.81	4.67
November	39.30	11.86	6.68
December	45.55	11.22	5.24
January	38.41	14.89	7.98
February	38.21	13.69	5.88
March	33.93	14.85	7.51
Total, October 1995 to March 1996	235.03	78.32	37.96
1996–97			
April	39.44	16.80	7.12
May	43.01	18.42	7.57
June	34.28	17.15	7.33
July	36.04	19.67	8.09
August	37.64	19.15	7.22
September	33.46	19.67	7.80
[1]October	24.49	21.50	8.88
November	20.52	21.67	7.88
Total, year to date 1996–97	268.88	[2]154.03	61.89

[1] From October 1996 the functionality of Child support computer system was enhanced; figures no longer include suspended maintenance amounts.

[2] Excludes amounts for unobligated, unassigned and future pay.

Cold Weather Payments

Sir Peter Fry: To ask the Secretary of State for Social Security how many cold weather payments have been made during the recent cold spell to recipients in Northamptonshire. [11786]

Mr. Roger Evans: The administration of the social fund is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Sir Peter Fry, dated 20 January 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question requesting information on how many Cold Weather Payments have been made during the recent cold spell to recipients in Northamptonshire.

The information is not available in the format requested. Statistics are kept for Benefits Agency (BA) Districts and not by regions. The Northamptonshire District consists of the BA offices at Northampton, Corby and Wellingborough.

During the recent cold spell 51,611 automatic payments were issued to those customers covered by the Northamptonshire District.

I hope you find this reply helpful.

TRADE AND INDUSTRY

Fireworks

Mr. Burden: To ask the President of the Board of Trade if he will list the meetings he held between 21 November and 19 December 1996 with individuals and organisations making representations for or against proposals to ban aerial shells and similar fireworks from general sale to the public. [11041]

Mr. John M. Taylor *[holding answer 16 January 1997]:* In addition to considering a large volume of representations relating to aerial shells, I met two representatives form the firework industry between 21 November and 19 December.

Carpet Sales (Measurement)

Mr. Keen: To ask the President of the Board of Trade when he introduced legislation requiring carpets to be sold only by the square metre. [11770]

Mr. John M. Taylor: The Price Marking Order 1991 was amended in 1994 by the Price Marking (Amendment) Order 1994 to require the unit price of products sold by area to be given by reference to the square metre. The unit price may also be given in imperial units, provided that they are not displayed more prominently than the metric units.

Out-of-town Supermarkets

Mr. Harvey: To ask the President of the Board of Trade what assessment he has made of the impact on small,independent traders of the increase in the number of out-of-town supermarkets. [11957]

Mr. Page: The number of small retailers has declined in recent years, with some of this reduction being the result of the increase in out-of-town shopping facilities.

However, the Government have taken steps to assist small retailers in many ways, including through tougher retail planning policy guidelines, help with inner-city regeneration and security such as closed circuit television, and the general measures of deregulation and support for small firms. Many small retailers have also shown that they are able to compete and succeed in competition with bigger retailers.

Telecommunications

Mr. Michael Brown: To ask the President of the Board of Trade what proposals he has to implement a telecommunications key escrow in the United Kingdom. [12018]

Mr. Ian Taylor: As stated in my answer to my hon. Friend the Member for Worcester (Mr. Luff) on 10 June 1996, *Official Report*, columns *13–14*, I published a paper outlining Government policy on the provision of encryption services on public networks.

Officials within my Department are currently preparing a more detailed consultation paper which we intend to publish early this year. A consultation period will precede proposals for legislation.

EU Funding

Mrs. Currie: To ask the President of the Board of Trade if he will list the total payments made to the UK under the European Union's European regional development fund and the European social fund in each year since 1988. [11789]

Mr. Greg Knight *[holding answer 20 January 1997]:* Payments made to the UK under the European Union's European regional development fund and European social fund in each year since 1988 are shown in the table.

£ million

Year	*ERDF*	*ESF*
1988	369	272
1989	347	406
1990	440	225
1991	370	618
1992	556	437
1993	425	589
1994	608	321
1995	436	756
1996[1]	822	805

[1] 1996 figures are forecasts, earlier years are outturn.

Inward Investment

Sir John Stanley: To ask the President of the Board of Trade what estimate he has made of the number of jobs that have been created directly and indirectly as a result of direct inward investment into the United Kingdom since 1979, or since some later date in respect of which an estimate can be made. [11490

Mr. Greg Knight *[holding answer 17 January 1997]:* According to figures notified to my Department's Invest in Britain Bureau for the financial years 1979 to 1996, over 366,000 new jobs are associated with decisions to invest in the UK. The Department does not have complete and accurate information on the additional number of indirect jobs created as a result of inward investment over this period.

WALES

Grants to Businesses

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will list the value of grants awarded to *(a)* inward investors, *(b)* existing indigenous Welsh companies and *(c)* new indigenous Welsh companies in the last three years for each constituency in Wales; and if he will make a statement. [11184]

Mr. Hague: The information is not available in the form requested. Regional selective assistance is the main form of grant aid available for companies wishing to pursue investment projects in Wales. The following table lists the value of RSA grant paid to United Kingdom owned and foreign owned companies between January 1994 and December 1996, for those constituencies which lie either wholly or partly within the assisted area. The figures include residual grant payments to projects which are located in area which are no longer assisted, following the revision of the assisted area map in August 1993.

Constituency	*Value of RSA payments (£)* *UK owned*	*Foreign owned*
Aberavon	732,591	2,545,000
Alyn and Deeside	5,489,725	4,497,500
Blaenau Gwent	9,482,655	3,156,425
Brecon and Radnor	1,000,259	—
Bridgend	685,500	1,710,000
Caernarfon	541,500	280,000
Caephilly	5,407,500	1,402,500
Cardiff Central	2,237,095	1,370,000
Cardiff North	551,696	125,000
Cardiff South and Penarth	678,220	12,000
Cardiff West	27,500	—
Carmarthen	253,000	—
Ceredigion and Pembroke North	171,000	587,500
Clwyd North West	3,016,500	—
Clwyd South West	502,800	1,753,095
Conwy	358,000	86,000
Cynon Valley	2,017,730	410,760
Delyn	3,779,135	2,095,000
Gower	80,945	1,840,956
Islwyn	2,538,000	12,227,210
Llanelli	1,183,320	1,981,668
Meirionnydd Nant Conwy	351,000	540,000
Merthyr Tydfil and Rhymney	4,076,986	2,498,000
Monmouth	650,000	1,479,500
Neath	1,206,738	1,500,000
Newport East	4,363,690	3,488,000
Newport West	585,000	612,000
Ogmore	3,926,820	9,271,250
Pembroke	1,075,875	329,500
Pontypridd	5,482,750	9,824,286
Rhondda	2,316,500	232,500
Swansea East	1,539,258	193,000
Swansea West	836,500	863,000
Torfaen	4,857,500	1,089,000
Vale of Glamorgan	205,313	6,172,000
Wrexham	3,737,176	3,195,000
Ynys Mon	3,388,500	1,516,030
Total	79,334,277	78,883,680

Other forms of financial assistance are available, including Mid Wales Development grant which is administered by local authorities in the area covered by the Development Board for Rural Wales.

Meningitis

Mr. Jon Owen Jones: To ask the Secretary of State for Wales (1) how many cases of (i) A, (ii) B, (iii) C and (iv) Y-type meningitis were diagnosed in Wales last year; and how many were fatal; [9758]

(2) how many cases of (i) A, (ii) B, (iii) C and (iv) Y-type meningitis within the Bro Taf health authority area *(a)* were diagnosed last year, *(b)* have occurred in the current year to date and *(c)* were fatal in each year. [9759]

Mr. Hague: A total of 251 cases of meningococcal disease were reported to the communicable disease surveillance centre, Wales in 1996, of which 138 were meningococcal meningitis and 113 were meningococcal septicaemia.

Data from the meningococcal reference laboratory on the typing of cases from Wales are available only to 12 December 1996. They are shown in the following table for the 115 samples which were referred.

Meningococcal Reference Laboratory (Manchester PHL) data reported to CDSC Colindale for isolates of Neisseria meningitidis from Wales (to 12 December 1996)

Organism	*Number*
Type A	0
Type B	68
Type C	42
Type Y	1
Other	4
Unknown	0
Total	115

Ninety-seven cases of meningitis and meningococcal septicaemia were reported to Bro Taf health authority between 1 January 1996 and 8 January 1997 as shown in the following table.

Cases of meningitis and meningococcal septicaemia in Bro Taf 1 January 1996 to 8 January 1997

Type	*Number*
Group A—laboratory data	0
Group B—laboratory data	8
Group C—laboratory data	4
Ungrouped	16
Unknown	69
Total	97

1. Data from Bro Taf health authority infection control unit.
2. Laboratories and clinicians are encouraged to report promptly, before sub-typing is necessarily known.
3. In some cases sub-typing is not possible.
4. Data for period 1 January 1996 to 31 March 1996 are combined data for Mid and South Glamorgan health authorities.

Laboratories do not know whether a case has resulted in fatality. Fatalities would normally be around 10 per cent. of cases. However, data notified to the Office for National Statistics based on death certificates report one death in 1995 and one during the period January to June 1996.

The latest available Office for National Statistics data, taken from death certificates, are as follows:

Fatalities from meningococcal infection (including meningococcal meningitis and meningococcal septicaemia)

Year	*Bro Taf*	*Wales*
1995	2	8
1996 to end June	0	5

North Wales Cancer Treatment Centre

Mr. Hanson: To ask the Secretary of State for Wales (1) what plans he has to meet representatives of the North Wales health authority to discuss revenue funding for the proposed north Wales cancer treatment centre; [11207]

(2) what assessment he has made of the ability of North Wales health authority to fund the revenue costs of the proposed cancer treatment centre. [11205]

Mr. Gwilym Jones: My right hon. Friend has no plans to meet the health authority. Welsh Office officials are discussing revenue funding with the health authority and an announcement will be made shortly.

North Wales Ambulance Service

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the performance targets set for the North Wales Ambulance Service. [11670]

Mr. Gwilym Jones: The standard set for Conwy, Gwynedd and the Isle of Anglesey is that in response to a 999 call an emergency ambulance should arrive at the scene of the incident within eight minutes for 50 per cent. of calls and within 21 minutes for 95 per cent. The corresponding times for Denbighshire, Flintshire and Wrexham are eight minutes and 18 minutes.

GP Fundholders

Mr. Barry Jones: To ask the Secretary of State for Wales what is the percentage of general practitioners who are fundholders in Wales; and if he will make a statement. [11673]

Mr. Gwilym Jones: Fifty-two per cent. of general practitioners in Wales are fundholders covering 52 per cent. of the population.

CHURCH COMMISSIONERS

Clergy (Full Incumbents)

Mr. William Powell: To ask the right hon. Member for Selby, representing the Church Commissioners, how many clergy enjoying full incumbent status are aged *(a)* over 70 years and *(b)* over 80 years. [11073]

Mr. Alison: At 31 December 1996, there were 31 ministers of incumbent status aged 70 or over, of whom 12 were aged 80 or over.

Suffragan Bishops

Mr. William Powell: To ask the right hon. Member for Selby, representing the Church Commissioners if he will list *(a)* those suffragan bishops for whose salaries the

commissioners are responsible, with their dates of appointments, *(b)* such suffragan sees as are currently vacant and *(c)* those assistant bishops for whose salaries the commissioners are responsible. [11071]

Mr. Alison: The suffragan and full-time assistant bishops whose stipends the commissioners are empowered to pay and their dates of appointment are as follows:

See	*Suffragan see*	*Bishop's name*	*Date of appointment*
Birmingham	Aston	John Austin	3 September 1992
Blackburn	Burnley	Martyn Jarrett	2 February 1994
	Lancaster	John Nicholls	25 April 1990
Bristol	Swindon	Michael Doe	29 September 1994
Canterbury	Dover	Richard Llewellin	9 October 1992
	Maidstone	Gavin Reid	9 October 1992
	Ebbsfleet	John Richards	29 April 1994
	Richborough	Edwin Barnes	20 July 1995
Carlisle	Penrith	Richard Garrard	21 September 1994
Chelmsford	Barking	Roger Sainsbury	17 January 1991
	Colchester	Edward Holland	5 January 1995
	Bradwell	Laurie Green	23 February 1993
Chester	Birkenhead	Michael Langrish	2 March 1993
	Stockport	Geoffrey Turner	21 September 1994
Chichester	Horsham	Lindsay Urwin	30 November 1993
Coventry	Warwick	Anthony Priddis	3 July 1996
Derby	Repton	Henry Richmond	30 January 1986
Durham	Jarrow	Alan Smithson	21 September 1990
Ely	Huntingdon	John Flack	8 January 1997
Exeter	Crediton	Richard Hawkins	2 July 1996
	Plymouth	John Garton	3 July 1996
Glucester	Tewkesbury	John Went	25 January 1996
Gildford	Dorking	Ian Brackley	25 January 1996
Hereford	Ludlow	John Saxbee	29 April 1994
Lichfield	Shrewsbury	David Hallatt	22 July 1994
	Stafford	Christopher Hill	7 March 1996
	Wolverhampton	Michael Bourke	29 September 1993
Lincoln	Grantham	William Ind	23 October 1987
	Grimsby	David Tustin	25 January 1979
Liverpool	Warrington	John Packer	13 November 1996
London	Fulham	John Broadbent	25 September 1996
	Kensington	Michael Colclough	25 September 1996
	Stepney	John Sentamu	25 September 1996
	Willesden	Graham Dow	22 May 1992
	Edmonton	Brian Masters	20 December 1984
Manchester	Hulme	Colin Scott	13 September 1984
	Middleton	Stephen Venner	2 February 1994
	Bolton	David Bonser	13 September 1991
Newcastle	Assistant Bishop	Kenneth Gill	1 September 1980
Norwich	Lynn	David Conner	2 February 1994
	Thetford	Hugo de Waal	17 January 1992
Oxford	Buckingham	Colin Bennetts	29 April 1994
	Dorchester	Anthony Russell	2 February 1988
Peterborough	Brixworth	Paul Barber	25 January 1989
Ripon	Knaresborough	Malcolm Menin	2 December 1986
Rochester	Tonbridge	Brian Smith	2 November 1993
St. Albans	Bedford	John Richardson	23 February 1994
	Hertford	Robin Smith	25 January 1990
St. Edmunds and Ipswich	Dunwich	Tim Stevens	17 November 1995
Salisbury	Ramsbury	Peter Vaughan	21 April 1989
	Sherborne	John Kirkham	1 December 1976
Sheffield	Doncaster	Michael Gear	2 March 1993
Southwark	Kingston	Martin Wharton	3 November 1992
	Woolwich	Colin Buchanan	1 December 1996
	Croydon	Wilfred Wood	25 July 1985
Southwell	Sherwood	Alan Morgan	1 September 1989
Truro	St. Germans	Graham James	23 February 1993
Wakefield	Pontefract	John Finney	14 May 1993
Winchester	Basingstoke	Geoffrey Rowell	2 February 1994
	Southampton	Jonathan Gledhill	20 November 1996
Worcester	Dudley	Rupert Hoare	29 September 1993
York	Hull	James Jones	2 November 1994
	Selby	Humphrey Taylor	1 September 1991
	Whitby	Gordon Bates	9 June 1983
	Beverley	John Gaisford	7 March 1994
Europe	in Europe	Henry Scriven	9 February 1995

The following suffragan sees are currently vacant, one of which will be filled by the person named:

See	*Suffragan See*	*Bishop's name*
Bath and Wells	Taunton	Not yet announced
Chichester	Lewes	Not yet announced
Oxford	Reading	Canon Dominic Walker

Bishops (Expenses)

Mr. Simon Hughes: To ask the right hon. Member for Selby, representing the Church Commissioners, what has been the Church Commissioners' expenditure for the payment of bishops' capital expenses in each year since 1986. [10948]

Mr. Alison: The following figures for diocesan bishops' houses, which include both a chapel and office accommodation for bishops' staff, show the total capital expenditure, excluding fees, from 1986 to 1995, the last year for which figures are currently available. The figures, at December 1995 prices, are net of sale proceeds of any surplus property and also include the purchases of property where appropriate.

As suffragan and full-time assistant bishops' houses are owned by diocesan boards of finance full details of all capital expenditure are not available, but capital grants made by the commissioners are shown.

	1986	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Diocesan bishops	482,087	706,433	494,322	469,947	645,155	660,897	314,192	480,653	732,103	678,457
Suffragan and full-time assistant bishops	136,160	427,608	204,161	684,680	591,468	80,323	2,557	3,815	31,113	27,202

No new moneys were made available for grants for the housing of suffragan and full-time assistant bishops from 1991.

Mr. Hughes: To ask the right hon. Member for Selby, representing the Church Commissioners, what has been the Church Commissioners' expenditure for the payment of bishops' revenue expenses in each year since 1986. [10949]

Mr. Alison: The table shows the total revenue expenditure from 1986 to 1995, the last date for which figures are currently available, at December 1995 prices. The figures for diocesan bishops' houses include expenditure on furnishings and gardens, but exclude fees and are net of rental income for accommodation not occupied by bishops.

The figures for suffragan and full-time assistant bishops' houses show half of the total expenditure on periodical outgoings e.g. rates, insurance and repairs, the other half of which were borne by dioceses.

The figures for bishops' administrative costs include their working expenses and staff salaries and pensions, as well as support for the archbishops' appointments secretary, the clergy appointments adviser, the archbishops' adviser for bishops' ministry and the bishops' officer for urban priority areas.

	1986	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Diocesan bishops	1,438,666	1,325,950	1,482,657	1,316,418	1,616,873	1,661,259	1,405,465	1,487,894	1,744,283	1,417,489
Suffragan and full-time assistant bishops	172,761	124,340	179,326	189,973	172,698	126,810	113,048	187,134	154,205	206,745
Bishops' administrative costs	4,724,549	5,121,197	5,439,570	5,565,365	6,278,517	6,718,993	6,785,396	7,060,791	7,199,430	7,414,000

PRIME MINISTER

Bletchley Park

Mr. Peter Bottomley: To ask the Prime Minister if he will make a statement on the current ownership of Bletchley park. [12031]

The Prime Minister: The freehold of Bletchley park is owned in part by the Secretary of State for the Environment and in part by British Telecommunications.

Sellafield

Mr. Meacher: To ask the Prime Minister when he was first notified of the current proposals by UK Nirex Ltd. to build a rock characterisation laboratory near Sellafield. [11915]

The Prime Minister: I was made aware of the proposals in September 1992. UK Nirex Ltd. made them public in October 1992 when it published a consultative document outlining the rock characterisation facility concept.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 21 January. [10662]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 21 January. [10663]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today.

Nuclear Tests

Dr. David Clark: To ask the Prime Minister how much money to date has been paid to the Australian Government in compensation for the nuclear testing carried out by the United Kingdom in the 1950s; what work Her Majesty's Government are currently carrying out with the Australian authorities in this area; and if he will make a statement. [11455]

The Prime Minister: No such compensation has been paid. In 1968, Australia signed an agreement with the UK confirming that the clean-up of all test sites had been completed satisfactorily. However, in the interests of wider Anglo-Australian relations, in 1993, the UK agreed to make an ex gratia payment of £20 million, and now regards the matter as closed.

Ministerial Visits

Mr. Ainger: To ask the Prime Minister if he will list the dates he has visited Wales since 10 April 1992 in his official capacity. [12098]

The Prime Minister: I have visited Wales on official business on the following occasions since 10 April 1992:

3–4 September 1992

11 June 1993

28 October 1994

13–14 June 1996

In addition to these, I have visited Wales on a number of occasions.

HEALTH

Performance Targets (Ambulance Services)

11. **Ms Walley:** To ask the Secretary of State for Health if he will make a statement on the performance targets set for ambulance services. [10366]

Mr. Horam: The patients charter standard is that a person dialling 999 for an ambulance can expect it to arrive within 14 minutes in an urban ambulance service area or 19 minutes in a rural service area. In 1992–93 ambulances reached 2 million calls within the patients charter target, and by 1995–96 this had increased to some 2.6 million, which is 91.4 per cent. of emergency calls.

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Coventry, South-East (Mr. Cunningham) on 3 December 1996, *Official Report*, column *642*.

Evidence-based Medicine

25. **Mr. Whittingdale:** To ask the Secretary of State for Health what measures he is taking to promote evidence-based medicine; and if he will make a statement. [10380]

Mr. Malone: The improvement of the clinical and cost-effectiveness of national health service services is a priority for the NHS as set out in the annual priorities and planning guidance. The NHS strategy White Paper, "A Service with Ambitions" reinforces the Government's commitment to support the NHS in bridging the gap between research findings and routine clinical practice.

Executive letter (96)110 about "Improving the effectiveness of clinical services" was sent to all health authorities and NHS trusts in December 1996. Copies have been placed in the Library.

Fundholders (Northamptonshire)

26. **Sir Peter Fry:** To ask the Secretary of State for Health if he will list the number of fundholding general practices in Northamptonshire in each year since fundholding commenced. [10381]

Mr. Malone: The available information on the number of fundholding practices in Northamptonshire is:

Fundholding practices in Northamptonshire FHSA[1] at 1 April

Year	*Number of fundholding practices*
1991	3
1992	11
1993	16
1994	16
1995	21
1996	34

[1] Northamptonshire health authority from 1 April 1996.

Emergency Call Services

27. **Lady Olga Maitland:** To ask the Secretary of State for Health what estimate he has made of the number of lives which could be saved every year through prioritisation of emergency 999 calls. [10382]

Mr. Horam: The steering group on ambulance performance standards suggested that prioritisation of 999 calls could help to save the lives of an additional 3,200 cardiac arrest victims a year.

Haemophiliacs

28. **Mr. John Marshall:** To ask the Secretary of State for Health what representations he has received about creating a hardship fund for haemophiliacs infected with hepatitis C. [10383]

Mr. Horam: Since my answer to my hon. Friend on 5 December 1995, *Official Report*, columns *130-31*, representations have included six parliamentary questions and three early-day motions. There have also been two debates in this House. In addition, Ministers have received 334 letters, one of which included a petition.

West Middlesex University Hospital

29. **Mr. Jessel:** To ask the Secretary of State for Health if he will make a statement on the progress of the scheme to rebuild the West Middlesex university hospital. [10384]

Mr. Horam: Progress on this scheme is a matter for the West Middlesex University Hospital national health service trust. The NHS executive is awaiting the full business case from the trust.

Paramedics

Mr. Steinberg: To ask the Secretary of State for Health if he will list by region the number of qualified paramedics per head of population. [8077]

Mr. Malone: The information requested is in the table. These figures are based on the number of ambulance paramedics recorded by the Department of Health's September 1995 non-medical work force census—the first year in which ambulance paramedics were separately identified in the census.

The regional figures shown in the table should be interpreted with caution because the population figures take no account of the relative needs of the people within each region and in some cases the population served by organisations within a particular region can be greater than the population of the region itself.

NHS Hospital and Community Health Service ambulance paramedics per 10,000 head of population by NHS executive regional office areas; England 1995

	Ambulance paramedics per 10,000 head of population
England[1]	1.23
Northern and Yorkshire	1.17
Trent	0.77
Anglia and Oxford	0.86
North and South Thames[1, 2]	1.27
South and West	1.65
West Midlands	1.13
North West	1.48

[1] Based on revised figures. The Department of Health's statistical bulletin: NHS hospital and community health services non-medical staff in England 1985–1995, reported that there were 6,760 ambulance paramedics in England at September 1995. However, subsequent investigation shows that figures for the London Ambulance Service included staff with partial paramedic training. With these staff excluded, there were 6,000 paramedics at September 1995.

[2] Figures for North and South Thames NHS executive regional office areas have been combined to allow the inclusion of figures for the London Ambulance Service.

Transmissible Spongiform Encephalopathy

Mr. Llew Smith: To ask the Secretary of State for Health if he will list, for each year his Department has sponsored research into transmissible spongiform encephalopathy, *(a)* the number of projects sponsored, *(b)* the resources committed to the research and *(c)* the number of publications arising from the research; and if he will place in the Library a list of titles of all published conferences, research papers, monographs and other

research reports on transmissible spongiform encephalopathy produced by or on behalf of his Department. [10627]

Mr. Horam: The Department of Health and the Scottish Office department of health jointly fund the national Creutzfeldt-Jakob disease surveillance unit in Edinburgh, which was set up in 1990. To date, expenditure on the unit has totalled some £1.4 million and future needs are being reviewed. The unit published an annual report, copies of which are available in the Library.

Since 1993, the Department of Health has spent £0.5 million on research into transmissible spongiform encephalopathy. A list of projects which have received funding from the Department of Health up to 16 January 1997 is shown in the table. A new strategy for research and development into the human health aspects of TSEs has been developed since March 1996. Details were published on 11 November and have been placed in the Library.

The directed programmes of relevant funders are being commissioned against the strategy, for which the Department of Health plans to make £9.5 million available over the next three years. A joint Medical Research Council-Department of Health call for proposals was advertised in the academic press in May 1996. Projects successful after shortlisting by the DH/MRC TSE research advisory group have been invited to submit full proposals, some of which have been approved and are on the point of being funded.

A list of Government publications on TSEs has been placed in the Library. All researchers are expected to publish the results of their work but, in view of the long time scale of TSE research, it may be some time before projects which are current or just getting under way will be in a position to publish.

Transmissible Spongiform Encephalopathies
Research projects sponsored by the Department of Health
(as at 16 January 1997)

Project title	*Financial years covered*	*Resources committed* £
Autoclave decontamination standards for SE agents	1993–94 to 1995–96	339,886
Molecular genetic studies of the human prion protein gene	1995–96 to 1998–99	281,000
Strain characterisation of the Creutzfeldt-Jakob disease by transmission to mice	1995–96 to 1998–99	62,757
Transmission of CJD to mice	1996–97 to 2000–01	890,868

Osteopaths Act 1993

Sir Ivan Lawrence: To ask the Secretary of State for Health what action has so far been taken to implement the provisions of the Osteopaths Act 1993; and if he will make a statement. [10964]

Mr. Horam: My right hon. Friend the Secretary of State for Health announced the designate membership of the General Osteopathic Council on 31 January 1996, *Official Report*, column *812*. On Tuesday 14 January 1997, following completion of preliminary work by the designate General Osteopathic Council, the first commencement order to be made under the Osteopaths Act 1993 appointed for the commencement of provisions formally bringing the General Osteopathic Council into being. On the same day, the Privy Council formally appointed the osteopathic and lay members, and three of the four education members of the council, and my right hon. Friend the Secretary of State for Education and Employment formally appointed the fourth education member.

The chairman and members are now embarking on the programme of work necessary to enable the statutory register of osteopaths to open in early 1998.

Those appointed are as follows:

Chairman (lay member): Mr. Simon Fielding OBE

Osteopathic members (all practising osteopaths):

Dr. John G. Armitstead MA MRCP (UK) DO

Mr. John B. Barkworth DO

Miss Susan Farwell DO

Mr. Gerry Gajadharsingh DO

Mr. Maurice Hills DO

Mrs. Jane Langer DO

Mr. John Lant DO

Mrs. Susan Pawsey MSc DO

Mr. John Roberts MSc DO

Mr. Phillip Tanswell DO

Mr. Nicholas Woodhead DO

Education members:

Mr. Jonathan Hobbs DO

Mr. Gregory Sharp DO

Miss Sarah Wallace DO

Dr. Brian Jolly BSc MA(Ed) PhD

Lay members:

Mr. T. Nigel Clarke BA (Hons): Director, GLW Government Relations, and Chairman Notiondouble Ltd.

Mr. Alan Kershaw BA (Hons) MA: assistant registrar, General Medical Council

Mrs. Rita Lewis MSc(Econs): health policy consultant/lecturer, member of UKCC

Mr. David Phillips OBE BDS: dental director and secretary, the Medical Protection Society Ltd.

Mrs. Deborah Todman LLB(Hons) MRAD: barrister

Mr. Alan Lettin BSc MS FRCS: vice-president of the Royal College of Surgeons of England, and a consultant orthopaedic surgeon.

Beta Interferon

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will list the health authorities' funding allocation for the provision of beta interferon *(a)* in September 1996 and *(b)* at the latest available date. [11016]

Mr. Malone: No such allocations have been made. The costs of prescribing beta interferon are expected to be met from within health authority general allocations, having regard to local priorities.

School Milk

Ms Walley: To ask the Secretary of State for Health if he will meet the school milk campaigners to discuss the "Hunger Within" report. [11603]

Mr. Horam: Officials met representatives of the school milk campaign on 22 October 1996 when aspects of the then forthcoming report were discussed. The SMC is in regular correspondence with the Department and with my colleagues from the Department for Education and Employment and the Ministry of Agriculture, Fisheries and Food. SMC is aware of the Government's position and a further meeting at this stage is not planned.

Behaviourally Disturbed Young People

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health if he will ensure the representation of *(a)* his Department and *(b)* the chief medical officer's office at the meeting arranged under the auspices of the British Association for Psychopharmacology in London on 27 January regarding prescription of medicine for behaviourally disturbed young people; and if he will make a statement. [11510]

Mr. Burns: This will depend on the availability of relevant officials. The Department arranges to keep in touch with all meetings on professional matters of significant concern.

Mr. Jones: To ask the Secretary of State for Health what plans he has to improve the detection rate of children suffering from attention deficit hyperactivity disorder by child psychiatrists and paediatricians; and if he will make a statement. [11508]

Mr. Burns: Matters concerning clinical performance and effectiveness are for the bodies—including the royal colleges—responsible for professional training, accreditation and development programmes and for clinical audit at local level. The Department has funded and supported a number of initiatives aimed at highlighting the importance of identifying and treating attention deficit hyperactivity disorder.

Child Care Facilities

Mr. Allen: To ask the Secretary of State for Health if Ministers are entitled to use child care facilities supported by his Department. [11590]

Mr. Horam: Ministers of the Crown are able to make use of the child care facilities provided by the Department.

Speech Therapy Services (East London)

Ms Gordon: To ask the Secretary of State for Health (1) what research his Department has evaluated into the speech therapy requirements of the east London area in respect of ensuring equity of service provision within the area; [11484]

(2) what is the total budget for speech therapy services in *(a)* Tower Hamlets, *(b)* Newham and *(c)* City and Hackney. [11485]

Mr. Burns: Assessment of need and the allocation of funding are matters for the health authorities concerned. We do not hold details centrally.

Prescribed Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for Health how much cannabis in *(a)* tincture and *(b)* other forms was prescribed by qualified medical practitioners in each year from 1967 to 1970. [11526]

Mr. Malone: The information requested is not available.

GP Prescription List

Mr. Nigel Griffiths: To ask the Secretary of State for Health what period of notice was given to GPs in England and Wales in respect of the deadline for comments on the recent list of drugs to be removed from GP prescription; how many representations were received; and what discussions his officials have had with the British Medical Association about the period of notice. [11320]

Mr. Malone: On 25 November 1996, a press release was issued announcing consultation on recommended changes to the list of products which general practitioners may not prescribe on the national health service. Comments were invited by 9 January 1997. About 200 representations have been received in response. A copy of the press release was sent to the General Medical Services Committee of the British Medical Association and to the Royal College of General Practitioners. There have been no discussions with the BMA about the period of notice. In responding to the proposals, the BMA has asked us to notify GPs as soon as possible of any changes which may be made to the list of non-prescribable items.

Nutrition

Ms Walley: To ask the Secretary of State for Health what assessment he has made of the findings of the Southampton university health education report, "Children Who Have No Breakfast"; and if he will make a statement. [11602]

Mr. Horam: We have not seen the report referred to. We are aware of work from Southampton university addressing the number of children who do not eat a nutritious breakfast. Breakfast can make an important contribution to the nutritional requirements of both adults and children as part of a healthy balanced diet.

Agency Nurses

Mr. Sheerman: To ask the Secretary of State for Health (1) what checks his Department conducts on the qualifications of agency nursing personnel; [11709]

(2) what assistance his Department gives to *(a)* hospital trusts and *(b)* health authorities in checking the qualifications of agency nursing staff. [11708]

Mr. Malone: This is a matter for local managers.

Multiple Sclerosis

Mr. Gordon Prentice: To ask the Secretary of State for Health when the proposed study on the outcome measures for MS will begin. [11879]

Mr. Malone: A final decision on starting this study will be made once a satisfactory protocol for outcome measures has been finalised.

Asthma

Mr. Chris Smith: To ask the Secretary of State for Health if he will list the *(a)* incidence and *(b)* prevalence of asthma (i) by region and (ii) nationally in each of the last five years. [12041]

Mr. Horam: This information is not available. The best available information was brought together in "Asthma: An Epidemiological Overview", produced by the central health monitoring unit of the Department of Health and published in March 1995. Copies were placed in the Library.

Public Health Laboratory Service

Mr. Chris Smith: To ask the Secretary of State for Health when he plans to publish the report on the future of the public health laboratory service. [12043]

Mr. Horam: It is not the Government's practice to publish prior options review reports. However, my right hon. Friend the Secretary of State for Health will make an announcement to the House on the outcome of the public health laboratory service review as soon as it has been agreed with ministerial colleagues, following which he will lodge a memorandum in the Library.

Dioxin Emissions

Mr. Martyn Jones: To ask the Secretary of State for Health what assessment he has made of the health hazards associated with dioxin emissions; and if he will make a statement. [10423]

Mr. Horam: The expert advisory Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment has reviewed the toxicology of dioxins on a number of occasions. A tolerable daily intake for dioxins of 10 picograms per kilogram of body weight per day was set in by the committee in 1991. Following a United States Environmental Protection Agency draft report on dioxins in September 1994, COT reviewed all the available data and concluded that the new information continued to support its earlier advice and the TDI remained unchanged.

The results of the first review on dioxins were reported in "Pollution Paper No. 27: Dioxins in the Environment"—HMSO: London, 1989. Pollution papers are available in the Library.

Food Poisoning

Mr. Martyn Jones: To ask the Secretary of State for Health what assessment he has made of the recent Ecoli epidemic; what plans he has to introduce new measures to prevent such epidemics; and if he will make a statement. [10424]

Mr. Horam: An assessment of the outbreak in Scotland is being made by an expert group under the chairmanship of Professor Pennington. I refer the hon. Member to the statement made to the House by my right hon. Friend the Secretary of State for Scotland on 15 January 1997, *Official Report*, columns 323–26.

Mr. Jones: To ask the Secretary of State for Health what estimate he has made of the annual number of cases of food poisoning in each year since 1980; and if he will make a statement. [10463]

Mr. Horam: The number of cases of food poisoning notified to the Office for National Statistics is published in "Series MB2 Communicable Disease Statistics", copies of which are available in the Library.

Edgware General Hospital

Mr. Dykes: To ask the Secretary of State for Health, pursuant to the letter from the hon. Member for Harrow, East sent to him on 6 December, if he will invoke his powers under National Health Service Acts to secure from the Barnet district health authority an extension of the range of emergency services available at Edgware general hospital, in accordance with the terms of his written undertaking to the hon. Members for Hendon, North (Sir J. Gorst) and for Harrow, East submitted on 11 June; and if he will place a copy of this letter in the Library. [10537]

Mr. Dorrell: I do not intend to publish private and confidential correspondence between myself and hon. Members; I have no intention of using my reserve powers under the National Health Service Acts in respect of current proposals for Edgware hospital; I believe that the decisions reached by Barnet health authority at a meeting on 25 September 1996 reflect the real commitment of the NHS to respond to the concerns of the people of Edgware.

Life Expectancy

Mr. Harry Greenway: To ask the Secretary of State for Health to what extent life expectancy has changed since 1979. [10661]

Mr. Horam: Life expectancy at birth in England has increased in men from 70.4 years in 1979 to 74.3 years in 1995 and in women from 76.4 years in 1979 to 79.6 years in 1995.

GP-prescribed Drugs

Mr. Cousins: To ask the Secretary of State for Health if he will list the expenditure on general practitioner-prescribed *(a)* tranquilisers and *(b)* anti-depressants in each health district in England over the last three years and for the half year to October 1996 in cash terms as expenditure per head of resident population in each district. [11612]

Mr. Malone: I refer the hon. Member to the reply I gave him on 22 July 1996, *Official Report*, column *112*. Information before 1995–96 is not held and available information for the half year to September 1996 will be placed in the Library.

Suicides

Mr. Cousins: To ask the Secretary of State for Health how many suicides occurred in *(a)* each health district in England, and *(b)* NHS institutions in the last three complete years, and for the half year to October 1996; and if he will express these figures as a rate per head of the population. [11616]

Mr. Burns: Details of the number of suicides in *(a)* each health district in England and *(b)* NHS facilities in the last three complete years will be placed in the Library. Data for the first half of 1996 are not yet

available. For *(b)* it is not possible to calculate population rates because there are no hospital populations available to use as denominators.

Ambulance Trusts (Staff)

Ms Jowell: To ask the Secretary of State for Health how many *(a)* paramedics, *(b)* technicians and *(c)* staff in total were employed by ambulance trusts in each of the last five years. [8505]

Mr. Malone *[holding answer 12 December 1996]:* The information available centrally is shown in the table. Ambulance technicians are not separately identified in the Department of Health's annual non-medical work force census and paramedics were not separately identified until 1995—the latest year for which census information is available.

NHS hospital and community health services staff employed by ambulance trusts[1]; England as at September 1991 to 1995

Whole-time equivalents

	Number
1991	
Ambulance staff[2]	1,240
All staff	1,420
1992	
Ambulance staff[2]	4,620
All staff	5,320
1993	
Ambulance staff[2]	10,260
All staff	11,810
1994	
Ambulance staff[2]	14,960
All staff	17,160
1995	
Ambulance paramedics	5,240
All staff	17,540

Notes:

[1] Figures are based on trusts described as "ambulance trusts" in their title. Ambulance staff employed by other trusts e.g. whole district trusts or community trusts, are excluded. The figures exclude staff not employed in trusts e.g. directly managed units (including the London Ambulance Service).

[2] Ambulance staff include ambulance men and women, ambulance officers and control assistants.

Source:

Department of Health's annual non-medical work force census.

Written Answers to Questions

Wednesday 22 January 1997

HOME DEPARTMENT

Animal Experiments (Greyhounds)

Mr. Meale: To ask the Secretary of State for the Home Department if he will make a statement on the suppliers of the six greyhounds used in scientific procedures during 1995. [11298]

Mr. Sackville *[holding answer 17 January 1997]:* The establishment concerned purchased the greyhounds from racing kennels and from show breeding kennels.

Mr. Meale: To ask the Secretary of State for the Home Department how many project licences issued since 1 June 1994 under the Animals (Scientific Procedures) Act 1986 are still valid for the use of non-purpose-bred greyhounds in research. [11299]

Mr. Sackville *[holding answer 17 January 1997]:* One—for the study of osteoarthritis in greyhounds. The six dogs were purchased by the establishment concerned to form a control group and were used solely for blood sampling purposes.

Mr. Meale: To ask the Secretary of State for the Home Department how many exemptions have been granted under article 10(3) of the Animals (Scientific Procedures) Act 1986 to allow the use of non-purpose-bred greyhounds in research since 1 June 1994. [11300]

Mr. Sackville *[holding answer 17 January 1997]:* One.

Mr. Meale: To ask the Secretary of State for the Home Department how many of the greyhounds used in scientific procedures in 1995 were former National Greyhound Racing Club registered greyhounds. [11301]

Mr. Sackville *[holding answer 17 January 1997]:* I will write to the hon. Member.

Child Abuse

Mr. Thurnham: To ask the Secretary of State for the Home Department what has been the average number of convicted paedophiles released in each of the last three years, by category of conviction; and what proportion of each category have received treatment *(a)* prior to and *(b)* after release. [11711]

Mr. Maclean: From information available centrally on the release and treatment of sex offenders, separate estimates of paedophiles cannot be made with any accuracy.

Mr. Sheerman: To ask the Secretary of State for the Home Department how many convictions have been obtained in each of the last 10 years for *(a)* enticing children into prostitution and *(b)* living off the earnings of child prostitution. [11779]

Mr. Maclean: Court proceedings data collected centrally on the number of offenders convicted of living on immoral earnings do not identify the age of the prostitute.

Available information on the number of convictions for enticing children into prostitution is given in the table:

Number of persons convicted at all courts for an offence under the Sexual Offences Act 1956 section 28[1] 1985–1995

England and Wales

	Convictions
1985	—
1986	3
1987	3
1988	1
1989	1
1990	2
1991	2
1992	—
1993	1
1994	—
1995	3

Mr. Thurnham: To ask the Secretary of State for the Home Department what proportion of convictions for paedophile offenders have related to offenders with previous convictions in the last three years. [11712]

Mr. Maclean: Estimates are available centrally from samples of offenders[1,2] convicted in 1994 and 1996. These are given in the table. However, estimates for these two years are not directly comparable[1,3]. In particular, improvements in offence recording since 1994 have made it possible to include offenders convicted of rape or buggery with a child victim in the 1996 estimates, whereas these are excluded from the 1994 figures.

Percentage of offenders convicted of a sexual offence with a child victim who had a previous conviction, by type of previous conviction and year

Type of previous conviction	*Percentage of offenders[1,2] convicted of a sexual offence with a child victim in:*	
	1994	*1996*
All offences[2]	54	52
Any sexual offence	15	18
Sexual offence with a child victim[3]	10	12

Notes:

[1] Figures are based on a sample, from the Home Office offenders index, of those sentenced in each year. For 1994, the sample comprised the court disposals in three weeks. In 1996, two weeks were selected.

[2] Convictions prior to the setting up of the offenders index in 1963 are not included, but only a small number of offenders with convictions in 1994 or later are likely to have a last previous relevant conviction in 1962 or earlier. The offences covered by the offenders index are those on the "standard list". This includes all indictable offences, including those triable either way, and some more serious summary offences.

[3] Prior to 1995, statistics supplied to the Home Office for the offences of rape and buggery did not generally indicate the age of the victim. Since 1995, this has been the case for a more limited range of offences.

Mr. Sheerman: To ask the Secretary of State for the Home Department how many police authorities in England and Wales have specific units dealing with *(a)* child pornography and *(b)* child prostitution. [11778]

Mr. Maclean: This specific information is not held centrally. Forty two police forces in England and Wales have units dedicated to work on child/family protection. Many forces also have specialised units to deal with all forms of pornography and prostitution. All forces have officers specifically trained to deal with all these issues. The allocation of staff and resources for tackling child pornography and child prostitution is an operational matter for each chief officer.

Mr. Thurnham: To ask the Secretary of State for the Home Department what is his Department's latest evaluation of the success of treatment programmes for convicted paedophiles *(a)* in prison, *(b)* in residential treatment centres and *(c)* in day centre treatment centres. [11702]

Mr. Maclean: The Prison Service has commissioned an evaluation of sex offender treatment programmes delivered in prison. The findings are due to be reported in June this year.

The findings of a Home Office evaluation of community-based sex offender treatment were published in October 1996.

These two evaluations are not concerned exclusively with the treatment of paedophiles, but a large proportion of the offenders receiving treatment fall within this category. Copies of the reports will be placed in the Library.

Immoral Earnings

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) how many convictions there have been for living on immoral earnings in each of the last 10 years; [11780]

(2) how many successful prosecutions were made against those accused of living of immoral earnings in each of the last 10 years. [11781]

Mr. Maclean: Available information is given in the table.

Number of persons prosecuted at magistrates courts and convicted[1] at all courts for offences of living on immoral earnings by type of offence 1985–95

England and Wales

	1985	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Living on earnings of prostitution or exercising control over prostitute (Sexual Offences Act 1956 Sections 30 and 31)											
Prosecutions	124	99	84	110	117	93	106	110	72	98	67
Convictions[1]	122	105	83	83	118	76	79	70	49	70	51
Man or woman living wholly or in part on the earnings of male prostitution (Sexual Offences Act 1967 Section 5(1))											
Prosecutions	9	2	4	4	1	1	1	—	1	1	4
Convictions	6	9	4	7	3	2	—	—	1	—	1

[1] Will include persons proceeded against in earlier years or for a different principal offence when committed for trial by a magistrates court.

Police Bill

Mr. Cohen: To ask the Secretary of State for the Home Department what representations he has received from the Data Protection Registrar concerning the protection for individuals in the provisions of the Police Bill; and if he will make a statement. [11346]

Mr. Maclean: The Data Protection Registrar commented on the Government's proposals for access to criminal records for employment and other purposes which were set out in the White Paper, "On the Record", and which are now being taken forward in part V of the Police Bill. She welcomed the Government's intention to put arrangements for access to criminal records for employment related purposes on a statutory footing, commented that the proposed arrangements go a long way towards setting up a framework acceptable from a data protection perspective and noted that appropriate action should be taken to discourage or prevent enforced subject access to criminal records. As indicated during Report state of the Police Bill, the Government intend to consider whether it might be possible to amend the Police Bill to prevent this practice. The Registrar has also written to the Home Office about the future role of the National Criminal Intelligence Service as our national unit for liaising with Europol.

Interception of Communications

Miss Hoey: To ask the Secretary of State for the Home Department how many complaints have been investigated by the Interception of Communications Tribunal; how many of these investigations detected a breach of the Interception of Communications Act 1985; how much compensation has been paid; and how many staff are employed by the Interception of Communications Tribunal. [12021]

Mr. Howard: The tribunal has investigated 486 complaints since the Interception of Communications Act 1985 came into force on 10 April 1986. On no occasion has the tribunal concluded that there has been a contravention of the Act; the question of compensation has not therefore arisen. The Interception of Communications Tribunal is supported by one member of staff on a part-time basis.

Police Numbers

Mr. Whittingdale: To ask the Secretary of State for the Home Department what is his estimate of the increase in police numbers in England and Wales in 1996–97; and if he will make a statement. [12540]

Mr. Maclean: It is for chief constables to decide on the allocation of their resources and the recruitment of officers. On the basis of estimates, chief constables have said that they expect police numbers to increase by around 1,000 in England and Wales in the 12 months ending March 1997. This would deliver a total of about 128,000 officers.

Mr. Merchant: To ask the Secretary of State for the Home Department what is his estimate of the numbers of police officers released for operational duties in England and Wales in 1996–97 following civilianisation. [12585]

Mr. Maclean: Chief constables have estimated that between 1 April 1996 and 31 March 1997 an additional 1,151 police officer posts will have been civilianised, enabling those officers to be released for operational duties.

DUCHY OF LANCASTER

Business Licences

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster how many different types of business licence currently exist; and if he will list them. [11809]

Mr. Freeman: A total of 365 types of business licences, licensing regimes and registrations are being looked at as part of the Government's review of business licensing. I have placed in the Library of the House a full list of these licences.

Child Care Facilities

Mr. Allen: To ask the Deputy Prime Minister what child care facilities are supported by his Department; and who is entitled to use them. [11589]

The Deputy Prime Minister: The child care facilities available within the Departments and agencies, and those entitled to use them, are as follows:

	Facilities	*Available*
Cabinet Office (OPS)	The Westminster holiday play scheme	All staff
Civil Service College	Workplace nursery	Permanent staff, students and private customers
Central Computer and Telecommunication Agency	None	—
Central Office of Information	The Westminster holiday play scheme	All staff
Property Advisors to the Civil Estate	Nursery placement	All staff
Security Facilities Executive	None	—
The Buying Agency	None	—

Departmental Public Relations Budgets

Mr. Alton: To ask the Deputy Prime Minister what are the public relations budgets for each Government Department for 1996–97; and what were the equivalent figures in 1993 and 1988. [11502]

Mr. Freeman: The information requested is not held centrally.

Public Appointments

Mr. Alton: To ask the Deputy Prime Minister how many salaried positions are currently within the gift of the Prime Minister and Ministers of the Crown. [11503]

The Deputy Prime Minister: Information is not held centrally in the form requested. However, "Public Bodies 1996", published by the Cabinet Office, Office of Public Service, shows that as at 1 September 1996, out of a total of 40,056 public appointments, 34,864 were made by HM the Queen or her Ministers. Entries for individual sponsor Departments show which public appointments are remunerated.

Scott Inquiry

Mr. Sykes: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress on the Government's response to the recommendations made by Sir Richard Scott following his inquiry into the export of arms and arms-related goods to Iraq. [12443]

Mr. Freeman: Consideration of the Government's response to all recommendations in Sir Richard Scott's report is virtually complete. A summary of the responses is set out in the table.

Issue	*Scott Report section*	*Action*
(a) Inquiry Procedures	K1	*Completed*—The Government referred Sir Richard Scott's recommendations on public inquiries to the independent Council on Tribunals, following a period of public consultation. The Lord Chancellor, in a statement to the House on 21 November [WA 149] accepted the Council's advice and said that it will be of considerable value when setting up inquiries. Copies of the advice were placed in the Libraries of both Houses.
(b) Export Controls and Licensing Procedures	K2 and K3	*Continuing*—The President of the Board of Trade issued a public consultation document on the power of Government to control strategic exports and licensing procedures on 24 July. It was announced by way of a written Parliamentary answer [WA 481], and copies of the consultation document were placed in the Libraries of both Houses. The closing date for receipt of comments was the end of October. The responses are currently being considered and will form part of the wider consideration by the Government of the way ahead on strategic export controls. The Foreign Secretary announced to the House on 21 January [WA 536–537] the conclusions and recommendations of the Inter-departmental review into the supply of arms of Rwanda. This work will also be taken into account in the further consideration being given to strategic exports controls. The Government is likely to need to undertake further more detailed consultation with directly interested parties as detailed proposals are developed.
(c) Role of Customs and Exercise in Export Control	K4	*Completed*—The Government agreed to increased supervision by the Attorney General of certain Customs and Excise export prosecutions. Details were announced in a written Parliamentary Answer on 17 June [WA 337] and a paper placed in the Libraries of both Houses. On recommendations relating to Customs and Excise legislation and procedures, the Government has accepted these as they stand, or in a few cases, will meet the concerns reflected in an alternative manner. This was announced by the Chancellor of the Exchequer in a written Parliamentary

Issue	*Scott Report section*	*Action*
		Answer on 4 July, [WA 490] and a paper providing fuller details was placed in the Libraries of both Houses.
(d) Prosecution Producers	K5	*Completed with the exception of one small aspect*—The Government announced by the way of a written Parliamentary Answer on 6 June [WA 554–555] that the concerns raised by Sir Richard Scott would be addressed by the provisions of the Criminal Procedure and Investigations Act and the code of practice to be promulgated under the Act. A paper giving fuller details was placed in the Libraries of both Houses. Booklets giving guidance to civil servants and other Crown servants on the procedure to be followed in relation to the disclosure of information relevant to an investigation or prosecution of a criminal offence will be published shortly.
(e) Public Interest Immunity	K6	*Completed*—Following public consultation, the Government announced in the House on 18 December that the division into class and contents claims would no longer be applied by the Government and that public interest immunity would be claimed only when it was believed that disclosure would cause real damage or harm to the public interest [cols. 949–958]. A paper setting out the Government's approach was placed in the Libraries of both Houses.
(f) Use of Intelligence by Government Departments	K7	*Completed*—A paper setting out the improvements Government departments have made, or are in the process of making, on the handling of intelligence was sent to the Intelligence and Security Committee on 14 May. The Government awaits the Report of the Committee which is expected to be published early in 1997.
(g) Informing Parliament about Arms Sales	K8	*Completed*—Following consultation the Government announced to Parliament on 23 July [WA 212–213] that in future it would answer questions about defence exports as fully as possible. Any exceptions will meet the test in the "Code of Practice on Access to Government Information" that the harm or prejudice which might arise from disclosure outweighs the public interest in making such information available. A paper providing fuller details was placed in the Libraries of both Houses.
(h) Ministerial Accountability	K8	The Government provided a Memorandum to the Public Service Committee on 29 March [HC 313-III], setting out the Government's understanding of the requirements of Ministerial Accountability and the provision of information to Parliament, as part of the Committee's consideration of Ministerial Accountability and Responsibility. Following receipt of the Committee's report, the Government published its response on 7 November [WA 594] reaffirming its commitments to arrangements under which it will remain open and fully accountable. Annexed to the response [HC 67] was "New Guidance to Officials on Drafting Answers to Parliamentary Questions" which makes clear that when information is refused in response to Parliamentary Questions reasons should be given relating to the exemptions laid down in the "Code of Practice on Access to Government Information".

NATIONAL HERITAGE

National Lottery

Mr. Ieuan Wyn Jones: To ask the Secretary of State for National Heritage if she will make it her policy to establish a national disaster fund from the proceeds of the national lottery. [11723]

Mr. Sproat: The National Lottery etc. Act 1993 established five areas to benefit equally from the lottery: sport, the arts, the heritage, charities and a millennium fund to mark the year 2000 and the beginning of the third millenium. There are no plans to establish a national disaster fund from the proceeds of the national lottery.

LORD CHANCELLOR'S DEPARTMENT

Judges

Mr. William Powell: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list those full-time judges now aged over 70 years still sitting on the bench, together with the date by which they must retire. [11072]

Mr. Streeter: The information requested is as follows:

	Retirement date
The Right Honourable The Lord Goff of Chieveley	12 November 2001
The Right Honourable Sir Stephen Brown President of the Family Division	3 October 1999
The Right Honourable Lord Justice Beldam	29 March 2000
The Right Honourable Lord Justice Hirst	31 July 2000
The Honourable Mr. Justice French	14 October 2000
The Honourable Mr. Justice Owen	22 November 2000
His Honour Judge David QC DL	30 April 1997
His Honour Judge Sir Lawrence Verney TD DL Recorder of London	1 June 1998
His Honour Judge Halnan	8 June 1997
His Honour Judge Edwards QC	22 July 1997
His Honour Judge Ian Davidson QC	23 September 1997
His Honour Judge Atkinson	7 October 1997
His Honour Judge Baker DL	29 March 1998
His Honour Judge Sir David Hughes-Morgan CBE	15 May 1998
His Honour Judge Gerald Coombe	29 May 1998
His Honour Judge Esyr Lewis QC	27 September 1998
His Honour Judge Harrison-Hall DL	28 September 1998
His Honour Judge Morgan Hughes	9 November 1998
His Honour Judge Robert Smyth	9 December 1998
His Honour Judge Paiba	19 December 1998
His Honour Judge Tibber	5 January 1999
Her Honour Judge Viner CBE QC	16 January 1999
His Honour Judge Watts	2 March 1999
His Honour Judge Wickham Recorder of Liverpool	2 September 1999
His Honour Judge Goldstone	26 September 1999
His Honour Judge Harry Walker	29 November 1999
District Judge HG Hughes	31 December 1997
District Judge Lambert	31 December 1997
District Judge Wood	30 November 1998
District Judge Goodman	19 June 1999
District Judge Kendrick	31 October 1999

Legal Aid

Mr. Beggs: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions in each of the last five years legal aid certificates have been discharged by the Legal Aid Committee or legal aid department of the Law Society of Northern Ireland when evidence that incorrect information was supplied by claimants for the purpose of legal aid was established. [10955]

Mr. Streeter: Since 1 April 1994, 13 legal aid certificates have been revoked on account of false statements being made on applications. One was revoked in 1994–95, 11 in 1995–96 and one in the current financial year.

Mr. Beggs: To ask the Parliamentary Secretary, Lord Chancellor's Department how many prosecutions having been initiated against persons who succeeded in obtaining legal aid certificates were later discharged when it was established that the award was based on incorrect information supplied by applicants, in each of the last five years in Northern Ireland. [10956]

Mr. Streeter: Records relating to the requested information have been maintained by the legal aid authorities since 1 April 1994. Since that time, there has been one case in which a legal aid certificate was revoked and the application for legal aid was referred for investigation by the police. The case is under investigation.

Mr. John Marshall: To ask the Parliamentary Secretary, Lord Chancellor's Department how much has been paid by the legal aid fund during the last three years and so far this year to help in respect of cases under the Asylum and Immigration Acts. [11215]

Mr. Streeter: The information requested is not available since the data gathered by the Legal Aid Board does not identify separately cases brought under the Asylum and Immigration Acts.

Assistance for people in immigration and nationality matters is provided through the legal aid scheme in two ways. First, advice and assistance is available through the green form scheme and secondly through the civil legal aid scheme by way of a judicial review of an administrative decision.

Figures for the number of claims for green form advice and assistance paid by the Legal Aid Board over the last three financial years are as follows:

Year	*Amount (£000)*
1993–94	11,295
1994–95	14,572
1995–96	23,929
1996–97 to January 1997	20,039

It is not possible to give figures for civil legal aid expenditure relating to immigration and nationality matters since the Legal Aid Board does not record judicial review cases by category of proceedings.

TREASURY

Incomes

Mr. Allen: To ask the Chancellor of the Exchequer what proportion of income was paid in tax, including national insurance and VAT, by a family with two children earning *(a)* £10,000, *(b)* £15,000 *(c)* £20,000 and *(d)* £45,000 in each of the last five years. [10817]

Mr. Jack: The table provides figures for the percentage of earnings paid in tax by a one-earner couple with two children earning *(a)* £10,000, *(b)* £15,000, *(c)* £20,000 and *(d)* £45,000 in cash in each of the years 1991–92 to 1997–98.

Estimates of indirect taxes are very approximate. The margin of error is particularly high outside the central range of earnings so even illustrative estimates cannot be made at the top and bottom of the range.

Proportion of earnings paid in tax by one-earner family with two dependent children

Annual earnings £	*Percentage of earnings paid in Direct taxes*[1]	*VAT*	*Other indirect taxes*
1991–92			
10,000	11.2	—	—
15,000	18.8	5.2	7.7
20,000	22.6	5.6	6.8
45,000	29.4	—	—
1992–93			
10,000	9.1	—	—
15,000	17.4	5.3	7.6
20,000	21.5	5.7	6.7
45,000	29.1	—	—
1993–94			
10,000	8.4	—	—
15,000	16.9	5.1	7.8
20,000	21.2	5.5	6.9
45,000	29.1	—	—
1994–95			
10,000	9.5	—	—
15,000	18.0	5.5	8.8
20,000	22.2	5.5	7.4
45,000	30.3	—	—
1995–96			
10,000	9.8	—	—
15,000	18.2	5.4	9.5
20,000	22.4	5.4	8.0
45,000	30.2	—	—
1996–97			
10,000	8.0	—	—
15,000	16.7	5.6	10.1
20,000	21.0	5.6	8.5
45,000	29.1	—	—
1997–98			
10,000	6.7	—	—
15,000	15.5	5.6	10.8
20,000	19.9	5.7	9.0
45,000	28.1	—	—

[1] Income tax and NICs.

1. Income tax payments are calculated on the assumption that the households receive no tax reliefs other than the standard allowances and only have income from employment. The earner is assumed to pay class 1 national insurance contributions at the contracted-in rate. Child benefit is deducted from income tax.

2. Figures for indirect taxes include estimates of the effects of the main intermediate taxes on households as well as the impact of taxes on final goods and services. Estimates of the impact of taxes on final goods and services assume that these taxes are fully incident on households. Estimates of the impact of intermediate taxes are based on the relation between intermediate production costs and final consumption derived using input–output techniques.

3. Figures for indirect taxes since 1994–95 are estimated from expenditure patterns in the 1994–95 family expenditure survey uprated to later years using forecasts of aggregate tax receipts. For years before 1994–95 the 1985 family expenditure survey was used. All estimates are based on the illustrative assumption that 10 per cent. of disposable income is saved.

4. Estimates of indirect taxes are very approximate, even where figures are shown, because spending patterns vary widely between households with the same composition and income. Because of sampling variation, there can be substantial differences between estimates obtained from family expenditure surveys for different years, so reliable comparisons cannot be made between the estimates for different years.

Correspondence

Mr. Winnick: To ask the Chancellor of the Exchequer when he plans to reply to the letter of 12 November from the hon. Member for Walsall, North regarding a constituent. [10997]

Mr. Oppenheim *[holding answer 16 January 1997]:* A reply was sent on 21 January.

Schedule A Income Tax

Mr. Quentin Davies: To ask the Chancellor of the Exchequer what estimate he has made of the effect on revenue from inheritance tax of treating assets giving rise to schedule A income as assets comprised in a business carried on by the owner of those assets qualifying for business property relief. [11825]

Mr. Jack: The full year cost of extending inheritance tax business property relief to assets giving rise to schedule A income is tentatively estimated at £100 million.

Mr. Davies: To ask the Chancellor of the Exchequer what estimate he has made of the effect on *(a)* revenues from capital gains tax and *(b)* revenues from corporation tax on capital gains of treating assets giving rise to income taxable under schedule A as assets occupied and used for the purposes of a trade carried on by the recipient of the schedule A income. [11827]

Mr. Jack: The full year cost of treating assets giving rise to schedule A income as business assets qualifying for relief from capital gains tax and corporation tax on gains is tentatively estimated at £150 million.

Mr. Davies: To ask the Chancellor of the Exchequer what estimate he has made of the effect on *(a)* revenues from income tax and *(b)* revenues from corporation tax of taxing income currently taxed under schedule A as trading income taxed under case 1 of schedule D instead. [11826]

Mr. Jack: The estimated full year cost of taxing schedule A income as schedule D case 1 trading income is £50 million in respect of revenues from income tax and £250 million in respect of revenues from corporation tax charged on company incomes.

Charity Donations

Mr. Pike: To ask the Chancellor of the Exchequer what plans he has for changes in relation to the tax position on weekly covenanted charity donations; and if he will make a statement. [11940]

Mr. Jack: The strict application of the provisions governing lower rate taxpayers making covenants on which charities can claim relief at the basic rate from the Inland Revenue could mean that more tax may be due from taxpayers whose marginal rate is the lower rate. In practice, however, the Revenue exercises its judgment in determining what priority should go to recovering relatively minor amounts where such a shortfall arises, and the covenantor will often not be asked for the difference. I have no plans to change procedures.

Central Bank Independence

Mr. Michael Brown: To ask the Chancellor of the Exchequer what is his policy regarding central bank independence for the United Kingdom. [12013]

Mrs. Angela Knight: The Government currently have no plans to make the Bank of England independent.

Manufacturing Investment

Mr. Milburn: To ask the Chancellor of the Exchequer what has been the change in manufacturing investment in each G7 country in the last year. [12025]

Mrs. Angela Knight *[holding answer 21 January 1997]:* Figures for investment growth in 1996 compared with 1995 are not yet available for any G7 country.

The latest available international comparisons of investment do not cover manufacturing but rather investment by institutional sector and by type of capital good. Figures for each G7 country for 1995 can be found in the OECD publication, "Quarterly National Accounts", which is available in the House of Commons Library.

Pesticides and Fertilisers (Excise Duty)

Mr. Martyn Jones: To ask the Chancellor of the Exchequer (1) what estimate he has made of the annual revenue which would be raised from introducing an excise duty of *(a)* 1 per cent., *(b)* 5 per cent. and *(c)* 10 per cent. on pesticides; and if he will make a statement; [10540]

(2) what estimate he has made of the annual revenue which would be raised from introducing an excise duty of *(a)* 1 per cent., *(b)* 5 per cent. and *(c)* 10 per cent. on fertilisers; and if he will make a statement. [10541]

Mr. Oppenheim: No estimates have been made recently of revenue which might be raised by introducing excise duty on pesticides and/or fertilisers.

SCOTLAND

Ministerial Visits

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list for each of the Ministers in his Department how many official ministerial visits they have undertaken since 1 January; and how many of these have been abroad. [9385]

Mr. Michael Forsyth: The number of visits made by Scottish Office Ministers during 1996 is as follows:

	Number
Secretary of State	255, including four overseas visits
Minister of State	134
Mr. George Kynoch	118
Mr. Raymond Robertson	134, including 10 overseas visits
The Earl of Lindsay	188, including 10 overseas visits

Personalised Number Plates

Mr. Donohoe: To ask the Secretary of State for Scotland how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11423]

Lord James Douglas-Hamilton: None.

Ardrossan, Saltcoats and Stevenston Bypass

Mr. Donohoe: To ask the Secretary of State for Scotland when he expects consideration of the objections lodged against the draft road orders for the Ardrossan, Saltcoats and Stevenston bypass to have been completed; and when he expects that these proposals will be included in the Scottish Office's trunk road programme. [11329]

Lord James Douglas-Hamilton: Consideration of objections lodged against the draft road orders is expected to be completed within the next three months. During that time objectors will be contacted by officials from the Scottish Office to determine what can be done to alleviate their concerns. The timing of construction will depend on the satisfactory completion of the statutory procedures and the relative priority of the scheme against competing demands for available resources when decisions on future starts are made.

Local Government Reorganisation

Mr. Davidson: To ask the Secretary of State for Scotland what savings he estimates have been made as a result of local government reorganisation; and how these figures were calculated *(a)* in total and *(b)* for the financial year 1997–98. [11435]

Mr. Kynoch: The Government's view of the costs and savings associated with local government reorganisation are based on the report, "The Structure of Local Government in Scotland: Financial and Qualitative Appraisal of Options for Change" by Touche Ross, published in October 1994. Provision has been made, and is planned to be made, in the relevant local government finance settlements as shown in the table. It is too soon to estimate actual savings which will depend on decisions made by individual councils regarding their management and staffing structures.

£ million

	1995–96	*1996–97*	*1997–98*	*1998–99 (and beyond)*
Transitional costs	41	70	20	—
Long-term costs (29 rather than nine councils delivering "regional" services)	—	62	62	62
Long-term saving (from stream-lined central administration)	—	92	102	102
Net costs/(savings)	41	40	(20)	40)

M74–M6

Mr. David Marshall: To ask the Secretary of State for Scotland what estimate he has made of the cost involved in renaming the M74 the M6. [11860]

Lord James Douglas-Hamilton: The A74, A74(M), M74 route will be renamed the M6 on completion of its upgrading to full motorway status. A detailed cost estimate for the necessary signposting changes is not as yet available. Costs will, however, be kept to a minimum by overplating of existing signs wherever practicable.

Mr. Martlew: To ask the Secretary of State for Scotland when he expects the construction of the M74 to begin from the Scottish borders to junction 44 on the M6; and if he will make a statement. [11774]

Lord James Douglas-Hamilton: The orders for the A74 Carlisle to Guardsmill improvement scheme are now being prepared for making. Once statutory procedures have been completed, my right hon. Friend the Secretary of State for Transport will decide on the future programme for this scheme, taking into account the merits of including it in the M6 design, build, finance and operate contract.

Local Authority Employment

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list the number of employees, by category, in each local authority in Scotland and the totals at the latest available date. [11869]

Mr. Kynoch: I refer the hon. Member to table 8 of the press release "Joint Staffing Watch—July 1996 Return—Scotland", which shows the total full-time equivalent number of local authority employees by category of service in each local authority in July 1996. Tables 13(a) to 13(k) show, for each authority the total full-time equivalent number of employees by category of service by salary band. A copy of the press release is in the Library. Information on the number of employees in September 1996 will be published shortly.

Pensioners (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Scotland what estimate he has made of the number of (i) male and (ii) female pensioners resident in the city of Glasgow. [11863]

Lord James Douglas-Hamilton: The Registrar General's latest—mid-1995—population estimates show that there were (i) 35,912 men aged 65 and over, and (ii) 77,138 women aged 60 and over in the city of Glasgow council area.

Health Boards (Finance)

Mr. Chisholm: To ask the Secretary of State for Scotland what is the forecast *(a)* income and *(b)* expenditure at the end of the 1996–97 financial year for each health board. [12046]

Lord James Douglas Hamilton: The table shows the forecast income and expenditure for hospital and community health services for each health board as at the end of the 1996–97 financial year.

£000

Health boards	*Forecast income 1996–97*	*Forecast expenditure 1996–97*
Argyll and Clyde	279,496	279,496
Ayrshire and Arran	219,868	219,868
Borders	74,821	74,606
Dumfries and Galloway	102,605	102,128
Fife	207,541	207,541
Forth Valley	163,514	162,807
Grampian	334,136	332,860
Greater Glasgow	649,003	644,084
Highland	138,048	138,048
Lanarkshire	322,072	322,072
Lothian	480,269	480,269
Orkney	14,845	14,845
Shetland	16,886	16,886
Tayside	293,271	290,771
Western Isles	27,893	27,893
Total	3,324,268	3,314,174

Marshall Food Group Ltd.

Mr. Tom Clarke: To ask the Secretary of State for Scotland what financial assistance has been provided to Marshall Food Group Ltd. in each of the last 10 years in relation to their production plant at Coatbridge; on what terms; and if he will make a statement. [11848]

Mr. Kynoch: The following financial assistance has been provided by the Department:

Since 1987, a total of £2,857,500 has been paid under the regional selective assistance scheme. These payments related to offers made in 1987 and 1990 and the last payment of grant was made in 1993. Additionally, regional development grant of £679,942, offered in 1987, was paid in association with the RSA offers, the last payment being made in 1991.

The purpose of these offers was to assist the company in undertaking a capital investment programme at Coatbridge involving the safeguarding and creation of jobs at that location. The company has met its obligations under the terms of the offers.

The above grants represent all but a small part of the assistance provided in relation to this company's Coatbridge plant. Additional support has been provided by the Scottish Enterprise network in recent years; I will ask the chairman of that organisation to write to the hon. Member with details of this as soon as possible.

Intensive Care Beds

Mr. Donohoe: To ask the Secretary of State for Scotland how many admissions were made to intensive care beds in Scotland in 1978–79 or the most recent year thereafter for which figures are available. [11332]

Lord James Douglas-Hamilton: The number of patients discharged from intensive care beds in the year ending 31 March 1979 was 8,137.

Mr. Donohoe: To ask the Secretary of State for Scotland how many admissions were made to intensive care beds in each health board area in Scotland during 1995–96. [11333]

Lord James Douglas-Hamilton: The information is set out in the table.

The number of intensive care discharges at year ending 31 March 1996

Health board	*Discharges*
Argyll and Clyde	1,193
Ayrshire and Arran	803
Borders	215
Dumfries and Galloway	1,569
Fife	365
Forth Valley	506
Grampian	562
Greater Glasgow	7,211
Highland	900
Lanarkshire	3,465
Lothian	4,260
Orkney	—
Shetland	—
Tayside	2,740
Western Isles	—
Scotland	23,789

Prescription Drugs

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what period of notice was given to general practitioners in Scotland in respect of the deadline for comments on the recent list of drugs to be removed from GP prescription; how many representations were received; and what discussions his officials have had with the British Medical Association about the period of notice. [11319]

Lord James Douglas Hamilton: On 25 November 1996, the Department of Health, on behalf of the UK health departments, issued a press release announcing consultation on recommended changes to the list of products which GPs may not prescribe on the NHS. Comments were invited by 9 January 1997. About 200 representations have been received in response. There have been no discussions with the BMA about the period of notice.

Employment (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list by category the estimated total number of jobs located within the city of Glasgow and the estimated number of vacancies in each category. [11868]

Mr. Kynoch: The table sets out the latest estimate of the number of employees in employment in the former City of Glasgow district council area and vacancies registered with the Employment Service.

Industry 1992 standard industrial classification	*1995 Annual employment survey—employees in employment*	*Vacancies registered with employment service—October 1996*
Agriculture, forestry and fishing	300	9
Energy and water	3,000	3
Manufacturing	37,600	1,273
Construction	18,400	1,223
Distribution, hotels and restaurants	67,500	4,113
Transport and communications	22,500	519
Banking, finance and insurance	67,600	2,183
Public administration	97,000	2,099
Other services	16,800	1,603
Total	330,600	13,025

Source: Office for National Statistics, the Employment Service.

Ayrshire and Arran Health Board

Mr. Donohoe: To ask the Secretary of State for Scotland what are the annual salary and employment costs for the communications manager recently appointed by Ayrshire and Arran health board. [11920]

Lord James Douglas-Hamilton: This information is not held centrally. Health boards have delegated responsibility for recruitment and for terms and conditions of their staff.

Stone of Destiny

Mr. Home Robertson: To ask the Secretary of State for Scotland, pursuant to his answer of 5 December, *Official Report*, column *731*, relating to costs in connection with the return of the Stone of Destiny, when he expects to have collated the costs; and if he will notify the hon. Member for East Lothian of the figures as soon as they are available. [9968]

Mr. Foulkes: To ask the Secretary of State for Scotland when he expects to have finalised the collation of all of the costs involved in relation to the return of the Stone of Destiny; if he will send details of the costs to all hon. Members representing Scottish constituencies; and under which budget heads the costs will be covered. [10660]

Mr. Michael Forsyth *[holding answers 22 and 13 January 1997]:* The Scottish Office has already indicated that the costs incurred were expected to be in excess of £50,000. The cost of the ceremonies marking the return amounts to £34,434.15. In addition, the Scottish Office will meet £27,708.50 incurred by the armed services. All these costs will be met, as planned, from the Scottish Office administration budget.

PRIME MINISTER

Scotch Whisky Industry

Mr. McKelvey: To ask the Prime Minister if he will make a statement on his discussions with the Indian Prime Minister in respect of the Scotch whisky industry. [12144]

The Prime Minister: Although the Scotch whisky industry was not discussed during my meeting with the Indian Prime Minister, it was covered in the meetings between the Indian Finance Minister and my right hon. Friend, the President of the Board of Trade, at one of which representatives of the Scotch whisky industry were present. The Indian Minister indicated that whisky would be involved in a wider programme of liberalising imports of consumer goods into India, although the timing was not yet clear. The Government will continue to press for improved access for Scotch whisky to this potentially very important market.

UN Special Session (Environment)

Sir Anthony Durant: To ask the Prime Minister which Government Minister will be attending the United Nations General Assembly special session on the environment in June. [12442]

The Prime Minister: I shall be attending the United Nations General Assembly special session in June.

OVERSEAS DEVELOPMENT ADMINISTRATION

Export Licences

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs at what stage of the special procedure which was used in respect of the sale of police and security requirements an export licence application was made; by whom the application was made; and at what stage of the procedure the decision to grant a licence was decided. [11834]

Dr. Liam Fox: Where the export of goods is prohibited without an export licence, such a licence must be obtained from the Department of Trade and Industry before the goods may be exported.

Bahrain

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will review the procedure by which the Bahrain Public Security Directorate was able to buy a proportion of its police and security requirements through the Crown Agents; and on how many occasions similar procedures have been used in respect of other countries. [11804]

Dr. Liam Fox: The functions of the Crown Agents when acting as agents for the procurement of goods and services are set out in the Crown Agents Act 1979. The Government have laid down no special procedures for purchases for Bahrain. Crown Agents have operating procedures which apply to all their work as agents. An indication of the extent of this work and the clients involved is given in the Crown Agents' annual report and accounts, copies of which are in the Libraries of the House.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the police

and security requirements provided to Bahrain through the Crown Agents and *(b)* the British companies which supplied the goods and services. [11833]

Dr. Fox: The Crown Agents provide services to the Government of Bahrain on commercial terms; provision of information about specific goods and services is a matter for the Crown Agents' clients.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assurances were *(a)* asked for by the UK Government and *(b)* given by the Government of Bahrain that the equipment supplied through the special purchase procedure will not be used for internal repression. [11806]

Dr. Fox: The Crown Agents' functions when acting as agents for procurement of goods and services are set out in the Crown Agents Act 1979. Where the export of goods is prohibited without an export licence, the Government would not licence equipment assessed as likely to be used for internal repression.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs when the procedure which enabled the Bahrain Public Security Directorate to buy police and security equipment through the Crown Agents began; and if the arrangement still exists. [11805]

Dr. Fox: The British Government have specified no special procedure for purchases for Bahrain. The Crown Agents have always acted as procurement agents for overseas principals. Their powers to do so are currently set out in the Crown Agents Act 1979; that Act is still in force.

Police, Security and Paramilitary Bodies

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs which police, security and paramilitary bodies have enjoyed similar arrangements in the last 10 years with Crown Agents to that enjoyed by the Government of Bahrain; and which bodies continue to enjoy such arrangements. [11835]

Dr. Liam Fox: A list of Crown Agents' clients is published each year in the Crown Agents' annual report and accounts, copies of which are in the Libraries of the House.

Yemen

Sir Robert Hicks: To ask the Secretary of State for Foreign and Commonwealth Affairs what requests the United Kingdom Government have received from *(a)* the Yemen Government, *(b)* the Aden port authority and *(c)* other organisations (i) to tender for projects and (ii) to assist (1) financially and (2) technically with the Aden port redevelopment programme; and if he will make a statement. [11684]

Dr. Liam Fox: The United Kingdom Government have received no requests to tender for projects. All requests for technical assistance are channelled through the Government of Yemen.

In 1995 the Overseas Development Administration provided assistance to the Government of Yemen in evaluating competing proposals for the development of the Aden container terminal. In late 1996, the ODA received a request for assistance in undertaking an impact study including preparation of programme specifications for the future of the port development programme. Consultants began their work on this assignment in early January.

The Aden port and free trade zone development project is a large commercial undertaking where the lead is predominantly taken by the private sector company Yeminvest. The World bank is providing limited assistance to the Yemeni authorities on the public sector aspects of the project. ODA grant-funded consultancies form an important part of the planning phase of this project.

Sir Robert Hicks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the United Kingdom aid programmes to Yemen during the current financial year for *(a)* bilateral and *(b)* multilateral aid indicating the amount of funding; and if he will make a statement. [11685]

Dr. Fox: Figures are not yet available for expenditure in this financial year, but the outturn is expected to be similar to 1995–96.

The bilateral programme is funding the Liverpool Port Consultancy Portia to undertake an impact study and preparation of programme specification on Aden port. Other activities this year include British partnership scheme funded projects. These range from support for the electronic engineering faculty at Hadramawt university and for the Central Statistical Office to English tuition at the Ministry of Foreign Affairs. The ODA also commissioned an appraisal of the Al Gamhouria hospital in Aden. This assignment was completed in the first half of 1996. The balance of the budget for this year is meeting the cost of continuing postgraduate education commitments in the UK. Following very heavy flooding in eastern Yemen in May and June, the ODA funded nearly £500,000 of emergency assistance which was delivered through the Red Crescent and other non-governmental organisations.

Figures are not available for multilateral aid expenditure in this financial year. In the past six years, approximately £22 million—UK share £5 million—has been committed by the EC in the form of economic and development assistance to Yemen. It is expected that commitments and disbursements should continue at roughly the same level and pace over the next two years.

Sir Robert Hicks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for each year since 1991 the total aid support for Yemen, indicating the amount spent on *(a)* bilateral aid, *(b)* emergency aid, *(c)* pensions and *(d)* the United Kingdom contribution to multilateral aid programmes. [11683]

Dr. Fox: Aid to Yemen since 1991 has been as follows:

Total aid to Yemen 1990–91—1995–96

£ thousand

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Total bilateral aid[1]	5,296	4,984	7,707	4,053	4,410	1,477
of which:						
Emergency aid	—	—	74	89	672	—
Pensions	488	461	434	518	371	887

[1] Source: British Aid Statistics 1996 edition.

£ million

	1990	*1991*	*1992*	*1993*	*1994*
Total multilateral aid[1]	2	3	3.3	2.7	2.4
of which:					
EC	0.2	0.2	1.0	0.6	0.4
UN	0.5	0.5	0.7	0.3	0.5

[1] Source: Multilateral share exercise.

FOREIGN AND COMMONWEALTH AFFAIRS

Child Care Facilities

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs if Ministers are entitled to use child care facilities supported by his Department. [11593]

Mr. Hanley: Yes, although we are not aware of any Minister ever having made a call upon this service for his or her children.

Gibraltar

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those European Union countries that have refused to accept Gibraltar-issued identification cards as valid travel documents between EU countries. [11817]

Mr. David Davis: Spain is the only EU member state to have notified the United Kingdom formally of its refusal to accept Gibraltar identity cards as travel documents within the EU-EEA.

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs what response the Spanish Government have made to his Department about the validity of British dependent territories passports used by Gibraltar citizens for travel between Gibraltar and Spain. [11816]

Mr. Davis: The Spanish Government's response to our request for clarification of their position does not meet our concerns. My right hon. and learned Friend the Foreign Secretary will therefore be raising this issue when he meets the Spanish Foreign Minister in Madrid on 22 January, and he will be looking for a cast-iron assurance that the Spanish Government will continue to accept British passports issued in Gibraltar.

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs what will be on the agenda for the meeting between himself and the Foreign Minister of Spain on 22 January, under the provisions of the 1984 Brussels agreement. [11818]

Mr. Davis: The issue of passports will be high on the agenda. My right hon. and learned Friend the Foreign Secretary will be looking for a cast-iron assurance that the Spanish Government will continue to accept British passports issued in Gibraltar. We also expect the scope for greater cross-border co-operation to be discussed.

Council of Europe

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what conclusions were reached in respect of the Council of Europe at the Dublin EU summit. [11823]

Mr. David Davis: Part VII of the "Presidency Conclusions" (document ref. SN 401/96) which was placed in the House Library on 15 December, records the views of European Council on the Council of Europe as follows:

> "The European Council believes that the Council of Europe has a crucial role in upholding human rights standards and supporting pluralist democracy.
>
> It sees advantage in using to the fullest, in co-operation with other international institutions, and expertise and mechanisms of the Council of Europe to advance these objectives. The summit meeting of the Organization, in 1997, will provide a significant opportunity to review the progress made in these areas."

EU-Israel Trade Agreement

Mr. Batiste: To ask the Secretary of State for Foreign and Commonwealth Affairs when he estimates the UK will ratify the EU-Israel trade agreement. [11704]

Mr. Hanley: The Order in Council is currently being drafted, and we expect the agreement to be laid before Parliament shortly and debated next month.

Entry Certificate Officers

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many entry certificate officers were employed in British high commission offices in *(a)* Pakistan, *(b)* Sri Lanka, *(c)* India and *(d)* Bangladesh, on 1 January. [11677]

Dr. Liam Fox: The post by post breakdown of the entry clearance officers in the four countries is:

Post	*Number of officers*
Karachi	5
Islamabad	26
Colombo	4
Bombay	10
Calcutta	1
Madras	3
New Delhi	12
Dhaka	12

In addition, Karachi and Colombo each have one entry clearance manager, Bombay, Dhaka and New Delhi two and Islamabad four.

Visa Applicants

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* men and *(b)* women, were waiting for interview at British high commission offices in (i) Pakistan, (ii) Sri Lanka, (iii) India, and (iv) Bangladesh, to join husbands or wives resident in the United Kingdom, on 1 January. [11695]

Dr. Liam Fox: The post-by-post breakdown of applicants awaiting interview in the four countries is as follows:

Post	*Men*	*Women*
Bombay	101	211
Calcutta	0	5
Colombo	4	27
Dhaka	540	147
Islamabad	1,024	772
Karachi	32	48
New Delhi	19	99
Total	1,720	1,309

Statistics for Madras are still being prepared. I shall write to the hon. Member shortly.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the longest period of time a person had been waiting for an interview to join *(a)* their husband and *(b)* their wife, in the United Kingdom at high commission offices in (i) Pakistan, (ii) Sri Lanka, (iii) India and (iv) Bangladesh on 1 January; and if he will make a statement. [11678]

Dr. Fox: The post-by-post breakdown of longest waiting times in the four countries is:

Post	*Husbands*	*Wives*
Bombay	6 months	6 months
Calcutta	21 days	Nil
Colombo	1 month	1 month
Dhaka	6 months	6 months
Islamabad	6 months	4 months
Karachi	19 weeks	19 weeks
New Delhi	2 months	2 months

Statistics for Madras are still being prepared. However, in 1995, the longest waiting time was six weeks for both husbands and wives.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the average time a person has waited for an interview in respect of an application to join *(a)* a husband and *(b)* a wife (i) in the United Kingdom and (ii) at British high commission offices in (1) Pakistan, (2) Sri Lanka, (3) India and (4) Bangladesh in the last year. [11694]

Dr. Fox: The post-by-post breakdown of average waiting times in the four countries is as follows:

Post	*Husbands*	*Wives*
Bombay	3 months	3 months
Calcutta	10 days	Nil
Colombo	10 weeks	10 weeks
Dhaka	6 months	6 months
Islamabad	3.5 months	3.5 months
Karachi	18.5 weeks	18 weeks
New Delhi	2.5 months	2.5 months

Statistics for Madras are still being prepared. However, in 1995, the average waiting time was six weeks.

It is not possible to prepare equivalent figures for applicants already in the UK.

Pillar Point Refugee Centre (Hong Kong)

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future of Pillar point refugee centre in Hong Kong and its residents. [11824]

Mr. Hanley: The Pillar Point refugee centre in Hong Kong is funded and managed by the office of the United Nations High Commissioner for Refugees. It was opened in 1989 and there are no plans to close it.

Some 620 Vietnamese refugees and 540 non-refugees are accommodated in the centre. UNHCR continue to seek resettlement places for the refugees. The non-refugees' closest links remain with Vietnam and we are seeking to negotiate with the Vietnamese authorities for their repatriation, in accordance with the comprehensive plan of action.

Far East

Sir Irvine Patnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* companies and *(b)* universities assessed by his Department to be assisting planning in (i) education and (ii) research in the far east; and if he will make a statement. [12023]

Mr. Hanley: Neither this nor any other Department carries out such assessments. We do, however, welcome the involvement of British companies and universities in this kind of work.

SOCIAL SECURITY

Benefit Fraud Hotline

Mr. Gareth Wardell: To ask the Secretary of State for Social Security how many calls have been made on the benefit fraud hotline to date; how many of those have been found to provide information that was substantiated; and if he will separately distinguish the figures between England and Wales. [9690]

Mr. Heald: The national benefit fraud hotline has received in excess of 125,000 calls up to 12 December 1996.

Information is not collected to show numbers of calls where the information was substantiated—where our investigations entirely confirm the caller's allegation. The results of investigations from referrals generated by the hotline are only starting to emerge. However, of the 25,942 investigations initiated by the end of November, 11,180 have been completed. Of these, 3,082 investigations have achieved benefit savings of £11,760,635.

Fraud investigations take some time to follow through, depending on the complexity of the investigation. Therefore in time, the volume and rate of investigations completed will increase until a steady state is achieved.

It is not possible to give separate figures for England and Wales as the information is not collected in this format.

Asylum Seekers

Ms Harman: To ask the Secretary of State for Social Security (1) what representations his Department has made to the Home Office to resolve difficulties concerning the prompt payment of benefit to eligible asylum seekers arising from the absence in form IS96 of a sign as to whether a claim for asylum has been made; and if he will make a statement; [10790]

(2) what steps his Department is taking to resolve problems in the Benefits Agency concerning delays in the issuing of benefit payments to eligible asylum seekers arising from the fact that form IS96 does not show that a claim for asylum has been made. [10791]

Mr. Roger Evans: Form IS96 is issued to any person from abroad granted temporary admission under the written authority of an immigration officer. Officials from this Department and from the Home Office have met to discuss this issue and have concluded that it is not appropriate to annotate form IS96 issued to an asylum seeker because it is not a secure document and does not lend itself to be adapted for that purpose.

An adjudication officer must be satisfied as to the true identity of a claimant before a benefit claim can be actioned. The bearer of form IS96: may not be an asylum seeker; may have been issued with more than one IS96 at different times, or may already have been refused leave to enter this country and granted temporary admission pending removal. Therefore, form IS96, annotated or otherwise, is unsuitable for use as a trigger for the payment of a social security benefit.

Departmental officials are in regular discussion with officials from the Home Office to improve the exchange of information between the two departmens, to enable adjudication officers to verify the circumstances of asylum seekers' claims promptly.

War Widows' Pensions

Mr. William Powell: To ask the Secretary of State for Social Security how many pensions are curently being paid to war widows; and how many of these relate to service up to *(a)* 30 September 1921 and *(b)* 31 December 1945. [11075]

Mr. Heald: The information is not available in the format requested and could be provided only at disproportionate cost. Such information as is available is as follows:

A war widow's pension may be awarded where the death of the husband is due to service in the armed forces at any time. The number of war widows pensions in payment at 31 December 1996, the latest date for which figures are available, is 59,611. At 31 December 1995, a total of 1,544 awards were in respect of service up to 30 September 1921.

Cold Weather Payments

Mr. Simpson: To ask the Secretary of State for Social Security how many cold weather payments were made in *(a)* December 1996 and *(b)* January 1997 to date. [11607]

Mr. Roger Evans: An estimated 1,410,720 payments were made in December. The number of payments so far in January, up to and including 17 January, is estimated to be 3,687,380.

Mr. Simpson: To ask the Secretary of State for Social Security which of the weather stations triggered cold weather payments in December 1996 and January 1997 to date; and how often each station triggered payments during this period. [11859]

Mr. Evans: The information is as follows:

	Triggers	
Weather station	*December*	*January*
Abbotsinch (Glasgow Airport)	—	2
Aberporth	—	1
Aviemore	2	2
Bedford	2	1
Bingley	—	1
Boltshope Park	2	1
Boscombe Down	1	1
Bracknell	1	1
Braemar	2	2
Brize Norton	2	—
Capel Curig	1	1
Cardinham	1	1
Carlisle	—	1
Chivenor	—	1
Coltishall	—	2
Crosby	—	1
Culdrose	—	1
Dumfries	1	—
Dunkeswell	2	1
Elmdon (Birmingham Airport)	2	—
Eskdalemuir	2	1
Eskmeals	—	1
Flyingdales	—	1
Gatwick	1	1
Great Malvern	—	2
Heathrow	—	2
Herstmonceux	2	—
Hurn (Bournemouth Airport)	1	1
Kinloss	1	2
Linton on Ouse	1	1
Liscombe	2	1
Loch Glascarnoch	2	1
Lyneham	2	1
Manston	1	1
Marham	1	2
Mumbles Head	—	2
Nottingham	—	2
Plymouth	—	1

	Triggers	
Weather station	*December*	*January*
Portland	—	1
Rhoose (Cardiff Airport)	—	2
Rhyl	—	1
Ringway (Manchester Airport)	—	1
Sennybridge	2	1
Shawbury	1	1
Southampton	—	2
St. Mawgan	—	2
St. Catherine's Point	—	2
Stansted	1	2
Thorney Island	—	2
Tulloch Bridge	2	1
Waddington	1	1
Wattisham	1	2
Wick Airport	—	1
Wittering	2	1
Yeovilton	1	1

Mr. Simpson: To ask the Secretary of State for Social Security what is the average size of area covered by the weather stations responsible for triggering cold weather payments. [11858]

Mr. Evans: The average size of area covered by the 70 weather stations used in the cold weather payments scheme this winter is about 1,250 sq miles per station.

Mr. Wigley: To ask the Secretary of State for Social Security if he will arrange for the entitlement for cold weather payments in the Caernarfon constituency to be triggered by the temperature readings in the village of Deiniolen rather than at RAF Valley; and if he will make a statement. [11961]

Mr. Evans: No. Only weather stations which meet Meteorological Office requirements are suitable for the cold weather payments scheme. There are no such facilities at Deiniolen of which the Meteorological Office is aware or which meet its requirements.

Personalised Number Plates (Executive Agencies)

Mr. Donohoe: To ask the Secretary of State for Social Security how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11419]

Mr. Burt: None.

Child Care Facilities

Mr. Allen: To ask the Secretary of State for Social Security if Ministers are entitled to use child care facilities supported by his Department. [11591]

Mr. Burt: Yes.

Maternity Leave

Mrs. Roche: To ask the Secretary of State for Social Security (1) how many small employers reclaimed money under the small firms relief scheme for statutory maternity leave in 1995–96; [11810]

(2) how much money was reclaimed by small employers over each of the last five years under the small employers relief fund for statutory maternity pay. [11813]

Mr. Heald: The statutory maternity pay small employers' relief scheme was introduced from 4 September 1994 when the reimbursement rate for SMP was changed to 92 per cent. The scheme allows small businesses paying £20,000 or less annually in national insurance contributions to continue to receive full reimbursement of their SMP costs.

Employers are not required to distinguish in their end-of-year returns between reimbursement under small employers' relief and the 92 per cent. rate. In 1994–95, £443 million was reclaimed by all employers this includes 100 per cent. reimbursement for all employers for the first six months.

Information about employers' payments for 1995–96 will be available from May 1997 when employers' end-of-year returns have been assessed. It is estimated that around 38 per cent. of firms paying SMP were able to recover payments in full in 1995–96.

Appeal Tribunals (Membership)

Mr. Flynn: To ask the Secretary of State for Social Security which former hon. Members are now members of social security appeal tribunals or disability appeal tribunals. [12145]

Mr. Burt: The information is not readily available and could be obtained only at disproportionate cost.

Computers

Mr. McNamara: To ask the Secretary of State for Social Security (1) what is the nature of the design faults in his Department's national computer which necessitate its being closed down when a claimant's partner's claim is being considered; [10917]

(2) who was responsible for the design of the computer system operated by his Department; and who operates it; [10918]

(3) when the faults in his Department's computer system will be rectified. [10919]

Mr. Roger Evans: The administration of income support is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Kevin McNamara, dated 21 January 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking what is the nature of the design faults in his Department's national computer which necessitated it being closed down when a claimant's partner's claim is being considered; who was responsible for the design of the computer system operated by his Department, and who operates it and when the faults in his Department's computer system will be rectified.

I have assumed your question refers to the recent incident at the Benefits Agency (BA) Hull District on 29 October 1996 when a customer was incorrectly informed that a payment could not be made due to a fault on the computer system which would not allow acceptance of a partner's National Insurance number.

This is not a design fault of the income Support Computer System (ISCS) but is specifically included as a measure to prevent duplicate payments of benefit. The office has now informed all relevant staff of the procedures to enable clerical payments to be considered at an early stage where appropriate.

I apologise that the information given previously to one of our customers was incorrect and for the inconvenience caused.

Information Technology Services Agency (ITSA) is an Executive Agency of the DSS. ITSA provides, either internally or through contracts with the private sector, the information technology services required to support social security provision. ITSA, in partnership with the BA and companies from the private sector is responsible for the design and operation of the ISCS.

When any potential problems on ISCS are reported they are investigated by a combined support team of BA and ITSA staff. If a fault in the system is discovered as the cause of a problem, instructions are given to the users on how to deal with the matter whilst the fix to the system is scheduled. The resolution of identified faults is prioritised according to specified criteria.

I hope you find this reply helpful.

EDUCATION AND EMPLOYMENT

Capital Spending Projects (Schools)

Mr. Don Foster: To ask the Secretary of State for Education and Employment what estimate she has made of the value of the capital spending projects in schools which have taken advantage of the private finance initiative. [11340]

Mrs. Gillan: My hon. Friend the Minister of State for Local Government announced on 8 October 1996 that the Government would make available additional revenue support for £50 million of PFI investment in the local education authority schools sector between then and 31 March 1998. A good number of LEAs are very keen to reap the benefits of PFI partnerships with the private sector, and the are developing projects covering a wide range of asset-based services for schools. Provision is also available for grant maintained and voluntary-aided school PFI projects.

Clinical and Academic Medicine (Pay Parity)

Miss Emma Nicholson: To ask the Secretary of State for Education and Employment what factors underlay her decision to end pay parity between clinical and academic medicine. [11771]

Mr. Forth: My right hon. Friend has taken no such decision. Indeed, she announced at the time of the Budget statement that a new condition of grant would be placed on the Higher Education Funding Council for England from 1997–98 requiring the council to enable universities and colleges to meet any additional costs for medical schools arising from any pay increase awarded by the Government to NHS clinicians.

Teachers (Early Retirement)

Mr. Blunkett: To ask the Secretary of State for Education and Employment what advice she has issued to the Funding Agency for Schools in respect of the proposed changes to the early retirement provisions in the teachers's superannuation arrangements. [12072]

Mrs. Gillan: The Funding Agency for Schools has received a copy of the Department's consultation letter of 22 October on this matter. Advice on these changes was also set out in the annual grant letter to the agency, setting out the planned funding for the grant-maintained sector in 1997–98 and beyond. A copy of that letter was placed in the Library on 28 November 1996.

Mr. Tipping: To ask the Secretary of State for Education and Employment if she will list those who have responded to her consultation document on the proposed changes in the teachers pension fund. [11959]

Mrs. Gillan: My right hon. Friend has so far received written representations from 33 consultees in respect of the proposed changes to early retirement provisions for teachers. They are listed in the table.

List of consultees who have submitted written representations to the Secretary of State in respect of proposed changes to the TSS

Association of Colleges

Association for College Management

Association of GM and Aided Schools

Association of Headteachers of GM Schools

Association of Teachers and Lecturers

Committee of Vice-Chancellors and Principals

Free Church Federal Council—Education Committee

Further Education Funding Council

Girls Public Day School Trust

GM Schools Advisory Committee

Governing Bodies of Girls' Schools Association

Governing Bodies' Association

Headmasters' Conference

Higher Education Funding Council for England

Incorporated Association of Preparatory Schools

Independent Schools Association

Independent Schools Bursars' Association

Independent Schools Joint Council

National Association of Head Teachers

National Association of Schoolmasters/Union of Women Teachers

National Association of Teachers in Further and Higher Education

National Governors Council

National Union of Teachers

Professional Association of Teachers

Secondary Heads Association

Sixth Form Colleges Employers' Forum

Society of Education Officers

Teacher Training Agency

Teachers' Superannuation Working Party

Universities and Colleges Employers Association

Welsh Local Government Association

Welsh Office

Workers' Educational Association

Mr. Harvey: To ask the Secretary of State for Education and Employment what estimate she has made of the number of teachers in Devon who have taken early retirement; and what percentage did so on the grounds of ill health, in each of the past five years. [12009]

Mrs. Gillan: The following table shows the information for teachers taking early retirement from the maintained nursery, primary, secondary and special sector in Devon.

Financial year	Number of early retirements[1]	Percentage retiring on ill-health grounds
1991–92	167	47
1992–93	196	42
1993–94	243	40
1994–95	216	54
1995–96 (provisional)	300	34

[1] Excludes those last recorded as in sixth form colleges.

Mr. Blunkett: To ask the Secretary of State for Education and Employment (1) what guidance the Funding Agency for Schools has issued to head teachers of grant-maintained schools in respect of premature retirements in 1997–98 and beyond; [12073]

(2) what estimate has been made of the resources available to the Funding Agency for Schools to fund the cost of premature retirements following changes to the regulations. [12074]

Mrs. Gillan: The Funding Agency for Schools will offer assistance towards the cost of premature retirement in GM schools in 1997–98 and beyond on a case by case basis, according to criteria set by the agency, from within the total allocation set aside for special purpose grants. It is for the Agency to determine what advice and financial assistance is made available to GM schools in respect of premature retirements having regard to the proposed changes in the regulations. I have asked the chairman of the Funding Agency for Schools to write to the hon. Member with this information.

Mr. Tipping: To ask the Secretary of State for Education and Employment if she will place copies of the responses to her consultation document on teachers pension fund in the Library. [11960]

Mrs. Gillan: I will place copies of the responses from consultees to our proposals for the reform of early retirement arrangements for the teachers' superannuation scheme in the Library, except for any where the consultee has asked for the response to remain confidential.

Mr. Hardy: To ask the Secretary of State for Education and Employment what is the total number of teachers who have retired before the age of 60 years for reasons of health or disability during the last four years. [11850]

Mrs. Gillan: The numbers of teachers who have retired on grounds of ill health before the age 60 in each of the last four years is given in the table.

Year	Number of retirees
1992–93	4,900
1993–94	5,730
1994–95	6,303
1995–96	5,980

Local Education Authorities (Finance)

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment if she will list the capital allocations for 1997–98 to each local education authority *(a)* in cash terms and *(b)* at 1995–96 prices together with the average allocation at 1995–96 prices for the five years between 1992–93 and 1996–97 for each authority. [11958]

Mrs. Gillan: The table lists each local education authority's 1997–98 annual capital guideline in cash terms and at 1995–96 prices. It also lists, at 1995–96 prices, the average capital allocation—annual capital guideline plus any supplementary credit approvals—for each LEA for the period 1993–94 to 1996–97. Comparable data for 1992–93 can be provided only at disproportionate cost.

We expect to issue further supplementary credit approvals in 1996–97, and to issue supplementary credit approvals totalling about £66 million—or £63 million at 1995–96 prices—in 1997–98. The table does not include allocations under capital challenge.

LOCAL EDUCATION AUTHORITIES CAPITAL ALLOCATIONS
(Annual capital guidelines and supplementary credit approvals)

Real terms[1] = 1995–96 prices *All figures in £000*

LEA	1997–98 ACG	1997–98 ACG in real terms	Average real terms allocation 1993–94 to 1996–97
Avon	—	—	6,425
Barking	1,021	977	2,028
Barnet	901	862	2,838
Barnsley	1,153	1,103	2,622
Bath and North-east Somerset	1,221	1,168	388
Bedfordshire	2,247	2,149	2,313
Berkshire	1,634	1,563	3,605
Bexley	3,545	3,391	1,914
Birmingham	1,061	1,015	8,762
Bolton	1,422	1,360	802
Bournemouth	1,470	1,406	—
Bradford	3,981	3,808	6,650
Brent	54	52	595
Brighton and Hove	3,004	2,873	—
Bristol	174	166	794
Bromley	1,035	990	1,979
Bukinghamshire	4,235	4,051	9,455
Bury	55	53	702
Calderdale	88	84	1,836
Cambridgeshire	6,985	6,681	7,721
Camden	36	34	541
Cheshire	4,833	4,623	8,680
City	0	0	3
Cleveland	—	—	5,567
Cornwall	6,372	6,095	4,015
Coventry	5,486	5,247	2,277
Croydon	308	295	1,454
Cumbria	3,484	3,332	6,137
Darlington	53	51	—
Derby	832	796	—
Derbyshire	2,110	2,018	7,962
Devon	10,958	10,481	11,425
Doncaster	790	756	5,258
Dorset	1,637	1,566	4,736
Dudley	691	661	1,270
Durham	7,670	7,336	4,271
Ealing	3,528	3,374	2,832
East Riding of Yorkshire	385	368	108
East Sussex	11,763	11,251	14,665
Enfield	7,550	7,221	3,973
Essex	8,563	8,190	11,035
Gateshead	1,884	1,802	2,785
Gloucestershire	7,823	7,483	10,550
Greenwich	1,376	1,316	791
Hackney	771	737	1,079
Hammersmith	125	120	481
Hampshire	9,306	8,901	16,154
Haringey	3,960	3,788	2,464
Harrow	1,097	1,049	2,912

LOCAL EDUCATION AUTHORITIES CAPITAL ALLOCATIONS
(Annual capital guidelines and supplementary credit approvals)
Real terms' = 1995–96 prices *All figures in £000*

LEA	1997–98 ACG	1997–98 ACG in real terms	Average real terms allocation 1993–94 to 1996–97
Hartlepool	5	5	10
Havering	61	58	507
Hereford and Worcester	2,845	2,721	4,707
Hertfordshire	9,986	9,551	4,000
Hillingdon	2,038	1,949	2,072
Hounslow	3,095	2,960	3,005
Humberside	—	—	5,599
Isle of Wight	2,604	2,491	3,458
Isles of Scilly	49	47	54
Islington	72	69	384
Kensington	84	80	633
Kent	19,937	19,069	19,973
Kingston upon Hull	96	92	40
Kingston upon Thames	3,009	2,878	660
Kirklees	1,554	1,486	2,988
Knowsley	1,447	1,384	1,180
Lambeth	651	623	829
Lancashire	5,225	4,998	9,509
Leeds	7,046	6,739	4,353
Leicester	162	155	—
Leicestershire	1,563	1,495	5,710
Lewisham	813	778	1,510
Lincolnshire	5,949	5,690	9,585
Liverpool	4,947	4,741	3,866
Luton	845	808	—
Manchester	5,944	5,685	11,990
Merton	47	45	658
Middlesbrough	616	589	251
Milton Keynes	2,724	2,605	—
Newcastle	407	389	2,970
Newham	2,892	2,766	2,036
Norfolk	2,301	2,201	4,050
North-east Lincolnshire	474	453	58
North Lincolnshire	319	305	40
North Somerset	3,207	3,067	599
North Tyneside	1,116	1,067	3,360
North Yorkshire	3,789	3,624	4,708
Northamptonshire	6,693	6,402	5,022
Northumberland	1,325	1,267	2,513
Nottinghamshire	3,074	2,940	2,741
Oldham	1,630	1,559	2,126
Oxfordshire	5,167	4,942	5,852
Poole	1,067	1,021	—
Portsmouth	2,275	2,176	—
Redbridge	7,688	7,353	4,787
Redcar and Cleveland	169	162	285
Richmond	129	123	225
Rochdale	910	870	739
Rotherham	1,547	1,480	1,252
Rutland	4	4	—
Salford	4,462	4,268	4,129
Sandwell	2,481	2,373	1,648
Sefton	70	67	1,640
Sheffield	4,676	4,473	4,674
Shropshire	3,891	3,722	6,758
Solihull	2,425	2,319	2,172
Somerset	2,028	1,940	3,423
South Gloucestershire	4,414	4,222	599
South Tyneside	571	546	874
Southampton	512	490	—
Southwark	1,789	1,711	1,088

LOCAL EDUCATION AUTHORITIES CAPITAL ALLOCATIONS
(Annual capital guidelines and supplementary credit approvals)
Real terms' = 1995–96 prices *All figures in £000*

LEA	1997–98 ACG	1997–98 ACG in real terms	Average real terms allocation 1993–94 to 1996–97
St. Helen's	526	503	1,257
Staffordshire	4,368	4,178	3,355
Stockport	737	705	860
Stockton on Tees	165	158	158
Stoke	196	187	—
Suffolk	4,610	4,409	7,576
Sunderland	4,658	4,455	3,806
Surrey	9,114	8,717	9,693
Sutton	3,484	3,332	2,201
Tameside	2,117	2,025	2,603
Thamesdown	1,054	1,008	—
Tower Hamlets	3,085	2,951	10,755
Trafford	4,096	3,918	1,404
Wakefield	4,037	3,861	10,567
Walsall	557	533	666
Waltham Forest	1,161	1,110	2,447
Wandsworth	50	48	2,103
Warwickshire	970	928	8,654
West Sussex	5,893	5,637	3,587
Westminster	608	582	373
Wigan	1,685	1,612	1,911
Wiltshire	4,311	4,123	3,130
Wirral	1,468	1,404	2,057
Wolverhampton	685	655	1,927
York	476	455	185

Mr. Rooker: To ask the Secretary of State for Education and Employment if she will list for each local education authority *(a)* its percentage of the national school population and *(b)* the percentage of extra resources from the increase in the latest standard spending assessment allocated to it. [11942]

Mr. Robin Squire: The following table sets out the percentage for each authority of the national total of pupils underlying the provisional education standard spending assessment calculations for 1997–98 and the provisional percentage for each authority of the £592 million increase in the national total of education standard spending assessments, net of specific grants. The further additional resources available through the specific grant programmes are not included in this analysis, as they are not necessarily allocated on the basis of pupil numbers.

Some care must be taken in drawing conclusions from this table. Each authority's share of the extra resources will reflect the year on year change in its pupil numbers and therefore may not be proportionate to its share of the national total of pupil numbers. Variations in the shares of the extra resources are also affected in particular by year-on-year changes in the proportion of children in each authority who are entitled to free school meals.

LEA	SSA increase	Pupil numbers
City of London	0.0	0.0
Camden	0.5	0.3
Greenwich	0.2	0.5
Hackney	0.7	0.3
Hammersmith and Fulham	0.3	0.2
Islington	0.4	0.3

LEA	SSA increase	Pupil numbers
Kensington and Chelsea	0.1	0.1
Lambeth	0.0	0.3
Lewisham	0.7	0.4
Southwark	0.3	0.4
Tower Hamlets	1.0	0.5
Wandsworth	0.5	0.4
Westminster	0.3	0.2
Barking and Dagenham	0.8	0.4
Barnet	0.9	0.6
Bexley	0.8	0.5
Brent	0.6	0.5
Bromley	1.2	0.6
Croydon	0.9	0.6
Ealing	0.7	0.5
Enfield	1.1	0.6
Haringey	0.9	0.4
Harrow	0.2	0.4
Havering	0.4	0.5
Hillingdon	0.7	0.5
Hounslow	0.6	0.5
Kingston upon Thames	0.3	0.3
Merton	0.4	0.3
Newham	1.3	0.6
Redbridge	0.9	0.5
Richmond upon Thames	0.4	0.3
Sutton	0.5	0.4
Waltham Forest	0.4	0.4
Birmingham	1.6	2.3
Coventry	0.6	0.7
Dudley	0.5	0.6
Sandwell	0.7	0.7
Solihull	0.8	0.5
Walsall	0.7	0.6
Wolverhampton	0.3	0.5
Knowsley	0.7	0.4
Liverpool	1.3	1.1
St. Helens	0.5	0.4
Sefton	0.6	0.6
Wirral	0.3	0.7
Bolton	0.7	0.6
Bury	0.4	0.4
Manchester	-0.1	0.9
Oldham	0.6	0.5
Rochdale	0.6	0.5
Salford	0.5	0.5
Stockport	0.5	0.6
Tameside	0.8	0.5
Trafford	0.7	0.5
Wigan	0.5	0.7
Barnsley	0.4	0.5
Doncaster	0.6	0.7
Rotherham	0.5	0.6
Sheffield	0.7	1.0
Bradford	1.0	1.2
Calderdale	0.4	0.5
Kirklees	1.1	0.8
Leeds	1.8	1.5
Wakefield	0.7	0.7
Gateshead	0.2	0.4
Newcastle upon Tyne	0.3	0.5
North Tyneside	0.3	0.4
South Tyneside	0.5	0.3
Sunderland	0.5	0.7
Isles of Scilly	0.0	0.0
Bath and North-east Somerset	0.2	0.3
Bristol	0.4	0.7
North Somerset	0.4	0.4
South Gloucestershire	0.6	0.5
Hartlepool	0.2	0.2
Middlesbrough	0.2	0.3
Redcar and Cleveland	0.1	0.3
Stockton on Tees	0.4	0.4
Kingston upon Hull	0.4	0.6
East Riding of Yorkshire	0.7	0.6
North-east Lincolnshire	0.3	0.4
North Lincolnshire	0.3	0.3
North Yorkshire	1.2	1.1
York	0.2	0.3
Bedfordshire	0.9	0.8
Luton	0.3	0.4
Buckinghamshire	0.7	1.0
Milton Keynes	0.5	0.5
Derbyshire	1.4	1.5
Derby	0.7	0.5
Dorset	0.7	0.7
Poole	0.3	0.3
Bournemouth	0.3	0.3
Durham	0.4	1.1
Darlington	0.2	0.2
East Sussex	1.2	0.9
Brighton and Hove	0.4	0.4
Hampshire	2.1	2.3
Portsmouth	0.1	0.3
Southampton	0.3	0.4
Leicestershire	1.2	1.3
Leicester	0.0	0.6
Rutland	0.0	0.1
Staffordshire	1.7	1.8
Stoke on Trent	0.5	0.5
Wiltshire	0.9	0.8
Thamesdown	0.4	0.4
Berkshire	1.4	1.6
Cambridgeshire	0.8	1.4
Cheshire	2.1	2.1
Cornwall	1.1	1.0
Cumbria	0.9	1.0
Devon	2.2	2.1
Essex	2.9	3.2
Gloucestershire	1.3	1.1
Hereford and Worcester	1.0	1.4
Hertfordshire	2.0	2.2
Isle of Wight Council	0.4	0.3
Kent	3.4	3.3
Lancashire	3.1	3.0
Lincolnshire	1.4	1.3
Norfolk	1.2	1.5
Northamptonshire	1.3	1.3
Northumberland	0.8	0.7
Nottinghamshire	1.8	2.1
Oxfordshire	1.1	1.1
Shropshire	0.9	0.9
Somerset	0.7	0.9
Suffolk	1.5	1.3
Surrey	2.3	1.8
Warwickshire	0.7	1.0
West Sussex	1.0	1.4
	100.0	100.0

Training (Small Firms)

Mrs. Bridget Prentice: To ask the Secretary of State for Education and Employment if she will make a statement regarding the provision of training to small firms. [10591]

Mr. Paice: Many small firms will benefit from the £49 million Government support for employers training this year through local training and enterprise councils, and from provision aimed at young people and the work of their local further education colleges. In addition, nearly 13,000 small firms have been helped in the last 18 months through skills for small businesses, skills challenge, and the small firms training loans initiative.

Following a comprehensive review of the Government's support for businesses, local provision will be available through the local competitiveness budget from April 1997. This will continue to provide wide ranging advice and support to small firms through TECs and business links. Any small firms wanting guidance on skills and training should contact its local TEC or business link.

Mr. Callaghan: To ask the Secretary of State for Education and Employment if she will make a statement regarding the adequacy of training available to small firms. [10604]

Mr. Paice: Small firms can access training through local employer-led bodies such as training and enterprise councils and business links. TECs' specific small firms initiatives have helped nearly 13,000 small firms develop their training effort in the last 18 months alone. Recently published statistics show that, nationally, 84 per cent. of smaller firms have provided training for their employees, using a variety of methods to suit their circumstances.

As a direct response to business needs, the Government undertook a comprehensive review last year, aimed at simplifying support to businesses. A key outcome for my Department of this review is the establishment of the local competitiveness budget from April 1997. This will continue to provide wide-ranging advice and support to local firms through TECs and business links.

Education and Business Links

Mr. William O'Brien: To ask the Secretary of State for Education and Employment if she will make a statement on the initiatives her Department is taking to develop links between small businesses and colleges of higher education. [10606]

Mr. Forth: This Department has responsibility for supporting the development of closer links between education and business, including in particular those between higher education and employment.

The enterprise in higher education programme has initiated a range of links between employers and higher education institutions, and the Department also funds various development projects. I am placing a copy of the "Higher Education and Employment Projects Digest" in the Library.

Two new suites of projects have been started in 1996–97 specifically to develop links between higher education institutions and small and medium-sized enterprises.

The "using graduate skills" projects will develop strategies and tools to increase graduate recruitment by SMEs, and assist employers in making better use of the graduates they recruit; and

The higher education business partnerships projects have similar aims, but the focus is more sharply on forming permanent employer-led partnerships between higher education and the SME sector.

The teaching company scheme enables firms to take advantage of the wealth of scientific, engineering, technological and business knowledge available in our universities with graduates working in a company for two years on projects central to the company's needs;

The postgraduate training partnerships initiative, which is jointly supported by DTI, involves the annual recruitment into each partnership of up to 10 postgraduate students to undertake industrially relevant research;

The Shell technology enterprise programme is a Shell UK national placement scheme, part-funded by the DTI, which provides undergraduates with relevant industrial experience; and

The focus technology programme, run in association with business links, aims to help research and technology organisations and higher education institutions to improve the contact they have with small firms and the technological services they provide to them.

Education Welfare Service

Mr. Blunkett: To ask the Secretary of State for Education and Employment what consultation she undertook with members of the education welfare service, in drawing up the exclusion measures currently before Parliament. [11567]

Mr. Forth: The Department is in regular contact on a wide range of issues with the Association for education welfare managers and the National Association of Social Workers in Education. Consultations on specific measures in the current Education Bill included the local authority associations, which are representative of those responsible for the education welfare service.

Nursery Vouchers

Mr. Blunkett: To ask the Secretary of State for Education and Employment what is the average pupil-teacher ratio in reception classes in the phase 1 areas of the nursery voucher scheme. [11563]

Mr. Robin Squire: Information about pupils and teachers in reception classes it not collected centrally.

Mr. Blunkett: To ask the Secretary of State for Education and Employment (1) if she will list the providers that have withdrawn from the nursery voucher scheme, indicating in each case *(a)* the reason for their withdrawal and *(b)* if they are in the public, voluntary or private sector; [11570]

(2) if she will list the providers that were initially validated in the nursery voucher scheme, but have subsequently closed, stating in each case *(a)* the reason given for their closure and *(b)* whether they are in the public, voluntary or private sector. [11571]

Mr. Robin Squire: The number of providers in the nursery education voucher scheme will fluctuate for a variety of reasons. Of the 1,142 providers who joined phase 1 of the scheme, 40—3 per cent.—have subsequently withdrawn; a list has been placed in the Library. Twenty of these did not redeem any vouchers in either the summer or autumn terms. I understand that nine providers have closed and given as their reason for closure that too few parents chose to redeem their vouchers there. The providers who have withdrawn exchanged 446 voucher parts in respect of 122 children—less than 0.2 per cent. of the total.

Mr. Blunkett: To ask the Secretary of State for Education and Employment when data on term 2 of the pilot phase of the nursery voucher scheme will be available. [11568]

Mr. Squire: Detailed information on the operation of phase 1 of the nursery education voucher scheme in the first half of the autumn term has been sent to the House of Commons Education and Employment Select Committee and placed in the Library. Information about the issue and redemption of vouchers in the second half of the autumn terms will be available shortly.

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many hours of provision per *(a)* week and *(b)* day voucher-bearing children receive on average in each of phase 1 areas and overall. [11569]

Mr. Squire: Information is not available in this form.

Tables 6.5 and 6.7 of the Department's report on phase 1 of the nursery voucher scheme show the numbers of sessions attended by voucher redeeming children in summer term 1996. An analysis of data for the first half of the autumn term 1996 has been placed in the Library: Table 5 gives similar information for the autumn term 1996, and shows an increase in the average number of sessions attended from 4.71 in the summer term to 4.92 in the autumn term.

Providers in the voucher scheme must provide a session of around 2.5 hours for each voucher part, but are free to offer more if they wish. Provision in nursery schools and classes is predominantly part time (half day) and in reception classes full time (full day).

Mr. Blunkett: To ask the Secretary of State for Education and Employment what proportion of providers in *(a)* the private sector and *(b)* the voluntary sector, participating in phase 1 of the voucher scheme, carried out the self-assessment schedule. [11572]

Mr. Squire: The purpose of the self-assessment schedule was to help potential providers establish whether they could meet the conditions for joining the nursery education voucher scheme and to help them review their current practices. All phase 1 providers were encouraged to complete a self-assessment schedule.

Mr. Blunkett: To ask the Secretary of State for Education and Employment further to her Department's report on phase 1, November 1996, what further analysis *(a)* has been carried out and *(b)* is planned, of those parents of eligible children who (i) failed to claim a voucher, (ii) failed to redeem a voucher and (iii) redeemed only part of a voucher. [11573]

Mr. Squire: A survey of parents in the phase 1 areas to establish participation in pre-school education included questions to explore why not all eligible parents claimed vouchers for summer term 1996; or when they did claim vouchers, why they did not use some or all of them. The survey results are being analysed.

Geographical patterns of redemption and non-redemption of vouchers in the autumn and spring terms 1996–97 will also be examined.

Nursery Inspectors

Mr. Blunkett: To ask the Secretary of State for Education and Employment (1) how many people have *(a)* applied to become a nursery education inspector, *(b)* embarked on the course to become a nursery education inspector and *(c)* successfully completed that course and qualified as a nursery education inspector; [11561]

(2) how many providers participating in phase 1 of the voucher scheme have been found by inspectors to have unacceptable standards of provision; [11562]

(3) how many and what proportion of private and voluntary sector providers in phase 1 of the voucher scheme have been inspected by Ofsted, at the most recent date for which figures are available; and how many such inspection reports have been published; [11564]

(4) how many nursery education inspectors have successfully completed training; and what is the target number of nursery education inspectors for phase 2 of the nursery voucher scheme; [11566]

(5) when the Ofsted report on the operation of the voucher scheme in the phase 1 areas will be published. [11574]

Mr. Robin Squire: These are matters for Her Majesty's Chief Inspector of Schools. I have asked Mr. Chris Woodhead to write to the hon. Member.

TRANSPORT

Vehicle Emissions

Mr. Amess: To ask the Secretary of State for Transport if he will make a statement about the implementation of the proposals announced by the Chancellor in his recent Budget speech on vehicle excise duty incentives for lorries meeting low emissions standards. [12658]

Mr. Bowis: We are today issuing a consultation paper on vehicle excise duty incentives for lorries meeting low emissions standards. Copies have been placed in the Library. The Chancellor's 1996 Budget Statement announced his intention to reduce VED by up to £500 per year for lorries meeting these standards. It is planned to introduce the incentive in early 1998 following this consultation on the practical details of implementation of the measure.

The consultation paper seeks views on the administration and enforcement of the VED incentive. The closing date for comments is 22 April 1997. In the light of the replies, we will consider the most appropriate way of implementing the concession.

Emergency Towing Vessels

Mr. Amess: To ask the Secretary of State for Transport if he will release the report of the trials of two emergency towing vessels during the winters of 1994–95 and 1995–96. [12659]

Mr. Bowis: Copies of the Coastguard Agency's report have today been placed in the Library.

Milford Haven Port Authority

Mr. Dafis: To ask the Secretary of State for Transport what recent assessment he has made of the effectiveness

of the Milford Haven port authority; what measures he has *(a)* taken and *(b)* proposes to improve the operations of the authority; and if he will make a statement. [11351]

Mr. Bowis: The operation of the Milford Haven port authority is governed by the Milford Haven Conservancy Act 1983, which does not provide a basis for such an assessment. The terms of reference for the Marine Accidents Investigation Branch investigation into the causes of the grounding and salvage of the Sea Empress cover, inter alia, the safety of port operations in relation to that incident.

MV Canberra (Inquiry)

Mrs. Dunwoody: To ask the Secretary of State for Transport what action *(a)* his Department and *(b)* the Marine Safety Agency is taking against (i) the operators and (ii) the officers and crew of the MV Canberra following the recent publication of the Marine Accidents Investigation Branch report into the incident in December 1994. [11516]

Mr. Bowis: No action has been taken by this Department or the Marine Safety Agency against the operators and crew of the MV Canberra. Although the MAIB investigation highlighted a number of deficiencies in both equipment and operational procedures onboard, these were not considered to justify prosecution.

Between the 1994 incident and the 1996 Marine Accidents Investigation Branch report, the operators initiated a number of modifications to the boiler fuel system and operational procedures in order to prevent a similar accident happening again. We are satisfied that lessons learnt from the Canberra incident have been addressed.

TRADE AND INDUSTRY

Qualified Majority Voting

17. **Mr. Waterson:** To ask the President of the Board of Trade what is his assessment of the effect of an extension of qualified majority voting within the social chapter on British business. [10607]

Mr. John M. Taylor: Thanks to our hard won opt-out from the social chapter, legislation adopted under it does not apply to businesses in the UK, irrespective of the voting mechanism.

World Trade Organisation

18. **Mr. Benton:** To ask the President of the Board of Trade if he will make a further statement on the outcome of the recent WTO meeting in Singapore. [10608]

Mr. Nelson: Good progress was made on the United Kingdom's objectives in Singapore; a substantial programme of trade liberalisation was agreed; an information technology agreement was agreed in principle by the EU, US and 11 other countries; and progress was made towards an agreement to open up world telecom markets by February this year.

29. **Mr. Fabricant:** To ask the President of the Board of Trade what assessment he has made of the impact of the World Trade Organisation meeting in Singapore on trade between the United Kingdom and North America. [10621]

Mr. Lang: The gains and benefits that will result from the recent WTO ministerial meeting in Singapore have not been assessed on a market basis. As an indicator of the importance of the information technology agreement to UK firms buying and selling IT equipment, the potential reduction in tariffs payable on UK IT imports and exports is estimated to be around £250 million. The value of the agreement between the EU and the US on the elimination of tariffs on brown and white spirits by the year 2000 has not yet been quantified, but it will offer significant benefits to the British drinks industry and has been welcomed by them. While any estimates are necessarily tentative, taking account of the large number of countries which have yet fully to liberalise their markets, and the potential for growth, a comprehensive WTO agreement to liberalise telecoms, negotiations for which are due to be completed in February 1997, could be worth £12 billion ($20 billion) in revenue to British companies by the year 2010. A significant proportion of this would be business on the UK-North America routes.

Electricity Industry

20. **Ms Eagle:** To ask the President of the Board of Trade what recent representations he has received regarding takeovers and mergers in the electricity industry. [10611]

Mr. Lang: I refer the hon. Member to the answer I gave the hon. Member for Delyn (Mr. Hanson) earlier today.

Small Businesses

21. **Mr. Bellingham:** To ask the President of the Board of Trade what plans he has to meet representatives of small business organisations to discuss schemes to encourage enterprise. [10612]

Mr. Lang: My ministerial colleagues and I meet small business representative organisations on a regular basis to discuss a wide range of issues.

Mrs. Roche: To ask the President of the Board of Trade what estimate his Department has made of the number of *(a)* forms and *(b)* regulatory visits which firms with (i) under 100 employees, (ii) under 50 employees and (iii) under 10 employees have to undertake each year. [11811]

Mr. Page: The information requested is not available.

Industrial Action

22. **Dr. Goodson-Wickes:** To ask the President of the Board of Trade what assessment he has made of the cost of strikes to industry in the United Kingdom in 1996. [10613]

Mr. John M. Taylor: I have not made an assessment of the costs to British industry of strikes in 1996, but the number of days lost due to industrial stoppages was nearly four times as high as in the previous year, causing disruption to many businesses and the lives of millions of people.

Privatisation

23. **Mr. John Marshall:** To ask the President of the Board of Trade what assessment he has made of the impact of privatisation on industry efficiency. [10614]

Mr. Lang: Privatisation is a major element in the Government's strategy to promote efficiency in the economy. It has led to increased investment, lower prices, better services and wider choice for consumers. A recent assessment by the Organisation of Economic Co-operation and Development concluded that

"since privatisation, most of the regulated utilities have achieved substantial improvements in productivity".

Public Sector Research Establishments

24. **Mr. Hall:** To ask the President of the Board of Trade if he will make a statement on the progress of the Government's prior options review of the public sector research establishments. [10615]

Mr. Ian Taylor: The Government are considering the prior options review reports. We are determined to achieve the greatest possible benefit from the substantial resources devoted to the public sector research establishments. We expect to make further announcements about outstanding decisions in the near future.

Nano-technology

25. **Mr. Flynn:** To ask the President of the Board of Trade what proposals he has to increase research into nano-technology. [10616]

Mr. Ian Taylor: The Government are committed to innovation and the application of research across the full range of technologies including nano-technology. At least two new projects relevant to nano-technology have recently been introduced through the foresight programme, including a national centre for microelectronics. It is for the research councils, universities, academics and industry to take forward specific projects where appropriate.

Manufacturing Industry

26. **Mr. Stevenson:** To ask the President of the Board of Trade what was the total capital expenditure by manufacturing industries, revalued at 1990 prices, in *(a)* 1995, *(b)* 1989 and *(c)* 1979. [10617]

Mr. Greg Knight: £12.6 billion, £15.0 billion and £13.6 billion respectively.

Working Time Directive

27. **Mr. Clapham:** To ask the President of the Board of Trade what proposals he has made to the Commission to complete the working time directive in 1997. [10619]

Mr. Lang: None. My Department is currently consulting widely on implementation of the working time directive.

Private Creditors

28. **Mr. McNamara:** To ask the President of the Board of Trade if he will make a statement concerning private creditors of firms going into liquidation. [10620]

Mr. John M. Taylor: There is no category of private creditor recognised by the insolvency legislation. Creditors are, therefore, either secured, preferential or unsecured and a private individual could fall into any one of these categories. Their rights are determined in most cases by their contract with the company and by statutory provisions contained principally in the Insolvency Act 1986.

Industrial Development Boards

30. **Mr. Jamieson:** To ask the President of the Board of Trade what recent assessment he had made of the procedures relating to industrial development boards. [10622]

Mr. Greg Knight: In general, the procedures for regional industrial development boards work well. The boards provide valuable advice to my Department in assessing the case for financial assistance to industrial and commercial investment projects. Some changes were introduced recently to provide additional guidance on conflicts of interest and on the size and quorum of industrial development boards. We are also continuing to develop additional procedures which take account of the recommendations of Lord Nolan's committee on standards in public life.

Regional Policy

31. **Mr. Watson:** To ask the president of the Board of Trade if he will make a statement on the impact of the European Commission's first cohesion report on regional policy in the United Kingdom. [10623]

Mr. Greg Knight: I refer the hon. Member to the reply that I gave to the hon. Member for Wolverhampton, South-East (Mr. Turner) on 4 December 1996, *Official Report*, column *696*.

Manufacturing Exports

32. **Mr. Purchase:** To ask the President of the Board of Trade if he will make a statement about exports of manufactured goods to the European Union. [10624]

Mr. Greg Knight: The value of UK exports of manufactures to the European Union reached a record £74 billion in 1995, nearly 17 per cent. higher than in 1994. In the 12 months to October 1996, the value of exports of manufactures to the EU increased by over 8 per cent. compared with a year earlier.

Manufacturing Investment

33. **Mr. Pope:** To ask the President of the Board of Trade if he will make a statement on the change in manufacturing investment in the past 12 months. [10625]

Mr. Greg Knight: I refer the hon. Member to the oral answer given by my hon. Friend the Minister for Trade to the hon. Member for Worsley (Mr. Lewis) earlier today. Currently, the conditions for investment are extremely favourable.

Employee Participation

34. **Mr. Chris Davies:** To ask the President of the Board of Trade what is his policy towards the encouragement of employee participation within British companies. [10626]

Mr. John M. Taylor: The Government support voluntary employee involvement by encouraging and publicising good practice, funding research, and through tax incentives for financial participation. Employee involvement arrangements should be tailored to each business's circumstances, not imposed by legislation.

Competition Policy

Mr. Charles Kennedy: To ask the President of the Board of Trade when he last met the Director General of Fair Trading to discuss competition policy. [10610]

Mr. John M. Taylor: My right hon. Friend the President of the Board of Trade last met the Director General of Fair Trading to discuss competition policy on 28 November 1996. Meanwhile, I met the director yesterday.

UK Space Industry

Mr. Waller: To ask the President of the Board of Trade if he will announce the results of the recent study of the United Kingdom space industry. [12541]

Mr. Ian Taylor: The major findings of the study undertaken on behalf of the British National Space Centre showed that, during the financial years 1994–95 and 1995–96, consolidated turnover increased in real terms by 26 per cent. to £613 million. Total UK space turnover is estimated at £740 million for 1995–96. Employment in the UK space sector has risen by 3 per cent. to 6,500. Mean value added per employee, which can be used as an indicator of competitiveness, increased in real terms over the past two years by 20 per cent.

Radiocommunications Agency

Mr. Waller: To ask the President of the Board of Trade what changes he proposes to the service which the Radiocommunications Agency provides to investigate interference to domestic television and radio reception. [12543]

Mr. Ian Taylor: The agency currently charges £40 to visit householders to diagnose reception difficulties. This charge will be increased to £45 with effect from 1 April 1997 and will help to ensure that the agency does not undercut the private sector for this type of work. The agency continues to provide a free service to check specific sources of interference to television and radio reception in accordance with it regulatory duties.

Policyholders Protection Act

Mr. Waller: To ask the President of the Board of Trade when he intends to amend the Policyholders Protection Act 1975; and if he will make a statement. [12542]

Mr. Nelson: My right hon. Friend the President of the Board of Trade announced his intention to amend the Policyholders Protection Act 1975 on 23 October 1995, *Official Report*, column *417*, as soon as Parliamentary time permitted. My hon. Friend the Member for Bournemouth, West (Mr. Butterfill) has now introduced a Bill which implements all but one of the Government's proposals to amend this Act. The Bill is due to receive its Second Reading on Friday 24 January. The Government fully support the Bill.

The main objectives of the Bill are to amend the geographic coverage of the 1975 Act by excluding insurance risks outside the European Economic Area from the compensation scheme; to modernise its provisions in relation to the failure of non-life insurance companies; and to change some administrative procedures designed to speed up settlement of claims against insolvent insurance companies.

The Bill also includes a proposal explicitly to extend the Act's compensation scheme to insurance policies issued by branches of United Kingdom companies in the Channel islands and Isle of Man covering risks in those territories. Hitherto, there has been some legal doubt about whether this business was covered.

The Bill proposed by my hon. Friend the Member for Bournemouth, West does not include the Government's proposal to limit partnership benefits to those provided to incorporated bodies in the Policyholders Protection Act 1975. The Government intend to review this proposal.

Payment Practice

Mrs. Roche: To ask the President of the Board of Trade when he plans to announce the results of his Department's consultation on stating payment practice in annual accounts. [11812]

Mr. Page: I shall announce the results of my Department's consultation on payment practice shortly.

Prohibited Weapons (Export)

Mr. Cohen: To ask the President of the Board of Trade if it is Government policy to permit the export of weapons prohibited under the terms of the Firearms (Amendment) Bill. [11216]

Mr. Nelson: I refer the hon. Member to my reply to the hon. Member for Banff and Buchan (Mr. Salmond) on 18 December 1996, *Official Report*, column *698*.

Nuclear Power Stations (Ukraine)

Mr. Dalyell: To ask the President of the Board of Trade what assessment has been given to him by European bank for reconstruction and development about the report of the independent experts on *(a)* financial assistance for Chernobyl and *(b)* the proposed two new Ukraine power stations to be partially financed by the European Union and the G7. [11232]

Mr. Page *[holding answer 20 January 1997]:* Action to follow up the EU-funded study of the options for dealing with the Chernobyl sarcophagus, including the need for further analysis, is now being discussed between the G7 countries, the European Union, the EBRD and the Ukrainian Government. I understand the results of the work of the independent panel, appointed by the EBRD and the European Commission to advise on Ukraine's energy options, are not yet available.

Personalised Number Plates

Mr. Donohoe: To ask the President of the Board of Trade how many personalised number plates there are in the ownership of the executive agencies operated by his Department; and if he will list them. [11420]

Mr. John M. Taylor: I am asking the chief executive of each DTI agency to reply to the hon. Member.

Letter from Seton Bennett to Mr. Brian Donohoe, dated 22 January 1977:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about personalised number pates in the ownership of executive agencies.

This agency does not own any such number plates.

Letter from John S. Holden to Mr. Brian Donohoe, dated 22 January 1997:

You recently tabled a Parliamentary Question for the President of the Board of Trade asking how many personalised number plates there are in the ownership of the executive agencies operated by his Department. I am responding as Chief Executive of Companies House Executive Agency.

The answer is none.

Letter from Jim Norton to Mr. Brian Donohoe, dated 22 January 1997:

You asked in your Parliamentary Question of 15 January to the President of the Board of Trade, how many personalised number plates there are in the ownership of the executive agencies operated by his Department.

The Radiocommunications Agency has no official vehicles with personalised number plates.

Letter from P. R. S. Hartnack to Mr. Brian Donohoe, dated 22 January 1997:

I am replying for the Patent Office to your Parliamentary Question to the President of the Board of Trade about personalised number plates in the ownership of executive agencies.

The Patent office owns no vehicles and thus owns no personalised number plates.

Letter from Peter Joyce to Mr. Brian Donohoe, dated 22 January 1997:

The President of the Board of Trade has asked me to reply to your question about personalised number plates owned by The Insolvency Service. The Service owns no such plates.

Mid Kent Water

Dr. Howells: To ask the President of the Board of Trade what representations he has received from companies in connection with the proposed bid by Compagnie Generale des Eaux and SAUR for Mid Kent Water plc; and if he will list them [12052]

Mr. John M. Taylor *[holding answer 21 January 1997]:* Excluding representations from the parties to the proposed merger, my Department received two representations from companies in connection with the proposed acquisition of Mid Kent Holdings by General Utilities and SAUR Water Services. Both of these representations were copied to the Monopolies and Mergers Commission either directly by the sender or by officials of my Department. Chapter 10 of the MMC's report, which was laid before Parliament today, contains details of the representations made by interested parties to the MMC.

Dounreay Castle (Decontamination)

Mr. Meacher: To ask the President of the Board of Trade what applications he has received from the United Kingdom Atomic Energy Authority for assistance in the funding of the decontamination of Dounreay castle. [11913]

Mr. Page: Funding for decontamination of Dounreay castle will be provided under the DTI's existing programme of nuclear decommissioning and waste management on United Kingdom Atomic Energy Authority sites.

Nuclear Waste Reprocessing

Mr. Meacher: To ask the President of the Board of Trade what quantities of radioactive waste will be brought to the United Kingdom under the terms of the latest contract for British Nuclear Fuels to process radioactive waste for the United States Department of Energy.[11912]

Mr. Page: Details of the contract are a commercial matter for BNFL and its US subsidiary, BNFL Inc. However, I understand that the contract for the waste treatment work at Idaho national engineering laboratory, worth an estimated £650 million, does not involve importing radioactive waste to the UK.

Nuclear Waste Transportation

Ms Walley: To ask the President of the Board of Trade what estimate he has made of the staging requirements for 1997–98 in respect of police escorts of motorway and road transportation of nuclear waste cargoes trans-shipped abroad; and if he will make a statement. [10953]

Mr. Page: No estimates have been made because there is no requirement for police escorts to accompany the road transport of radioactive waste.

ENVIRONMENT

Housing (Northamptonshire)

Mr. William Powell: To ask the Secretary of State for the Environment how many council houses were *(a)* built, *(b)* restored to use and *(c)* acquired in each local authority in Northamptonshire in each of the last five years. [11066]

Mr. Clappison: The available information on council houses built or restored to use is set out in the tables.

New council dwellings completed[1]

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Corby	—	—	—	—	—
Daventry	50	6	—	—	—
East Northamptonshire	31	2	—	—	—
Kettering	74	3	—	—	—
Northampton	—	—	—	—	12
South Northamptonshire	1	—	—	—	—
Wellingborough	42	—	—	—	—

[1] Source: P2 returns from local authorities.

Vacant council dwellings restored to use after major renovation work[1]

	1993–94	*1994–95*	*1995–96*
Corby	n/a	—	8
Daventry	—	—	—
East Northamptonshire	2	2	—
Kettering	10	11	—
Northampton	44	37	27
South Northamptonshire	—	—	—
Wellingborough	—	—	—

Source:

[1] Housing investment programme returns—HIP3 for 1995–96 and HIP annex B for 1993–94 and 1994–95. These data were not collected in this form prior to 1993–94.

During this period, housing investment programme HIP2 returns submitted by local authorities in Northamptonshire reported six dwellings acquired for continued use, excluding low-cost home ownership schemes. These were in Daventry—one in 1992–93; in east Northamptonshire—two in 1992–93; in Kettering—one in 1991–92; in Northampton—one in 1992–93; and in Wellingborough—one in 1992–93.

Water Undertakers

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what independent means of verification will be available to ensure that water undertakers *(a)* maintain the pressure standard and *(b)* pay £25 to customers who do not receive this service standard as set out in the Water Supply and Sewerage Services (Customer Service Standards) (Amendment) Regulations 1996. [11524]

Mr. Clappison: Section 65 of the Water Industry Act 1991 requires water companies to supply water for domestic purposes at such a pressure as will reach the top storey of every building within their area. In practice, the pressure this requires can vary considerably. The Office of Water Services requires companies to report annually the number of properties which are at risk of experiencing problems where pressure falls below a reference level of 10 m head of pressure at a flow of 9 litres per minute, which could be described as sufficient to fill a 2 gallon container in 30 seconds. The way companies report against this standard is reviewed and verified by independent reporters. This enables Ofwat to monitor overall performance and take action where service deteriorates. In the event of a dispute over any claim for payment under the water industry's guaranteed standards scheme, the customer can refer the matter to the Director General of Water Services for determination.

Snow Clearance (Allowances)

Mr. Chris Davies: To ask the Secretary of State for the Environment if he will list the allowances for snow clearing and ice gritting included within the highways standard spending assessments for each of *(a)* the inner-London boroughs and *(b)* the borough councils in Greater Manchester. [11428]

Sir Paul Beresford: The information is contained in the table.

Local authority	*Element of provisional standard spending assessments for 1997–98 relating to winter maintenance of highways (£ million)*
Inner London including City of London	
City of London	0.103
Camden	0.211
Greenwich	0.312
Hackney	0.214
Hammersmith and Fulham	0.176
Islington	0.179
Kensington and Chelsea	0.171
Lambeth	0.295
Lewisham	0.298
Southwark	0.282
Tower Hamlets	0.168
Wandsworth	0.297
Westminster	0.322
Greater Manchester	
Bolton	0.659
Bury	0.441
Manchester	1.128
Oldham	0.714
Rochdale	0.681
Salford	0.584
Stockport	0.695
Tameside	0.597
Trafford	0.521
Wigan	0.702

River Ouse

Mr. Alison: To ask the Secretary of State for the Environment if he will instruct the Environment Agency to study the increase in the variety of fish life which can be supported in the tidal reaches of the River Ouse in North Yorkshire, and publish the results with particular reference to the vicinity of Cawood, since the implementation of required European water quality standards. [11652]

Mr. Clappison: The physical nature of the River Ouse at Cawood is not conducive to sustaining significant fish populations, because of high levels of natural suspended solids and the strong tidal currents which exist.

The Environment Agency is, however, implementing a strategy for improvements in quality to the discharges in the Selby area. One of the aims is to improve dissolved oxygen levels to allow the passage of migratory fish.

Mr. Alison: To ask the Secretary of State for the Environment if he will set out the time scale, under the European urban waste water treatment directive, relating to crude sewage outfalls, which applies to the crude sewage outfalls at present flowing into the River Ouse at *(a)* Rythen, *(b)* Wistow and *(c)* Cawood in North Yorkshire. [11653]

Mr. Clappison: The urban waste water treatment directive requires "appropriate treatment" by 2005 for discharges with effective populations less than 2,000. In the case of Cawood and Wistow sewage treatment works, which discharge to the Ouse, and Rythen, which discharges to the River Wharfe, this is likely to comprise fine screening to remove solids, or possibly primary treatment.

Mr. Alison: To ask the Secretary of State for the Environment if he will instruct the Environment Agency to assess and report on the level of water quality in the River Ouse at Cawood in North Yorkshire and its compliance with *(a)* the European urban waste water treatment directive and *(b)* other relevant directives. [11654]

Mr. Clappison: The water quality of the River Ouse at Cawood is class D, "fair". The major influences on existing quality are the River Aire and some direct industrial discharges in the Selby area.

The urban waste water treatment directive applies to sewage discharges, not to the river itself, but is likely to contribute to improvements in water quality once its requirements come into effect in 2000. The Ouse already meets the existing requirements of the EU dangerous substances directive.

Mr. Alison: To ask the Secretary of State for the Environment if he will instruct the Environment Agency to assess the risk, in terms of health and safety, of swimming and water sports on the River Ouse in the vicinity of Cawood, North Yorkshire. [11655]

Mr. Clappison: Advice about the acceptability or otherwise of swimming and water sports on the River Ouse in the vicinity of Cawood, North Yorkshire, is a matter for local public health officials.

Teesside Development Corporation

Mr. Devlin: To ask the Secretary of State for the Environment how many jobs have been created or safeguarded by the Teesside development corporation. [11872]

Sir Paul Beresford: From its establishment in 1987 to September 1996, the Teesside development corporation had created 10,650 permanent jobs in new developments. The total number of job opportunities created by the development corporation now exceeds 25,000.

Mr. Devlin: To ask the Secretary of State for the Environment if he will make a statement on the work on *(a)* the Teesside development corporation and *(b)* Stockton city challenge. [11873]

Sir Paul Beresford: The Teesside development corporation was established in 1987 and will be wound up in March 1998. The corporation estimates that during its lifetime it will have achieved:

the reclamation of 525 ha of derelict land;

the building or upgrading of 29 km of roads;

the building of 1,400 homes;

provision of 470,200 sq m of non-housing floorspace;

the attraction of £1,090 million of private sector investment;

the creation of over 11,000 permanent jobs in new developments, and over 26,000 job opportunities.

The development corporation has already made substantial progress towards these targets. Its activities are successfully transforming large areas of dereliction around Hartlepool, Middlesbrough and Stockton into exciting and attractive developments which are providing jobs, homes and leisure opportunities.

Stockton city challenge partnership currently estimates that during the lifetime of the initiative it will:

create 3,400 jobs;

lever in £111 million of private sector investment;

build or improve 4,928 homes;

support 291 new business start-ups;

and provide 81,300 training weeks.

The operation of the city challenge in Stockton has also helped forge closer working relationships between the public and private sectors and the local community.

Sub-standard Homes

Mr. Robert Ainsworth: To ask the Secretary of State for the Environment if he will make a statement on Her Majesty's Government's policy for reducing the number of sub-standard homes. [11772]

Mr. Clappison: Between 1986 and 1991, the number of unfit dwellings in England fell by 10 per cent. to 1.5 million. Of these, 62 per cent. needed less than £2,000 of work to make them fit, the majority being owner-occupied. The Government are investing, through the housing investment programme, to help local authorities maintain their stock, promoting the transfer of local authority stock to not-for-profit private landlords such as local housing companies, encouraging housing associations to buy up and repair run-down stock and providing renovation grants to help private owners make improvements to their homes—in 1995–96 £450 million was spent on 95,000 such grants.

Sewage Outfalls (Yorkshire)

Mr. Alison: To ask the Secretary of State for the Environment if he will instruct the Environment Agency and the National Rivers Authority to review the Yorkshire Water Services' plans for an accelerated programme for dealing with crude sewage outfalls at certain Yorkshire coastal villages and to assess whether Cawood, in North Yorkshire, should be added to the list of villages in the programme. [11656]

Mr. Clappison: The National Rivers Authority was subsumed into the Environment Agency for England and Wales on 1 April 1996.

Yorkshire Water Services' plans to accelerate sewage treatment schemes voluntarily at certain coastal villages take account of the agency's views. The assessment of the agency is that the discharge at Cawood has a lesser effect which would not justify the scheme being given priority in advance of action to meet the requirements of the urban waste water treatment directive by the deadline of 2005.

Environmental Information (Disclosure)

Mr. Llew Smith: To ask the Secretary of State for the Environment if he will make a statement on how the revised code of practice on access to Government information, second edition, published on 14 January, will affect the disclosure of environmental information. [11776]

Sir Paul Beresford: The revised code will not affect the disclosure of the environmental information. The code—like its predecessor—is non-statutory, and cannot

override the existing statutory right of access to environmental information contained in the Environmental Information Regulations 1992.

Housing (West Midlands)

Mr. Robert Ainsworth: To ask the Secretary of State for the Environment how many families were *(a)* officially homeless, *(b)* living in temporary accommodation and *(c)* have had homes repossessed in (i) Coventry and (ii) the west midlands in each of the last five years for which figures are available. [11773]

Mr. Clappison: The information requested on homeless acceptances and households in temporary accommodation under the homelessness provisions of the Housing Act 1985 is as follows:

	Homeless acceptances	*Households in temporary accommodation at 31 December*[1]
Coventry		
1991	459	5
1992	455	9
1993	341	6
1994	362	3
1995	644	1
West Midlands		
1991	18,400	2,120
1992	17,520	1,650
1993	17,060	1,430
1994	16,430	1,250
1995	18,090	1,470

[1] Covers both households accepted as homeless and households awaiting the outcome of inquiries into their application.

Information is not available on repossessions in coventry and the west midlands.

Packaging Waste Regulations

Mr. Matthew Taylor: To ask the Secretary of State for the Environment when the Government plan to implement the Producer Responsibility (Packaging Waste) Regulations. [11803]

Mr. Clappison: We hope to lay draft regulations before the House by the end of January.

Radioactive Waste

Mr. Meacher: To ask the Secretary of State for the Environment what progress has been made in implementing the proposals concerning transparency in decision making relating to the rock characterisation facility proposals contained in the joint Radioactive Waste Management Advisory Committee—Advisory Committee on the Safety of Nuclear Installations. [12109]

Mr. Clappison: In March 1995, the Department published a report by a study group drawn from members of the Radioactive Waste Management Advisory Committee and the Advisory Committee on the Safety of Nuclear Installations on "Site Selection for Radioactive Waste Disposal Facilities and the Protection of Human Health".

In view of the importance which the report attached to transparency of decision making, Nirex made proposals to enhance and put onto a regular cycle the publication of information about its scientific work and the development of its repository programme. In the White Paper, "Review of Radioactive Waste Management Policy" (CM 2919), the Government welcomed this initiative and said that they would seek the advice of RWMAC on the company's proposals.

RWMAC's advice is being published on Tuesday 21 January in a report, "Nirex's Proposals for Publication and Peer Review", copies of which are available in the Library of the House. The Government welcomes Nirex's proposals and RWMAC's recommendations on them. My right hon. Friend the Minister for the Environment and Countryside, has written to the chairman of Nirex commending the committee's recommendations to him.

Energy Efficiency

Mr. Eric Clarke: To ask the Secretary of State for the Environment what plans he has to promote more efficient energy use. [10593]

Mr. Clappison: My Department actively promotes energy efficiency through a wide range of initiatives and programmes across all sectors, including information and advice, voluntary schemes, and selective use of grants, incentives and regulation.

I am pleased that we were able to announce in the Budget an increase in funding for the Energy Saving Trust. Planned funding for the years 1997–98 to 1999–2000 has been increased by a total of £21.5 million.

Genetically Altered Food

Mr. Welsh: To ask the Secretary of State for the Environment what representations he has received on genetically altered food imports; and if he will make a statement. [10609]

Mr. Clappison: A number of representations from various sources have been received on this issue. The importation and release of genetically modified organisms are controlled by part VI of the Environmental Protection Act 1990 and regulations made under it. In accordance with this legislation, the Secretary of State, acting jointly with the Minister of Agriculture, Fisheries and Food, may grant a consent for the release of genetically modified organisms after evaluating the impacts and risks posed to human health and the environment. The Ministry of Agriculture, Fisheries and Food has the general responsibility for the safety of genetically modified food.

Walton Bridge Replacement

Mr. Wilshire: To ask the Secretary of State for the Environment when he will announce the starting date for the public inquiry into Surrey county council's proposals for a replacement Walton bridge over the River Thames and into the associated compulsory purchase orders. [11308]

Sir Paul Beresford: Arrangements for the public local inquiries into the proposed Walton bridge replacement are being held in abeyance pending expiry of the objection periods for the side roads order, compulsory purchase order and bridge schemes applications submitted to the

Secretary of State for Transport in relation to the proposal. It seems probable that joint inquiries into these applications and related planning and exchange land certificate applications will need to be convened. I can assure my hon. Friend that he will be notified as soon as a date for the inquiries has been agreed.

Standard Spending Assessment

Mr. Rooker: To ask the Secretary of State for the Environment for what reasons the month of August was chosen for the count of income support claimant case load for each local authority in order for his Department to work out the standard spending assessment levels; and what consideration was given to seeking the most representative month. [11945]

Sir Paul Beresford: The Benefits Agency carries out its annual count of claimants in August as a matter of managerial practicality. Similar counts for other months are not available.

Mr. Rooker: To ask the Secretary of State for the Environment how many income support claimants his Department was unable to allocate to local authorities on a postcode basis used for the standard spending assessment calculations; and how these claimants were finally taken into account. [11943]

Sir Paul Beresford: For 98.5 per cent. of income support claimants, it is possible to allocate them to a local authority area by reference to a postcode. The assumption made in relation to the remaining 1.5 per cent. of claimants is that, within each benefit office, the distribution among local authorities of claimants whose postcode is unknown is in the same proportions as for claimants at the same benefit office whose postcode is known.

Mr. Rooker: To ask the Secretary of State for the Environment what are the expected benefits in moving from a sample count of income support claimants four times per year to a 100 per cent. count on one date for use in the standard spending assessment calculations; and how seasonality is taken into account in the change. [11948]

Sir Paul Beresford: We wish to base the standard spending assessments on the most reliable data available. We received representations from local government that the 100 per cent. count provided more reliable data than the quarterly 5 per cent. samples. The main advantage of a 100 per cent. count is its comprehensiveness, compared with the quarterly 5 per cent. samples. The advantages and disadvantages of both sources of data were discussed with the local authority associations. The data were also examined by the Office for National Statistics, which tested whether there were seasonal effects on the data. It advised that an adjustment should be made on this account in relation to a few authorities. Adjustments have been made in the light of its advice.

Standard Spending Assessment (Pupil Numbers)

Mr. Rooker: To ask the Secretary of State for the Environment what action he is taking to check pupil numbers in Birmingham used in the standard spending assessment calculations in respect of information given to him by the local education authority. [11946]

Sir Paul Beresford: The numbers of pupils used in the calculation of standard spending assessments are as estimated by the Secretary of State for Education and Employment. The Department for Education and Employment has been asked to investigate the representations about pupil numbers which we have received.

Local Government Finance

Mr. Rooker: To ask the Secretary of State for the Environment if he will list the local authorities which have had meetings with Ministers in his Department regarding the provision of revenue support grant for 1997–98. [11947]

Sir Paul Beresford: The table lists authorities which have had meeting with Ministers in the Department of the Environment during the consultation period on the proposed local government finance settlement for England for 1997–98.

Many other local authorities have raised revenue support grant issues in the course of meetings held throughout the year.

1997–98 settlement consultation meetings with local authorities

Total number of meetings: 79

Authority	*Date*	*Minister*
1. County councils (21 meetings)		
Bedfordshire	9 January	Mr. Curry
Derbyshire	6 January	Mr. Curry
Devon	7 January	Mr. Curry
Dorset	6 January	Mr. Curry
Durham	6 January	Mr. Curry
Gloucestershire	8 January	Mr. Clappison
Hampshire	10 January	Sir Paul Beresford
Hereford and Worcester	9 January	Mr. Curry
Kent	9 January	Mr. Curry
Lancashire	7 January	Mr. Curry
Lincolnshire	8 January	Mr. Clappison
Norfolk	7 January	Mr. Clappison
Northamptonshire	16 December	Mr. Curry
Northumberland	8 January	Sir Paul Beresford
Nottinghamshire	7 January	Sir Paul Beresford
Oxfordshire	7 January	Mr. Clappison
Shropshire	9 January	Mr. Curry
Somerset	6 January	Mr. Curry
Staffordshire	9 January	Mr. Curry
Suffolk	9 January	Mr. Curry
Warwickshire	9 January	Mr. Curry
2. Shire districts (26 meetings)		
Blaby (Leicestershire)	8 January	Mr. Clappison
Castle Point (Essex)	8 January	Mr. Clappison
Castle Morpeth (Northumberland)	7 January	Sir Paul Beresford
Copeland (Cumbria)	6 January	Sir Paul Beresford
Darlington (Durham)	7 January	Mr. Curry
Derby (Derbyshire)	8 January	Mr. Curry
East Hampshire	10 January	Sir Paul Beresford
Harlow (Essex)	10 January	Sir Paul Beresford
Hertsmere (Hertfordshire)	8 January	Mr. Curry
Leicester (Leicestershire)	17 December	Mr. Curry
Luton (Bedfordshire)	8 January	Mr. Curry
Milton Keynes (Buckinghamshire)	6 January	Sir Paul Beresford
Northampton (Northamptonshire)	7 January	Sir Paul Beresford

1997–98 settlement consultation meetings with local authorities

Total number of meetings: 79

Authority	*Date*	*Minister*
Nottingham City (Nottinghamshire)	7 January	Mr. Curry
Plymouth City (Devon)	8 January	Sir Paul Beresford
Poole (Dorset)	6 January	Sir Paul Beresford
Purbeck (Dorset)	8 January	Sir Paul Beresford
Rutland (Leicestershire)	9 January	Mr. Curry
Salisbury (Wiltshire)	7 January	Sir Paul Beresford
Stoke on Trent (Staffordshire)	18 December	Mr. Curry
Warrington (Cheshire)	9 January	Sir Paul Beresford
Waverley (Surrey)	13 January	Sir Paul Beresford
West Lindsey (Lincolnshire)	8 January	Mr. Clappison
West Somerset	10 January	Sir Paul Beresford
Woking (Surrey)	8 January	Sir Paul Beresford
York City (North Yorkshire)	7 January	Mr. Curry
3. Metropolitan districts (12 meetings)		
Barnsley (South Yorkshire)	6 January	Sir Paul Beresford
Bradford (West Yorkshire)	9 January	Mr. Curry
Birmingham (West Midlands)	9 January	Mr. Curry
Coventry (West Midlands)	9 January	Sir Paul Beresford
Doncaster (South Yorkshire)	7 January	Sir Paul Beresford
Manchester (Greater Manchester)	7 January	Mr. Curry
Newcastle upon Tyne	6 January	Mr. Curry
Rotherham (South Yorkshire)	6 January	Sir Paul Beresford
Sheffield (South Yorkshire)	8 January	Mr. Curry
South Yorkshire districts	8 January	Mr. Curry
Stockport (Greater Manchester)	6 January	Sir Paul Beresford
Wolverhampton (West Midlands)	10 January	Sir Paul Beresford
4. London boroughs (10 meetings)		
Brent	7 January	Mr. Curry
Greenwich	8 January	Sir Paul Beresford
Hammersmith and Fulham	8 January	Sir Paul Beresford
Harrow	7 January	Sir Paul Beresford
Havering	6 January	Sir Paul Beresford
Hillingdon	7 January	Sir Paul Beresford
Kingston upon Thames	9 January	Sir Paul Beresford
Merton	8 January	Sir Paul Beresford
Redbridge	7 January	Sir Paul Beresford
Richmond upon Thames	7 January	Mr. Clappison
5. Unitary authorities (seven meetings)		
Bristol City	8 January	Mr. Curry
Ex Cleveland Unitaries	10 January	Sir Paul Beresford
Isle of Wight	8 January	Mr. Clappison
Middlesbrough	10 January	Sir Paul Beresford
Redcar and Cleveland	7 January	Sir Paul Beresford
South Gloucester	7 January	Mr. Clappison
Stockton on Tees	10 January	Sir Paul Beresford
6. Police authorities (one meeting)		
Greater Manchester	8 January	Sir Paul Beresford
7. Fire authorities (two meetings)		
Humberside Fire	6 January	Mr. Curry
Tyne and Wear FCDA	6 January	Sir Paul Beresford

Mr. Rooker: To ask the Secretary of State for the Environment on how many occasions in each of the past four years Ministers of his Department have met elected representatives of each metropolitan district and London borough to discuss levels of and calculations about the standard spending assessments, revenue support grant settlements and capping limits. [11949]

Sir Paul Beresford: The table lists those metropolitan districts and London boroughs which had meetings with Ministers in the Department of the Environment during the consultation period on the local government finance settlements in each of the last four years.

Standard spending assessments, revenue support grant and capping limits have also been discussed in other meetings held by Ministers over the years.

1996–97 settlement consultation

Meetings with local authorities December 1995 to January 1996:

Metropolitan districts	*London boroughs*
Birmingham	Bexley
Bradford	Brent
Core Cities group	Camden
Doncaster	Enfield
Kirklees	Greenwich
Liverpool	Hackney
Rochdale	Havering
Rotherham	Hillingdon
St. Helens	Kensington and Chelsea
Sheffield	Kingston upon Thames
Solihull	Lambeth
South Yorkshire districts group	Merton
Stockport	Newham
Wigan	Southwark
	Westminster

1995–96 settlement consultation

Meetings with local authorities December 1994 to January 1995:

Metropolitan districts	*London boroughs*
Barnsley	Bexley
Birmingham	Brent
Bolton	Croydon
Bradford	Enfield
Core Cities group	Greenwich
Coventry	Hackney
Kirklees	Harrow
Knowlsey	Havering
Liverpool	Hillingdon
Manchester	Hounslow
Newcastle	Kingston upon Thames
Rotherham	Lambeth
St. Helens	Merton
Salford	Newham
Sandwell	Sutton
Sheffield	
Solihull	
South Tyneside	
South Yorkshire districts group	
Tameside	
Wigan	
Wirral	
Wolverhampton	

1994–95 Settlement consultation

Meetings with local authorities December 1993 to January 1994

Metropolitan districts	*London boroughs*
Birmingham	Brent
Coventry	Greenwich
Kirklees	Hackney
Knowsley	Hammersmith and Fulham
Liverpool	Haringey
Manchester	Hounslow
Rotherham	Lambeth
Salford	Lewisham
Sefton	Merton
Sheffield	Newham
Solihull	

1993–94 settlement consultation

Meetings with local authorities (December 1992 to January 1993)

Metropolitan districts	*London boroughs*
Barnsley	Barnet
Birmingham	Brent
Bury	Camden
Coventry	Enfield
Liverpool	Greenwich
Manchester	Hackney
North Tyneside	Haringey
Salford	Harrow
St. Helens	Havering
Sandwell	Hillingdon
Sheffield	Kensington and Chelsea
Solihull	Lambeth
Wigan	Lewisham
	Merton
	Newham
	Richmond
	Sutton

Mr. Rooker: To ask the Secretary of State for the Environment what allowance is made for regional functions and factors in respect of metropolitan districts' level of standard spending assessments and revenue support grants. [11950]

Sir Paul Beresford: Regional functions are reflected in the formulae for standard spending assessments, and hence the revenue support grant allocations, by the inclusion of numbers of commuters, day visitors and overnight visitors.

Standing Spending Assessment (Jobseeker's Allowance)

Mr. Rooker: To ask the Secretary of State for the Environment how claimants of the jobseeker's allowance are to be taken into account in calculating local authority standard spending assessment levels for 1997–98. [11944]

Sir Paul Beresford: The proposed standard spending assessments for 1997–98 use data on numbers of unemployed over a three-year period in 1993–96 and income support claimants in 1995. They therefore predate the introduction of the jobseeker's allowance.

Pollution (Energy Conservation)

Mr. Nigel Evans: To ask the Secretary of State for the Environment what assessment he has made of the effectiveness of current energy conservation measures in reducing pollution. [12118]

Mr. Clappison: The progress report on carbon dioxide emissions from the UK's climate change programme, which was published in December 1995, includes an assessment of the energy efficiency measures which were in operation at that time. The Government are preparing a second national communication under the United Nations framework convention. This will report on progress since December 1995.

Mr. Maclennan: To ask the Secretary of State for the Environment what plans he has to direct Nirex to investigate alternative sites for the establishment of an underground nuclear repository. [12150]

Mr. Clappison: None. Subject to planning permission and compliance with regulatory requirements, the selection of a suitable site for an underground repository for intermediate level radioactive waste is a matter for Nirex itself.

Local Education Authority Spending

Mr. Rooker: To ask the Secretary of State for the Environment what factors underlie the differences in the rules for local education authority spending limits according to whether they are London boroughs, shire counties or metropolitan districts. [12054]

Sir Paul Beresford: In determining the caps limits for each class of authority, the Secretary of State takes into a range of factors including the pressures on authorities and the underlying increases in standard spending assessment.

WALES

Sea Empress Oil Spill

Mr. Dafis: To ask the Secretary of State for Wales what estimates he has made, for each wild bird species affected by the Sea Empress disaster, of the total number of birds killed, indicating in each case the number as a percentage of the estimated population in the area affected. [11348]

Mr. Jonathan Evans: I refer the hon. Member to the reply given by my hon. Friend the Under Secretary on 25 April 1996, *Official Report*, columns *268–69*. There are no significant changes in the number known to have been killed since then, although I am advised that a survey of the common scoter sea duck has suggested a substantially decreased number of the species from last winter.

Hedgerow Preservation

Mr. Donald Anderson: To ask the Secretary of State for Wales what assessment he has made of the implications for Wales of the judgment of Hull county court by Judge Cracknell concerning preservation of ancient hedgerows. [11434]

Mr. Jonathan Evans: I refer the hon. Member to the reply given to him on 20 January by my hon. Friend the Under-Secretary of State for the Department of the Environment, *Official Report* column *437*.

Public Expenditure

Sir Wyn Roberts: To ask the Secretary of Wales what was the total spending per head of the population in Wales derived from *(a)* European Commission sources and *(b)* Her Majesty's Treasury, in the latest year for which figures are available; and if he will make a statement. [11504]

Mr. Hague: In 1994–95, control total expenditure within my responsibility was £2,248 per head. European agricultural guidance and guarantee fund and European regional development fund receipts channelled through my Department in the same year totalled £75 per head.

Cardiff Print Centre and Bookshop

Mr. Jon Owen Jones: To ask the Secretary of State for Wales what assessment his Department has made of the financial and social impact of The Stationery Office's proposals for the Cardiff print centre and Cardiff book shop; and if he will make a statement. [11343]

Mr. Hague: My Department has made no such assessment. There is a contract between the Arts Council of Wales and The Stationery Office in respect of the management of the Oriel bookshop in Cardiff. The provision of services under the contract is a matter for the Arts Council and The Stationery Office.

Public Appointments Panel

Mr. Hanson: To ask the Secretary of State for Wales when and by what means the appointments panel positions announced on 14 January were advertised. [11707]

Mr. Hague: They were not advertised.

Mr. Hanson: To ask the Secretary of State for Wales how many members of the public appointments panel announced on 14 January are members of a political party. [11705]

Mr. Hague: I am not aware that any are members of a political party, and they were not asked for this information.

Mr. Hanson: To ask the Secretary of State for Wales what were the criteria for inclusion in the list of advisers for Ministers on public appointments, announced on 14 January. [11706]

Mr. Hague: The criteria for inclusion on the list were wide experience of organisations and management at a senior level; an understanding of the context in which public bodies operate; and some distinction in their own careers or profession. Some direct experience of service in a public appointment was an advantage. The individuals on the list come from a variety of backgrounds and offer a wide range of different experiences and skills.

Private Finance Initiative

Mr. Barry Jones: To ask the Secretary of State for Wales how many private finance initiative projects his Department is involved in; if he will list them; and if he will make a statement. [11672]

Mr. Hague: Private finance initiative projects in which the Welsh Office is involved include: *where deals have been agreed*: Welsh Office IT system—OSIRIS;—University Hospital of Wales, phases 1 and 2 car parks and concourse; energy management schemes at Withybush and Llandough hospitals; *where projects are being considered*: Bute avenue, Cardiff; A55 Anglesey; M4 relief road; A465 heads of the valleys road; staff residential accommodation and IT system, district general hospital, Llantrisant; day surgery unit, Nevill hall, Abergavenny; community hospital, Chepstow; replacement of radiotherapy equipment, Velindre; new general hospital at Baglan; Bronllys-Newtown hospitals, elderly medical, nursing and mental health facilities; north Meirionnydd-east Dwyfor community hospital; national library of Wales, IS-IT system; Ysgol Gyfun Cwm Rhymni, Caerphilly.

North Wales Health Authority Funding

Mr. Barry Jones: To ask the Secretary of State for Wales what level of capitation funding the North Wales health authority will receive in 1997–98; and if he will make a statement. [11669]

Mr. Gwilym Jones: The 1997–98 health authority allocations have not yet been announced.

General Practice

Mr. Ainger: To ask the Secretary of State for Wales if he will list the number of general practices in each health authority area in Wales. [12078]

Mr. Gwilym Jones: The information is given in the table. Information for the new health authority areas is not yet available.

	Number of general medical practitioner partnerships at 21 March 1996[1]
Clwyd	71
Dyfed	64
Gwent	89
Gwynedd	52
Mid Glamorgan	103
Powys	18
South Glamorgan	71
West Glamorgan	64

[1] Includes practices with only one principal GP.

Community Hospital, Porthmadog

Mr. Wigley: To ask the Secretary of State for Wales if he will approve the start of construction of the new community hospital at Porthamdog. [12027]

Mr. Hague: No. The outline business case for this scheme has been approved, and Gwynedd Community NHS trust is testing for private sector interest within the private finance initiative. The North Wales health authority has asked the trust to delay discussions with the private sector until its completes its major review of service priorities in March.

NORTHERN IRELAND

Northern Ireland Grand Committee

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many submissions he has

received in relation to his proposals for extending the powers and role of the Northern Ireland Grand Committee; how many were favourable; and if he will make a statement on his future plans and their timing on the matter. [11196]

Sir Patrick Mayhew: Six substantive responses have been received as of Friday 17 January. It would not be appropriate to comment on them without prior approval and in circumstances in which further submissions are expected.

A decision in this context will be taken when the consultation process is completed.

Eye Surgery

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what is his policy with respect to providing the radial keratotomy procedure in the health service; what assessment he has made as to its efficacy; and if he will make a statement on its acceptance in respect of police appointments. [11197]

Mr. Moss: Radial keratotomy is not routinely available in the health and personal social services in Northern Ireland. The procedure is often viewed as cosmetic since short-sightedness can be corrected with glasses or contact lenses. It would be a matter for health and social services boards and general practitioner fundholders to decide whether or not to purchase this procedure based on the health needs of their population.

A person who has had radial keratotomy is not regarded as acceptable for recruitment to the Royal Ulster Constabulary or the Reserve, as is also the case for most UK police forces and the armed forces. This advice has been included in recent medical guidelines circulated to the police service by the Home Office.

Targeting Social Need Policy

Mr. Worthington: To ask the Secretary of State for Northern Ireland what *(a)* policy and *(b)* discussion papers he has issued since the "targeting social need" policy was adopted by the Government; how this policy was to be implemented; and what were the reasons behind that approach. [10940]

Mr. Ancram: The "targeting social need" initiative has sought to direct resources towards Northern Ireland's most disadvantaged areas and people, objectively defined as being in greatest need, irrespective of community background. A major effect of this should be to reduce socio-economic differentials between Protestants and Catholics. This approach was taken because of statistical evidence of greater levels of deprivation among Catholics than among Protestants, though socio-economic disadvantage exists on both sides of the community.

The targeting social need approach has been reflected in a range of strategy documents and discussion papers published by Northern Ireland Departments in recent years on their social and economic policies. Examples include the Department of Economic Development's publication "Growing Competitively", May 1995, and the Department of the Environment's "Making Belfast Work" strategy document, March 1995. Published research papers on patterns of disadvantage and community differentials have also helped in applying the initiative.

Further Education Initiative

Mr. Worthington: To ask the Secretary of State for Northern Ireland which further education colleges are being considered for initiatives under the private finance initiative; and what procedures are being followed in respect of such initiatives with particular reference to the Government's plans to incorporate the colleges. [10943]

Mr. Ancram: Procedures under the private finance initiative are currently being applied to major capital needs at the North West and Belfast institutes of further and higher education. These procedures will be unaffected by the planned incorporation of further education colleges in Northern Ireland.

School Closures

Mr. Worthington: To ask the Secretary of State for Northern Ireland what *(a)* powers and *(b)* duties he has in relation to school closures and amalgamations. [10945]

Mr. Ancram: The Department of Education's powers and duties in relation to the closure or amalgamation of controlled or voluntary schools are contained in article 14 of the Education and Libraries (Northern Ireland) Order 1986.

In addition, the Department has powers and duties under articles 80, 81 and 82 of the 1989 Education Reform (Northern Ireland) Order 1989 in relation to the closure, withdrawal of grant and winding up of a grant-maintained integrated school.

Legislation Programme

Mr. Worthington: To ask the Secretary of State for Northern Ireland what plans he has to introduce legislation on *(a)* further education, *(b)* nursery vouchers, *(c)* education and library boards and *(d)* race relations. [10980]

Mr. Ancram: The legislative position is as follows:

(a) I am currently considering the responses that I received during the consultation on the draft Further Eduction (Northern Ireland) Order 1997.

(b) A draft Education (No.2) Order 1996, which includes provision for nursery vouchers, was laid before Parliament on 3 December 1996.

(c) I am currently considering the responses that I received during the consultation on the draft Education and Library Boards (Northern Ireland) Order 1997.

(d) A draft Race Relations (Northern Ireland) Order was laid before Parliament on 14 January 1997.

Action for Community Employment

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement on the operation of the action for community employment scheme. [10979]

Mr. Ancram: Responsibility for the subject in question has been delegated to the Training and Employment Agency under its chief executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

Letter from Mr. Ian Walters to Mr. [illegible] Worthington, dated 22 January 1997:

The Secretary of State for Northern Ireland has asked me, as Chief Executive of the Training and Employment Agency, to reply to your question about the Action for Community Employment (ACE) scheme.

The ACE scheme was introduced in 1981, as the Northern Ireland counterpart to the Community Programme in Great Britain, to provide temporary employment, with training, of up to one year's duration for long term unemployed adults in projects of community benefit. Its essential purpose is to enable participants gain practical work experience which in turn will help them to compete more effectively for available permanent jobs.

There are currently 229 ACE projects of which the majority are sponsored by voluntary organisations, local community groups, charitable bodies and churches. The range of activities undertaken by the projects include care of the elderly and disabled, environmental and conservation work, research and administration.

ACE peaked in the early 1990s with over 10,000 places available across Northern Ireland. As you know, the resources allocated to ACE were reduced in each of the last two Public Expenditure Surveys. In the 1995/96 financial year £49.96 million was spent providing an average occupancy of 9,189 ACE places. This year £39.8 million has been allocated to provide an average occupancy of 7,200 places. In 1997/98 and the following two years ACE has been allocated £28.5 million which will support around 5,200 places.

One of the indicators which the Agency uses to measure the performance of ACE is the percentage of leavers who proceed into employment, further education or training. In recent years approximately 40% of participants achieved a positive outcome on leaving the scheme.

You may also wish to know that at the end of September 1996, the latest date for which data is available, 53% of ACE workers were female and 35% of ACE posts were part-time.

I hope you find this information useful.

Higher Education (Research Support)

Mr. Worthington: To ask the Secretary of State for Northern Ireland what factors underlie the changes in the Northern Ireland arrangements for research support in Northern Ireland higher education. [10986]

Mr. Ancram: The maintenance of law and order as the Government's top spending priority in Northern Ireland and the decision to concentrate resources within the education service on schools, and in particular the classroom, were the main factors underlying the reductions which will be made from 1997–98, inter alia, in the levels of research support to be provided to the two Northern Ireland universities.

Gallaher Ltd.

Mr. Pendry: To ask the Secretary of State for Northern Ireland when *(a)* he and *(b)* officials from his Department last met representatives of Gallaher Ltd.; what was discussed; and if he will make a statement. [11164]

Mr. Ancram: My right hon. and learned Friend last met representatives of Gallaher Ltd. on 13 November 1995 when he was principal guest at the Gallaher businesswoman of the year awards ceremony. Officials of the industrial development board last met representatives of Gallaher Ltd. on 29 November 1996 to discuss the company's plans to rationalise cigarette production in the UK.

Youth Service Budget

Mr. Worthington: To ask the Secretary of State for Northern Ireland what is the budget for the youth service in cash and constant price terms for 1996–97 and 1997–98; what consequences this will have for the provision of services; and if he will make a statement. [10981]

Mr. Ancram: The budget for the youth service for 1996–97 is £15.5 million.

Funding for the youth service is provided by education and library boards within their block grant allocations and by the Youth Council for Northern Ireland. Each board decides on the resources which should be allocated for its youth service, and their proposals for 1997–98 will be submitted to the Department for approval by 31 January.

The Youth Council and the education and library boards will not have had sufficient time to determine the full effects of the expenditure reductions in the youth service. However, it remains the Government's priority that services should be focused on those most in need, and whenever possible, service provision rather than service support be protected.

The Government also provide additional matching funding for youth organisations under the European Union special initiative for peace and reconciliation and will continue to provide additional funds to meet up to 25 per cent. of the total cost of projects funded under this initiative.

Student Awards

Mr. Worthington: To ask the Secretary of State for Northern Ireland what is the budget for discretionary and postgraduate student awards in cash and constant price terms for 1996–97 and 1997–98; what consequences this will have for the provision of services; and if he will make a statement. [10983]

Mr. Ancram: It is a matter for each education and library board to determine how much of its block grant should be allocated to discretionary awards. The 1996–97 budget is £6.9 million but that for 1997–98 has yet to be determined.

The table sets out the financial information for postgraduate awards made by the Department of Education for Northern Ireland.

£ million

Year	*Budget (cash)*	*At 1996–97 prices*
1996–97	4.6	4.6
1997–98	4.4	4.3

The detailed application of the 1997–98 budget is still under consideration.

I will write to the hon. Member about both discretionary and postgraduate awards when further

information becomes available and I will place a copy in the Library.

Urban Regeneration

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement on the changes in financial and policy terms to the provision for urban regeneration, including "Making Belfast Work", arising from his recent statement on public expenditure in Northern Ireland. [10987]

Mr. Moss: The recent statement on public expenditure in Northern Ireland re-iterated the importance that the Government place on urban regeneration as a major policy initiative. "Making Belfast Work" will have £23 million available for its economic and social programmes in 1997–98 representing a £5 million baseline reduction in the existing allocation.

Otherwise, urban regeneration vote provision is to be reduced by £4 million over the same period, leaving almost £31 million available for regeneration initiatives in Belfast, Londonderry and regional growth centres.

Royal Ulster Constabulary

Mr. Maginnis: To ask the Secretary of State for Northern Ireland when he proposes to publish the 1996 report on the Royal Ulster Constabulary by Her Majesty's inspector of constabulary. [12586]

Sir Patrick Mayhew: Copies of the 1996 inspection report, which is the fourth RUC inspection report to be published, have today been placed in the Library.

I welcome the report and will be considering its recommendations carefully.

HMIC inspections offer the opportunities of independent, professional examination of policing practices, policies and priorities. This inspection forms part of an ongoing programme intended to examine over succeeding years aspects of police management. It is the fourth in a series and has covered a number of areas relating to the effectiveness and efficiency of operational policing.

I am grateful to Her Majesty's inspector for the report and am pleased to note that overall he regards the force as efficient.

HEALTH

Attention Deficit Hyperactivity Disorder

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health (1) if he will make it his policy to ensure that every child moved from one foster home to another more than three times should be assessed for attention deficit hyperactivity disorder; and if he will make a statement. [11532]

(2) what recent evidence he has evaluated in respect of the number of times children in care are moved; if he will make it his policy to require all social service departments to incorporate a full assessment for attention deficit and hyperactivity disorder by a specially qualified medical practitioner into the social services' own assessment as to whether a child should enter care; and if he will make a statement. [11507]

Mr. Burns: The criteria for taking children into care is set out in sections 20 and 31 of the Children Act 1989.

Local authorities have responsibilities and duties under the Children Act to arrange placement for children looked after which will promote and safeguard their welfare. In order to achieve this, authorities must undertake a full assessment of children's needs, including health needs, and match them to appropriate placements. The assessment should, when appropriate, be in collaboration with other agencies. It is for local authorities to monitor the number of times children are moved because of placement breakdown.

Rural Pharmacies

Mrs. Ray Michie: To ask the Secretary of State for Health what plans he has to safeguard rural pharmacies. [11474]

Mr. Malone: In England and Wales the essential small pharmacy scheme already provides financial support to pharmacies located more than 1 km from the next nearest pharmacy and which dispense fewer than 18,636 national health service prescriptions in a year.

Residential Care Costs

Mr. Thurnham: To ask the Secretary of State for Health what is the average cost of a resident in *(a)* private nursing homes, *(b)* private residential homes and *(c)* local authority residential homes; and what estimate he has made of the total number of residents in *(a)* to *(c)* and the current annual costs to public funds arising from funding relating to *(a)* to *(c)*. [11487]

Mr. Burns: Information is collected centrally on the overall numbers of residents of all types of care homes but not on the overall costs or costs per place in independent sector homes, nor on the costs to public funds overall of residents. The latest centrally available information is given in the table, including figures for gross current expenditure per week by local authorities on residential and nursing care for older people per supported resident.

Number of residents in residential and nursing homes and total expenditure by local authorities

	(a) Independent sector nursing homes[1]	*(b) Independent sector residential homes*[1]	*(c) Local authority residential homes*
Total number of residents[2], at 31 March 1996	123,600	228,600	64,200
Gross current expenditure by local authorities in England, 1994–95	£371 million	£507 million	£824 million
Local authority gross current expenditure per week for older people per supported residents[2], 1994–95	£231	£246	£283

Notes:
[1] Information on expenditure on independent sector residential care homes is not broken down between private and voluntary homes.
[2] Residents in staffed homes only.
Source:
Department of Health annual statistical returns.

Hypothermia

Mr. Simpson: To ask the Secretary of State for Health what has been the cost of treating *(a)* hypothermia and *(b)* hypothermia-related cases in each of the last five years. [11473]

Mr. Burns: This information is not collected.

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to his answer of 6 December 1996, *Official Report*, column *820*, relating to dentists' pay, what is his definition of a single dentist. [11606]

Mr. Malone: In my answer of 6 December, *Official Report*, column *820*, the "single dentist" was the independent contractor who was paid the highest gross fee earnings by the Dental Practice Board in the relevant year.

Capital Projects (Greater London)

Mr. John Marshall: To ask the Secretary of State for Health if he will list the capital projects costing over £100,000 which have been started in Greater London since 17 April 1992. [11488]

Mr. Malone: Information is available centrally only on capital schemes costing over £1 million, for which national health service executive approval is required. All such schemes in Greater London, with a start on site date between 17 April 1992 and 30 September 1996—the most recent date for which information is available—are provided in the table.

Regional office	Scheme name	Cost[1] (£ millions)	Start date
North Thames	Hammersmith Energy Centre M and E installation, Hammersmith Hospital	1.32	18 May 1992
North Thames	Hammersmith Hospital Cancer Centre	3.76	1 June 1992
North Thames	Hammersmith Hospital Energy Centre, incineration installation	1.21	5 June 1992
South Thames	St. Thomas' Hospital A and E upgrade/ extension	2.35	20 July 1992
North Thames	Central Middlesex Acute Secure Unit/mother and baby unit	2.03	27 July 1992
South Thames	St. George's Hospital combined heat and power	3.58	24 August 1992
North Thames	Regency Street Nursing Home for the Elderly (Victoria)	1.78	2 November 1992
North Thames	Great Ormond Street Southwood balconies and stairs	1.83	23 November 1992
South Thames	Queen Victoria Hospital Burns Unit	1.44	29 December 1992
North London	Chase Farm Hospital (Enfield) Centralization of in-patient services	10.32	1 April 1993
North London	Great Ormond Street Camelia Botnar Laboratories	11.16	3 May 1993
South Thames	St. George's Atkinson Morley Hospital theatres	2.35	4 May 1993
South Thames	St. John's Twickenham Redevelopment Phase 2	2.92	1 June 1993
North Thames	Homerton Relocation of services	10.26	5 July 1993
North Thames	Royal Free Hampstead Renal Unit centralisation	3.40	20 September 1993
North Thames	Whipps Cross Phase 2	5.61	25 October 1993
South Thames	Kings College Hospital Redevelopment of A and E/Radiology	5.04	1 February 1994
South Thames	Springfield Hospital Forensic Psychiatry Clinic	3.02	28 February 1994
North Thames	Moorfields Eye Hospital Redevelopment Phase 3A	3.13	1 April 1994
North Thames	Homerton Development of A and E extension	1.52	11 April 1994
South Thames	South Western Hospital Redevelopment	10.13	18 April 1994
North Thames	Medium Secure Unit—Hackney	4.62	19 April 1994
North Thames	Barnet General Hospital	16.78	1 August 1994
South Thames	Royal Hospital Richmond Redevelopment	7.00	31 December 1994
South Thames	Kings College Hospital A and E and Out-patients Department	2.39	1 February 1995
South Thames	Lewisham Phase 2 Redevelopment	13.15	18 April 1995
North Thames	Homerton Hospital Acute services development	11.36	5 August 1996

Source:
Department of Health, NHSE Estates.
Notes:
[1] Figures rounded up to the nearest two decimal points.

Neurologists

Mr. Gordon Prentice: To ask the Secretary of State for Health how many neurologists there are per 100,000 population in *(a)* England and *(b)* each member state of the European Union. [11881]

Mr. Malone: There were 510 neurologists in England as at 30 September 1995. This gives one doctor per 100,000 of population.

The Department receives no information about the numbers of neurologists in other member states of the European Union.

Mr. Prentice: To ask the Secretary of State for Health what is the average waiting time for a consultation with a consultant neurologist following a General Practitioner referral in each NHS trust in England. [11899]

Mr. Horam: This information is not available centrally. Such information as is available is contained in "Waiting Times for First Outpatient Appointments in England: Detailed Statistics—Quarter ended 30 September 1996", copies of which are available in the Library.

Mr. Prentice: To ask the Secretary of State for Health what steps he is taking to increase the number of neurologists. [11882]

Mr. Malone: The specialist workforce advisory group advises the NHS executive and the Welsh Office on the number of higher specialist trainees needed, to ensure an adequate supply of properly trained doctors in each specialty. The Government accepted its recommendation to increase the number of higher specialist trainees in 1996–97 by 1,500. Additional funding of £5.7 million has been provided for this. The recommended increase in numbers of higher specialist trainees in neurology was 12 per cent.

Multiple Sclerosis

Mr. Gordon Prentice: To ask the Secretary of State for Health how many MS patients had been prescribed beta interferon by hospital consultants at the latest date for which information is available. [11885]

Mr. Malone: Data are not collected centrally on drugs prescribed and dispensed in hospitals. The only data available are from the prescribing analysis cost system generated by the Prescription Pricing Authority, and relate only to prescriptions dispensed in the community. A total of 266 prescriptions for beta interferon products were dispensed in the community during July–September 1996.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 10 December, *Official Report*, column *151*, if he will make it his policy to collect information centrally on health authorities financial allocations for beta interferon. [11954]

Mr. Malone: No. It is for individual health authorities to decide the level and type of services purchased in partnership with general practitioners locally and through consultation with other agencies and local people, taking account of local circumstances and national policies and priorities.

Accident and Emergency Departments

Mr. Chris Smith: To ask the Secretary of State for Health if he will list the number of accident and emergency departments by region. [11675]

Mr. Horam: The number of national health service trusts, special health authorities and directly managed units with large accident and emergency departments in 1995–96 is given by region in the table.

	Number
Northern and Yorkshire	30
Trent	16
Anglia and Oxford	21
North Thames	31
South Thames	30
South and West	25
West Midlands	25
North West	33
England	211

Source:
The NHS Performance Guide 1995–96.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will list the cannabis derivatives which can lawfully by prescribed by doctors. [11876]

Mr. Malone: Dronabinol and nabilone are the only cannabis derivatives that may be lawfully prescribed by doctors.

NHS Finance

Mr. Bayley: To ask the Secretary of State for Health (1) if he will place in the Library a paper indicating the *(a)* cash to be allocated for general medical services in 1997–98, *(b)* the percentage change in the GMS allocation from 1996–97 to 1997–98 and *(c)* the estimated resident population in 1997–98 for each health authority; [12086]

(2) if he will place in the Library a paper indicating the amount of money gained or lost by each health authority from its HCHS capitation funding target for 1997–98 as a result of *(a)* changes to the market forces factor and *(b)* other changes to the capitation funding formula, indicating the nature of those other changes; [12088]

(3) if he will place in the Library a paper indicating *(a)* in (i) cash and (ii) percentage terms the change in HCHS funding between 1996–97 and 1997–98, *(b)* the 1997–98 HCHS cash allocation and *(c)* in (i) cash and (ii) percentage terms the distance of each health authority from the HCHS target in 1997–98. [12089]

Mr. Horam: The information requested can be found in the 1997–98 "Health Authority Revenue Cash Limits Exposition Book", copies of which are available in the Library.

Mr. Harvey: To ask the Secretary of State for Health what account he takes of rurality when calculating funding for hospital and community health services and for general medical services. [12010]

Mr. Horam: The analytical work on which the hospital and community health service formula is based considered both population density and the proportion of population living in urban areas as drivers of need that are relevant to rural areas. None of these factors proved to be statistically significant enough to feature in the formula. However, rurality may be a factor in the cost of providing services, particularly community health and ambulance services, and invitations to tender for appropriate research have been issued.

General practitioners' remuneration includes specific fees to recognise the costs and pressures of practice in rural areas.

Obesity

Mr. Chris Smith: To ask the Secretary of State for Health what percentage of *(a)* men and *(b)* women aged 16 to 64 years his Department assessed to be obese in (i) 1993 and (ii) 1994. [12057]

Mr. Horam: In the Health Survey for England 13 per cent. of men and 16 per cent. of women aged 16 to 64 were classified as obese—defined as a body mass index of over 30kg/m^2—both in 1993 and in 1994.

Walsgrave Hospital

Mr. Robert Ainsworth: To ask the Secretary of State for Health if he will make a statement on the latest position as regards the Walsgrave hospital's private finance initiative proposals. [11939]

Mr. Horam: The Walsgrave hospitals national health service trust has submitted the full business case for the private finance initiative scheme. The national health service executive and Her Majesty's Treasury are reviewing the business case and will make a decision on the approval at the end of this review.

Income and Expenditure Returns

Mr. Bayley: To ask the Secretary of State for Health by what date *(a)* health authorities and *(b)* NHS trusts have to submit their 1996–97 third quarter income and expenditure returns and year end out-turn forecasts to the NHS executive; and when these returns will be available to hon. Members. [12129]

Mr. Horam: The forecast income and expenditure returns must be submitted to the national health service executive headquarters as follows:

Health authorities

(1) 1996–97 Quarter Three: 22 January 1997

(2) 1996–97 Quarter Four (year end out-turn): 23 April 1997

Trusts

(1) 1996–97 Quarter Three: 31 January 1997

(2) 1996–97 Quarter Four (year end out-turn): 30 April 1997

These returns will be available to hon. Members, following the meeting of the National Health Service Policy Board on:

(1) 1996–97 Quarter Three: 12 March 1997

(2) 1996–97 Quarter Four: 18 June 1997

Hospital Beds

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health (1) if he will publish the availability of hospital beds

in the United Kingdom and each other EU member state per 100,000 people for the latest available year in which the European Union average is indexed at 100; [11575]

(2) what was the number of hospital beds per 100,000 people for the last three years for which figures are available in *(a)* the United Kingdom and *(b)* each EU country. [11565]

Mr. Malone: I refer the hon. Member to the reply I gave the hon. Member for Peckham (Ms Harman) on 19 June 1996 at column *496*.

Salmonella Gold Coast Contamination

Mr. Martlew: To ask the Secretary of State for Health (1) how many cases of food poisoning caused by salmonella gold coast contamination have been recorded in the last year; and what percentage of these cases can be attributed to cheese from Wyke Farms of Somerset; [11791]

(2) how many cases of food poisoning caused by salmonella gold coast contamination have been recorded in each of the district council areas of Cumbria in the last year; and what percentage of these have been attributed to cheese from Wyke Farms of Somerset. [11792]

Mr. Horam: The public health laboratory service reported 86 cases of infection with salmonella gold coast between January 1996 and 17 January 1997. Information is not held centrally as to their distribution between district council areas.

Epidemiological studies have been carried out on recent cases. These suggested a possible link with the consumption of cheese from Wyke Farms in 22 cases, around 25 per cent. of the total for the year. Scientific testing, using phage and molecular typing techniques, is taking place and has validated an association between the outbreak strain and some Wyke Farm cheeses. Full results are not yet available.

In Vitro Fertilisation

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what plans he has to review the level of financial contributions the patient makes towards the cost of IVF treatment; [11794]

(2) what financial contribution patients are asked to make to the cost of their IVF treatment; [11795]

(3) if he will make a statement on the funding of the Human Fertilisation and Embryology Authority; [11796]

(4) how much of the Human Fertilisation and Embryology Authority's funding is received from patients requiring in vitro fertilisation treatments; [11797]

(5) how much of the Human Fertilisation and Embryology Authority's funding is received from doctors providing an in vitro vertilisation treatment. [11798]

Mr. Horam: In considering the Human Fertilisation and Embryology Bill, Parliament decided that a proportion of the Human Fertilisation and Embryology Authority's costs should be recovered by charging fees to licensed centres. The current aim is for 70 per cent. of the authority's costs to be met through fees from licensing, with the taxpayer meeting the remaining 30 per cent. This proportion is due to be reviewed by April 1998.

Licensed treatment clinics are required by the authority to pay an initial application fee of £250. A one-off fee of £100 is charged for each research licence and each storage facility licence. Renewal licences are charged according to the number of treatments conducted by the clinic. The charge rate is £40 for each IVF cycle and £10 for each donor insemination cycle. No charge is made for cycles abandoned. These rates have been in place since 1 September 1994.

Charges for infertility treatment are a matter for individual clinics and it is for them to decide if and how charges made by the authority should be passed on to its patients. However charges are not made to patients receiving treatment under the national health service.

The authority publishes its accounts annually and provides a summary in its annual report. The last annual report, published in July 1996, includes the authority's accounts for 1994–95. Copies of the report are available in the Library.

AGRICULTURE, FISHERIES AND FOOD

Child Care Facilities

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food if Ministers are entitled to use child care facilities supported by his Department. [11599]

Mr. Boswell: Ministers of the Crown are able to make use of the child care facilities provided by the Department if they wish to do so.

Poultry Feed (Antibiotics)

Mr. Morley: To ask the Ministry of Agriculture, Fisheries and Food what assessment he has made of the impact on the poultry industry of the proposed ban on Avoparcin by the European Commission; and if he will make a statement. [11640]

Mrs. Browning: Avoparcin has been used as a dietary enhancer in the European Community for more than 20 years. Although there are alternative products available, the British Poultry Meat Federation considers, that the potential loss of production could amount to between £10 million and £20 million a year in the UK.

Avoparcin has been assessed on a number of occasions by the UK's independent scientific veterinary products committee and by the EU Commission's scientific committee on animal nutrition. In 1995, Denmark and Germany introduced unilateral bans on its use in animal feed as a result of work by the Danish veterinary laboratory which purported to establish a link between the use of Avoparcin in animal feed and resistance to Vancomycin in the treatment of humans. Danish and German data were examined by the SCAN, which agreed that the data identified the existence of what might, with the benefit of further studies, prove to be a hazard but concluded that the data failed to establish any risk associated with that potential hazard. The VPC agreed. The UK therefore opposed a ban on use, but fully supported the EU Commission's proposal to set up a programme to examine the problem of the development of antibiotic resistance in humans and animals. The proposed ban was approved by qualified majority in

standing committee in Brussels on 19 December with the UK voting against; subject to formal adoption of the amending directive by the European Commission, the ban will enter into force on 1 April 1997.

BSE

Sir Irvine Patnick: To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with farmers in South Yorkshire regarding BSE and other related matters. [11662]

Mrs. Browning: I met representatives of the National Farmers' Union, Country Landowners Association, Tenant Farmers' Association and Women's Farming Union on 3 December at the North East regional panel meeting to discuss BSE.

No other official engagements have been undertaken by Ministers in the South Yorkshire area recently.

Disintensification (Rules and Policies)

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food if he will seek to amend those rules and policies designed to promote disintensification which creates difficulties, with special reference to the viability of the holding, for *(a)* small full-time farmers and *(b)* entrants to farming. [11849]

Mr. Baldry: In its 1992 reform of the common agricultural policy regime for beef, the Council of Agriculture Ministers recognised that the imposition of stocking density limits for subsidy purposes and the promotion of extensive production would help to eliminate surplus production within the Community. The Council subsequently recognised that intensive systems for both beef and sheep could give rise to environmental damage, and empowered member states to reduce livestock subsidies and impose penalties in such cases. The Government are willing to consider any constructive proposal to amend the rules governing these measures, provided that they are cost-effective, negotiable in EU terms, and that the environmental benefits are maintained.

Food Premises Inspections

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many inspections of retail and manufacturing food premises were carried out in each local authority area in England in each year since 1990. [12094]

Mrs. Browning: Copies of summaries showing the total number of inspections carried out in food premises in each UK local authority area for the years 1991 to 1995 have been placed in the Library. Data for the year 1990 is not available and the data for 1996 will not be available until May this year.

A breakdown of these figures showing inspections specifically in retail and manufacturing premises in England is not readily available and could be produced only at disproportionate cost.

Agriculture Council

Sir Hector Monro: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 20 and 21 January. [12264]

Mr. Douglas Hogg: The Council held a first discussion of the Commission's report on the future of the tobacco regime. I asked for the possibility of phasing out support for tobacco to be examined along with other options identified by the Commission.

The Council unanimously adopted a proposal strengthening the controls over eligibility for aid for growing flax. It adopted by qualified majority, Germany opposing, a proposal providing for the EC to contribute to member states' costs in dealing with serious plant pests.

During an informal discussion on follow up to the Cork declaration on rural development, Commissioner Fischler outlined his view that EU rural support policy needed to be simpler, more comprehensible and better integrated, taking greater account of subsidiarity. I broadly welcomed these principles, stressing the need for budget neutrality and the importance of considering these issues in the context of the CAP reforms which will be required to take account of EU enlargement.

Agro-food Quality

Mr. Martyn Jones: To ask the Minster of Agriculture, Fisheries and Food what priorities to improve competitiveness have been announced since March 1995 as a result of the LINK programme on agro-food quality; and if he will make a statement. [10538]

Mrs. Browning: Since March 1995, nine projects within the agro-food quality Link programme have been successfully completed. These collaborative projects involved the efforts of 11 United Kingdom academic groups and 17 companies. The projects have contributed industrially valuable, underpinning knowledge in such topics as determining the importance of irrigation timing to the storage quality of root vegetables, the development and release of flavour in low-fat foods and an investigation of the factors contributing to the eating quality of meat. The results from these projects are now being used by the industrial partners from the project consortia.

HOUSE OF COMMONS

Members' Staffing Costs

Mr. Allen: To ask the Lord President of the Council what progress has been made on separating the staffing costs of hon. Members out of the office costs allowance since his meeting with Sir Michael Perry. [11035]

Mr. Newton: Further to my reply of 16 October 1996, *Official Report*, column *903*, the Senior Salaries Review Body is continuing its deliberations.

Child Care Facilities

Mr. Allen: to ask the Lord President of the Council if he will extend the facilities and services of the staff

welfare department to hon. Members and their staff, with particular reference to nursery provision. [11353]

Mr. Newton: I have no such plans. Hon. Members may, however, charge nursery provision against their office costs allowance.

LORD PRESIDENT OF THE COUNCIL

Consultants

Mr. Milburn: To ask the Lord President of the Council what estimate he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10188]

Mr. Newton: I am not responsible for any non-departmental public bodies.

Mr. Milburn: To ask the Lord President of the Council if he will list the actions his Department has taken on each of the recommendations contained in the Cabinet Office report, "The Government's Use of External Consultants". [10189]

Mr. Newton: The Privy Council Office makes only limited use of external consultants, but guidelines are in place on the procedures for placing such contracts. These require that proposals for any use of consultants should be submitted for my personal approval.

Child Care Facilities

Mr. Allen: To ask the Lord President of the Council what child care facilities are provided by his Department. [11582]

Mr. Newton: None. The Privy Council Office has a staff of fewer than 40. It would not be cost-effective for a Department of this size to provide its own child care facilities.

Written Answers to Questions

Thursday 23 January 1997

ENVIRONMENT

Council Housing

Mr. Cox: To ask the Secretary of State for the Environment how many council properties have been built in each of the London boroughs in each of the past five years; and if he will make a statement. [11312]

Mr. Clappison: Local authorities' primary housing tasks are the efficient management of their own stock of housing and enabling other organisations to provide new housing. Housing associations are now the main providers of new social housing.

The publication "Local Housing Statistics" shows estimates of housebuilding completions for each local authority area in England, as reported to the Department. This includes all the London boroughs. It shows completions by sector, including activity by local authorities.

"Local Housing Statistics" issue number 105 shows figures for 1991: number 109 covers 1992; number 110 covers 1993; number 117 covers 1994; and number 118 covers 1995. Figures for 1996 as a whole are not yet available.

Copies of this publication are in the Library.

United Nations Environment Programme

Mr. Meacher: To ask the Secretary of State for the Environment what proposals he plans to put forward at the 19th meeting of the United Nations environment programme governing council; and if he will place in the Library copies of the decisions taken at the last five meetings of the UNEP governing council. [12370]

Mr. Gummer: The Government's main objective at the governing council will be to secure decisions which help to restore confidence in the United Nations environment programme and hence to reverse the recent decline in financial contributions, particularly from major donors. We believe UNEP needs a governing structure which provides political guidance and a clear direction so that it can concentrate on its core activities of monitoring the state of the global environment, identifying emerging problems and stimulating international action to deal with those problems. We shall be seeking to agree a programme of work for the organisation over the next biennium—1998–99—which focussed on key priorities such as work on chemicals, biosafety and the oceans.

Copies of the decisions of the 18th governing council in 1995 are being placed in the Library. Those from the four preceding governing councils will follow shortly.

Water Quality

Mr. Dalyell: To ask the Secretary of State for the Environment what will be the impact of the Government's requirement of cost neutrality for water quality standards in future EU bathing water directives; and if he will compare the standard produced by this formula with that indicated as necessary by his Department's bathing water epidemiological studies. [10864]

Mr. Clappison: The Government have expressed no requirement for cost neutrality in any revision of the EU bathing water directive but seek to ensure that standards are based on sound science. Departments' bathing water epidemiological studies indicate that the current directive standards give adequate protection to health and do not support the introduction of more stringent standards.

Mr. Dalyell: To ask the Secretary of State for the Environment what numerical level of mandatory standard for faecal streptococcus bacteria the Government are prepared to agree to in the revised EU bathing water directive. [10863]

Mr. Clappison: In the light of the Government's epidemiological studies, we consider that the standard for faecal streptococci in any revision of the EU bathing water directive should be broadly equivalent in protective effect to the mandatory standards for coliform bacteria in the existing directive. Our current best estimates are that this would be in the region of 1,000 to 1,200 faecal streptococci per 100ml.

Irish Sea (Research)

Mr. Dalyell: To ask the Secretary of State for the Environment, pursuant to his letter of 14 November, if he will make a statement on his Department's co-operation with Irish colleagues to identify appropriate research to be undertaken on nutrient inputs and algae blooms in the Irish sea. [10855]

Mr. Clappison: My Department has been working on these issues with Irish colleagues for a number of years. In conjunction with the Environment and Marine Departments of the Irish Republic, the Department of the Environment, together with the Departments for Agriculture and for the Environment in Northern Ireland, funded a three-year project to review research and monitoring in the Irish sea, under an Irish sea science co-ordinator. The third report was published in 1995 and identified priorities for research on the Irish sea, including nutrient inputs and the extent to which algal populations may be affected by human-derived nutrient enrichment. Officials from both countries have met to discuss the co-ordination of work on these topics within their respective research programmes.

As part of the "Quality Status Report", being prepared by 2000 for the whole of the north-east Atlantic under the auspices of the Oslo and Paris Commission, the Irish Republic and the UK are jointly responsible for the section dealing with the Celtic seas, including the Irish sea. This will comprise a compilation of current knowledge about the area, an evaluation of the information to agreed criteria of environmental quality and a statement on the prevailing conditions of the area, including its marine chemistry and biology. This work will further inform future research programmes in both countries.

Groundwater

Mr. Dalyell: To ask the Secretary of State for the Environment, pursuant to his letter of 17 September, what assessment he has made of whether United Kingdom arrangements for the protection of groundwater will need to be amended as a result of the EU's groundwater action plan. [10862]

Mr. Clappison: The position on the groundwater action programme remains as set out in my letter of 17 September, a copy of which has been placed in the Library of the House. The programme has to be discussed by the Council of Ministers and the European Parliament and until its final form is agreed it is not possible to assess whether the arrangements in place in the UK would require amendment.

Local Government Finance

Mr. Hardy: To ask the Secretary of State for the Environment what is his estimate of the percentage increase on the average level of council tax in 1997–98. [11853]

Sir Paul Beresford: I have made no estimate. The level of council taxes will depend on the spending decisions of individual authorities.

Mr. Rooker: To ask the Secretary of State for the Environment if he will list the rate support grant capping levels for each *(a)* inner London borough, *(b)* shire county and *(c)* metropolitan district local education authority in 1996–97 and proposed for 1997–98. [12336]

Sir Paul Beresford: The information is available in the Library of the House.

Sellafield

Mr. Meacher: To ask the Secretary of State for the Environment (1) what plans he has to accept new evidence in his consideration of the planning inspector's report on the rock characterisation facility near Sellafield; [12398]

(2) when he expects to make a decision on the rock characterisation facility proposal at Sellafield; [12205]

(3) what *(a)* further information he will be seeking and *(b)* further consultation he will be conducting before making a decision on the proposed rock characterisation facility at Sellafield. [12204]

Mr. Gummer: The planning inspector's report of the inquiry, which I received on 25 November, is currently being considered with a view to the decision being issued as soon as possible.

If anyone believes that new evidence has come to light which they feel is relevant and should be taken into account when the decision is made, they should submit it to me as soon as possible.

Requests that the inquiry should be reopened in the light of the information contained in the Nirex internal memorandum are still being considered.

Mr. Meacher: To ask the Secretary of State for the Environment (1) when Nirex *(a)* provided him with and *(b)* published its interpretation of the groundwater dataset for the proposed rock characterisation facility at Sellafield; [12201]

(2) by what date UK Nirex Ltd. undertook to make the baseline hydrological dataset relating to a nuclear depository at Sellafield available for independent peer review. [12211]

(3) what evaluation he has made of the "Baseline Conditions Review" report funded by Nirex. [12212]

Mr. Gummer: Nirex report SA/96/006, "Rock Characterisation Facility, Longlands Farm, West Cumbria: Report on Baseline Groundwater Pressures and Hydrochemisttry", was published on 2 January 1997. At the same time, the company published a summary of the report, together with the conclusions of a peer review of the report by a group of independent experts, as Nirex report S/96/004, "Rock Characterisation Facility, Longlands Farm, West Cumbria: Report on Baseline Groundwater Pressures and Hydrochemistry, Summary Report".

A copy of report SA/96/006 was supplied to the environment agency on 6 December 1996 and a copy of report SA/96/004 on 23 December 1996. The agency will shortly be consulting publicly on the terms of an agreement, which it is minded to enter into the Nirex, setting out the basis on which the agency will assess and make public information provided by Nirex in advance of a formal application for authorisation to dispose of radioactive waste at whatever site is selected by Nirex.

Nirex's undertakings in respect of the timing of availability of this information are a matter for the company.

Mr. Meacher: To ask the Secretary of State for the Environment (1) what representations he has received about Nirex's two-dimensional model of the groundwater flow regime at Sellafield; [12200]

(2) when his Department received a three-dimensional model of the groundwater flow regime at Sellafield. [12199]

Mr. Gummer: Both two-dimensional and three-dimensional models of the Sellafield potential repository zone are described in Nirex report S/95/012, "Nirex 95: A Preliminary Analysis of the Groundwater Pathway for a Deep Repository at Sellafield", which was published in July 1995.

Evidence about the modelling of groundwater flow was presented to, and discussed at, the public inquiry held into Nirex's appeal against refusal of planning permission for an underground laboratory at Sellafield. I am currently considering the inspector's report of the inquiry.

Mr. Meacher: To ask the Secretary of State for the Environment when Nirex gave notice to Her Majesty's inspectorate of pollution that it would withdraw from the cost recovery programmes under which the HMIP assessment of Nirex proposals was funded. [12213]

Mr. Gummer: Nirex gave the required six months' notice of termination on 10 March 1994. The environment agency will shortly be consulting publicly on the terms of a new agreement which it is minded to enter into with Nirex.

Mr. Meacher: To ask the Secretary of State for the Environment what advice the Radioactive Waste Management Advisory Committee has given him in respect of the rock characterisation facility planned by Nirex at Longlands farm near Sellafield. [12301]

Mr. Gummer: Advice was contained in the Radioactive Waste Management Advisory Committee's report, "Review of aspects of the scientific mission and role of the Nirex Rock Characterisation Facility at Sellafield", which was published in September 1995. Copies were placed in the Library of the House.

UN Commission on Sustainable Development

Mr. Meacher: To ask the Secretary of State for the Environment (1) if he will make a statement on the progress made in the United Nations Commission on Sustainable Development since its establishment; and if he will place in the Library the reports issued by the commission to date; [12396]

(2) what proposals the United Kingdom plans to put to the United Nations Commission on Sustainable Development at its next inter-sessional meeting. [12397]

Mr. Gummer: The Commission on Sustainable Development was established following the Earth summit to review progress with the implementation of agenda 21. It has met five times and at its last meeting, in April and May last year, it completed its first programme of work which included a review of each of the chapters of agenda 21. The Secretary-General of the United Nations presents reports to the commission on each of the issues under consideration and the commission has negotiated a series of decisions resulting from these reports. Two of the most significant of the Commission's decisions were the decision in 1995 to establish an inter-governmental panel on forests and the decision in 1996 relating to the global consideration of oceans issues. The United Kingdom Government played a significant part in the framing of both decisions. A copy of the full set of decisions from the 1996 session of the Commission has been placed in the Library. Copies of decisions from the previous sessions will follow shortly.

The meeting of the Commission in April this year will be devoted to preparations for the United Nations General Assembly special session in June this year which will review progress since the Earth summit. The Government believe that the commission's mandate should be renewed at the special session and are working with their partners in the European Union to ensure the success of the special session and that the future work of the Commission concentrates on the key priorities for future action. The Government have published on 30 December a consultation document which sets out the Government's position on these matters. Comments are invited by 31 January. Copies of the consultation paper were placed in the Library.

The commission's secretariat has in past years invited Governments to make reports each year on the matters to be covered in the forthcoming session of the commission. Copies of the Government's reports to the commission were placed in the Library.

Radionuclide Returns

Mr. Meacher: To ask the Secretary of State for the Environment what assessment his Department has made of Nirex's report of February 1994 on expected radionuclide return times. [12203]

Mr. Gummer: None. The Environment Agency will shortly be consulting publicly on the terms of an agreement, which it is minded to enter into with Nirex, setting out the basis on which the agency will assess and make public information provided by Nirex in advance of a formal application for authorisation to dispose of radioactive waste at whatever site is selected by Nirex.

Mr. Meacher: To ask the Secretary of State for the Environment what assessment his Department has made of Nirex's model of radionuclide return routes. [12202]

Mr. Gummer: Her Majesty's inspectorate of pollution undertook assessment studies based principally on the "Post-Closure Preliminary Assessment" which Nirex provided in November 1992. Reports of these assessment studies were placed in the Library of the House in November 1995.

Millennium Exhibition

Mr. Harry Greenway: To ask the Secretary of State for the Environment what arrangements are being made for the purchase of a site for the millennium exhibition. [13022]

Mr. Gummer: The Government are committed to the establishment of a national exhibition at Greenwich in 2000 to mark the new millennium and to the regeneration of the Greenwich peninsula. English Partnerships, which will be responsible for the regeneration of the Greenwich peninsula and for providing the site for the exhibition, has agreed terms with British Gas to acquire the site for £20 million. The exhibition site must be delivered to the Millennium Central, the company which will be responsible for delivering the exhibition, by September 1997. It is essential, therefore, that English Partnerships acquires the site immediately in order to commence the works essential to achieving this objective.

Parliamentary approval of this new expenditure will be sought in a supplementary estimate for the regeneration countryside and wildlife vote (class VI, vote 2). Pending that approval, urgent expenditure estimated at £20 million will be met by repayable advances from the contingencies fund.

TRANSPORT

Northstar Pennine Ltd.

Mr. Bayley: To ask the Secretary of State for Transport if he will consult the franchising director in respect of Northstar Pennine Ltd.'s placement of an advertisement in the *Official Journal of the European Communities* of 8 January inviting tenders for rolling stock for use on the Regional Railways north-east network. [12126]

Mr. Watts: No. The franchising director has required all bidders for the Regional Railways north-east franchise to bring forward proposals for the replacement of the existing class 308 rolling stock. Decisions on when to request expressions of interest for rolling stock procurement are a matter for bidders and not the franchising director.

New Car Assessment Programme

Mr. Donohoe: To ask the Secretary of State for Transport if his Department has completed its assessment

of the reliability of the research undertaken as part of the new car assessment programme; what information collated under the new car assessment programme will not be published by his Department; and when the research results for other models of vehicle covered by the new car assessment programme will be published. [12134]

Mr. Bowis: We are confident that the tests which we are carrying out give a reliable picture of how cars would perform in real accidents. Consumer information on all the tests and a more detailed Transport Research Laboratory research report will be published. Any information provided in confidence by manufacturers on their own internal test work will not be published.

The test programme is now being taken forward jointly by an international partnership called Euro NCAP. Apart from the Department of Transport, those involved presently include the Swedish National Road Administration, the Federation Internationale de l'Automobile, Royal Automobile Club, the Automobile Association and International Testing, representing consumer organisations.

Consumer information on the super-mini phase will be published under the Euro NCAP banner as will subsequent results for family cars this summer, and the Escort/Golf group in spring 1998.

Mr. Donohoe: To ask the Secretary of State for Transport, pursuant to his answer of 29 November 1996, *Official Report*, column *417*, how many vehicles have been purchased as part of the research being undertaken as a result of the new car assessment programme; and if he will name the vehicles, indicating how many of each were published and the average amount paid for each vehicle. [12135]

Mr. Bowis: To date, my Department has purchased 12 car models in connection with the new car assessment programme. The seven in the super-mini group are the Fiat Punto, Ford Fiesta, Renault Clio, Rover 100, Nissan Micra, Vauxhall Corsa and the VW Polo. The five in the family group are the BMW 318, Citroen Xantia, Peugeot 406, Rover 620 and the Vauxhall Vectra. Two of each model are purchased and the average amount paid for each vehicle is £8,500 for the super-mini group and £15,000 for the family group.

Additional car models will be funded by other partners in Euro NCAP for the family and subsequent groups.

Mr. Donohoe: To ask the Secretary of State for Transport, pursuant to his answer of 29 November 1996, *Official Report*, column *416*, when he expects the information collated under the new car assessment programme to be published. [12136]

Mr. Bowis: Consumer information on the front and side impact protection and pedestrian protection offered by the seven super-mini sized cars will be published on 4 February. The technical test results data will be published in a TRL report by the end of February. Copies of both documents will be placed in the Library.

Connex Rail Ltd.

Mrs. Bridget Prentice: To ask the Secretary of State for Transport what representations he has received concerning the Connex South-Eastern train company. [12368]

Mr. Watts: Since Connex Rail Ltd. took over the South-Eastern train company franchise on 13 October 1996, I have received 23 representations about various aspects of its business.

Rail Transport (Disabled People)

Ms Lynne: To ask the Secretary of State for Transport (1) what plans he has to issue new guidance to train operating companies on the restrictions they can place on electric scooters and batricars being allowed to board trains; [12070]

(2) what consultations he has had with the Disabled Persons Transport Advisory Committee over the refusal of train operating companies to allow individuals to board trains using three-wheeled electric scooters or batricars. [12071]

Mr. Watts: The regulations we will be making under the Disability Discrimination Act 1995 will ensure that wheelchairs, constructed to international standard dimensions, can be accommodated on new trains. In the meantime, we have begun negotiations with the wheelchair manufacturers with the aim of establishing a marking protocol which would indicate to disabled people the transport compatibility of manual and powered wheelchairs to help them make informed choices.

The Disabled Persons Transport Advisory Committee has considered the ban on scooters and large powered wheelchairs on a number of occasions. It shares concerns about the stability and manoeuvrability of scooters and it has supported the train operating companies' ban. For the larger powered vehicles which are designed to give local outdoor mobility, the committee recognises that they are simply too large to be accommodated on public transport.

In the light of advice from the DPTAC, we have no plans to issue guidance to train operating companies about restrictions they can place on disabled people using electric vehicles.

Road Lighting

Mr. Pickthall: To ask the Secretary of State for Transport if he will amend the regulations to ensure that highway lighting for all-purpose trunk roads is treated as secondary category 1 for the purpose of repair. [12425]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Colin B. Pickthall, dated 23 January 1997:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question about amending the regulations governing the repair of highway lighting on motorways and all-purpose trunk roads.

The current Departmental Standard (TD 23/86) controlling the repair of highway lighting for motorways and trunk roads allocates defects to Category (i) and Category (ii) as appropriate. A copy of this Standard is in the Library. We are currently reviewing this Standard in the light of improving technology. However, at the present time I am unable to commit to the adoption of a Secondary Category 1 Classification.

LORD CHANCELLOR'S DEPARTMENT

Child Care Facilities

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department if Ministers are entitled to use child care facilities supported by his Department. [11594]

Mr. Streeter: Ministers of the Crown for this Department are able to make use of the subsidised child care facilities provided by this Department on the same basis as civil servants working for the Department.

Statutory Instruments

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the five Acts of Parliament enacted since April 1992 which have generated the greatest number of statutory instruments, indicating the number in each case. [11522]

Mr. Streeter: The Acts, with the numbers of statutory instruments registered with the Statutory Publications Office up to and including 7 October 1996, are as follows:

	Number
The Education Act 1993	104
The Local Government (Wales) Act 1994	56
The Local Government etc.(s) Act 1994	49
The Value Added Tax 1994	44
The Deregulation and Contracting Out Act 1994	41

TREASURY

Incomes (Nottinghamshire)

Mr. Allen: To ask the Chancellor of the Exchequer what was the average income for a family of four in Nottinghamshire, or the nearest corresponding region, included in or including Nottinghamshire for which figures are available; and what proportion of that income was spent on tax, including VAT and national insurance in each year since 1988. [10816]

Mr. Jack: The information available is given in the table.

For one-earner family with two dependent children in east midlands:

		percentage of earnings paid in				
	Weekly earnings	*Direct taxes*[1]	*VAT*	*Other indirect taxes*	*Total tax (East Midlands)*	*Total tax (GB)*
1988–89	£232.65	19.3	4.8	8.0	32.1	33.3
1989–90	£256.25	19.5	4.8	7.4	31.8	32.9
1990–91	£281.15	19.6	4.7	7.3	31.6	32.7
1991–92	£299.35	19.3	5.2	7.5	32.1	33.2
1992–93	£311.65	18.6	5.4	7.3	31.3	32.7
1993–94	£321.10	18.7	5.3	7.4	31.4	32.8
1994–95	£331.60	20.2	5.5	8.1	33.8	34.8
1995–96	£345.55	21.0	5.4	8.5	34.8	35.7
1996–97	£358.51	20.0	5.6	8.8	34.5	35.3
1997–98	£372.85	19.4	5.7	9.2	34.3	35.1

[1] Income tax and NICs.

1. Income tax payments are calculated on the assumption that the households receive no tax reliefs other than the standard allowances and have income only from employment. The earner is assumed to pay class 1 national insurance contributions at the contracted-in rate. Child benefit is deducted from income tax.

2. Earnings are the average gross weekly earnings of all full-time males in the east midlands on adult rates with pay unaffected by absence. The figures are from the new earnings survey and financial year figures are the average of the two April figures. Estimates of earnings in 1996–97 and 1997–98 are based on earnings growth assumptions for Great Britain of 3¼ per cent. in 1996–97 and 4 per cent. in 1997–98 in line with the illustrative assumptions set out in the Financial Statement and Budget Report 1997–98.

3. Figures for indirect taxes include estimates of the effects of the main intermediate taxes on households as well as the impact of taxes on final goods and services. Estimates of the impact of taxes on final goods and services assume that these taxes are fully incident on households. Estimates of the impact of intermediate taxes are based on the relation between intermediate production costs and final consumption derived using input-output techniques.

4. Figures for indirect taxes since 1994–95 are estimated from expenditure patterns in the 1994–95 family expenditure survey uprated to later years using forecasts of aggregate tax receipts. For years before 1994–95, the 1985 family expenditure survey was used. All estimates are based on the illustrative assumption that 10 per cent. of disposable income is saved.

5. Estimates of indirect taxes are very approximate, even where figures are shown, because spending patterns vary widely between households with the same composition and income. Because of sampling variation, there can be substantial differences between estimates obtained from family expenditure surveys for different years, so reliable comparisons cannot be made between the estimates for different years.

Child Care Facilities

Mr. Allen: To ask the Chancellor of the Exchequer if Ministers are entitled to use child care facilities supported by his Department. [11584]

Mrs. Angela Knight: Ministers of the Crown are able to make use of the child care facilities provided by the Treasury.

Landfill Tax

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what recent representations he has received about the eligibility for exemptions of developments from the landfill tax; and if he will make a statement. [11364]

Mr. Oppenheim *[holding answer 20 January 1997]:* HM Customs and Excise has received a small number of representations from trade associations questioning the way eligibility for the exemption from landfill tax is determined and from applicants seeking a review of a decision to refuse to issue an exemption certificate.

Mr. Winterton: To ask the Chancellor of the Exchequer if it remains his policy that, where a construction site is historically contaminated, all the waste removed to landfill should be exempt from the landfill tax; what guidance has been given by his Department to HM Customs and Excise about eligibility for exemptions from the landfill tax in such circumstances; and if he will make a statement. [11365]

Mr. Oppenheim *[holding answer 20 January 1997]:* It has never been the policy of the Government that an automatic exemption from landfill tax would apply to wastes removed to landfill from construction sites where the land is contaminated. To qualify for exemption, such wastes would need to arise from a reclamation which facilitates development of the land and removes the potential for the pollutants to cause harm. The removal of the pollutants must be necessary for the development to proceed and any activity that gave rise to the pollutants must have ceased. Where these criteria are met, all wastes (whether polluted or not) arising from the reclamation would qualify for the exemption.

The care and management of landfill tax is vested in HM Customs and Excise. Accordingly, guidance by HM Treasury concerning eligibility for exemption would not be appropriate.

Economy (Yorkshire and Humberside)

Mrs. Peacock: To ask the Chancellor of the Exchequer if he will make a statement about the economy in Yorkshire and Humberside. [11964]

Mrs. Angela Knight: Yorkshire and Humberside is sharing fully in the success of the British economy, which is enjoying a combination of low inflation, falling unemployment, low mortgage rates and rising living standards not seen for a generation. The unemployment rate in Yorkshire and Humberside is at its lowest for six years.

DEFENCE

Insecticides (Falkland Islands)

Mr. Llew Smith: To ask the Secretary of State for Defence what stocks of *(a)* malathion, *(b)* propoxus and *(c)* ficam W insecticides have been used by the Royal Army Medical Corps in the Falklands since 1982; and what insecticides are currently (i) in store and (ii) in use by the corps on the islands. [10890]

Mr. Soames: The insecticides currently in use by the Falkland Island garrison are Demon WP, Residroid and Reslin. The garrison also has stocks of the following insecticides awaiting disposal: malathion, propoxur, ficam W and insecticide space spray concentrate.

Information regarding the use of insecticides in the Falkland Islands since 1982 is not available in the form requested, and could be obtained only at disproportionate cost.

Nuclear Co-operation

Mr. Simpson: To ask the Secretary of State for Defence, pursuant to his answer of 13 November 1996, *Official Report*, column *220*, if he will list the *(a)* dates, *(b)* sites visited and *(c)* purpose of each of the visits made by (i) Delegation Generale pour l'Armement and (ii) Commisariat a l'Energie Atomique officials to the atomic weapons establishments indicating the department represented by the officials. [11517]

Mr. Arbuthnot: Details of visits are as follows. It is not possible to be more precise since details are not held centrally.

Date(s)	*Aldermaston*	*Burghfield*	*Foulness*
November 1992–March 1993	1	1	2
Financial year 1993–94	4	3	0
Financial year 1994–95	3	1	1
Financial year 1995–96	4	3	1
April 1996–October 1996	4	0	0

The other four visits referred to in the earlier response were to MOD headquarters. I have decided to withhold the information requested about the visits and those involved, under exemption 1 of the code of practice on access to Government information relating to defence, security and international relations.

Mr. Simpson: To ask the Secretary of State for Defence if he will list the number of occasions in each of the last five financial years that personnel from the atomic weapons establishments have visited *(a)* CEA and *(b)* DGA facilities. [11483]

Mr. Arbuthnot: Details of visits are as follows:

	Commissariat a l'Energie Atomique	*Delegation Generale pour l'Armement*
1991–92	5	5
1992–93	10	6
1993–94	5	3
1994–95	15	—
1995–96	8	2

Trident

Mr. Gordon Prentice: To ask the Secretary of State for Defence what estimate he has made of the sums allocated to the Trident programme which are currently *(a)* committed but unspent and *(b)* uncommitted. [12416]

Mr. Arbuthnot: As at the end of September 1996, £550 million had been committed but not yet spent and approximately £860 million remained uncommitted.

Konver Scheme

Mr. MacShane: To ask the Secretary of State for Defence how many *(a)* successful and *(b)* unsuccessful attempts have been made by his Department in the last four years to obtain funds from the EU's Konver scheme; and what funds have been allocated to the United Kingdom under this scheme. [12417]

Mr. Arbuthnot: My Department has made no bids for Konver funds as it is not eligible to do so. We have, however, supported a number of projects bidding for such

funds where it was appropriate to do so. Matters relating to the Konver scheme as a whole are for my right hon. Friend the President of the Board of Trade.

Trident Safety Facility, Devonport

Mr. Simpson: To ask the Secretary of State for Defence if *(a)* the Nuclear Installations Inspectorate and *(b)* the MOD nuclear safety authority have assessed the proposed design of the new Trident safety facility at Devonport to be safe; and if he will make a statement. [12087]

Mr. Arbuthnot: This is a matter for the chief executive of the Ships Support Agency. I have asked the chief executive to write to the hon. Member.

Letter from R.V. Babington to Mr. Alan Simpson, dated 23 January 1997:

I am replying to your question to the Secretary of State for Defence about the safety of the proposed design of the Trident facilities at Devonport, as this project falls within my area of responsibility as Chief Executive of the Ships Support Agency.

The Preliminary Safety Report for the Trident Facilities Project (D154) at Devonport was submitted by Devonport Management Limited (DML), the Dockyard operator, to both the Nuclear Installations Inspectorate (NII) and the MOD Nuclear Safety Authority in September 1994.

The NII and the MOD Nuclear Safety Authority both responded to DML on the Preliminary Safety Report. A number of technical matters were raised in their responses though these included no substantive issues of nuclear safety from either of the Regulatory Authorities.

Stabilisation Force

Mr. Home Robertson: To ask the Secretary of State for Defence (1) what estimate he has made of the savings on the cost of flights to and from Italy and former Yugoslavia in support of the stabilisation force operation if such military flights were permitted to fly through Swiss airspace; [12387]

(2) if the Government of Switzerland have offered transit facilities for stabilisation force military traffic to and from UN-authorised operations in former Yugoslavia. [12386]

Mr. Soames: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Britannia

Mr. Tony Banks: To ask the Secretary of State for Defence if he will list the proposed itinerary and engagements to be undertaken by the royal yacht Britannia up to the date set for its decommissioning. [12390]

Mr. Soames: On 20 January, HMY Britannia left Portsmouth for a seven-month deployment to the Arabian gulf, the Indian ocean and the far east. In the period up to July, it is hoped that HMY Britannia will conduct the following engagements:

Date	*Location*	*Duty*
27 January	Malta	Formal visit for High Commission event
1 February	Port Said	Routine visit
6 February	Hodeida	Formal visit for Embassy event
7–9 February	Aden	Formal visit for Embassy event
14–15 February	Dubai	Commercial events
16–18 February	Doha	Commercial events
19–22 February	Kuwait City	Royal visit by HRH The Prince of Wales
24 February	Bahrain	Royal visit by HRH The Prince of Wales
25–27 February	Doha	Royal visit by HRH The Prince of Wales
2–7 March	Karachi	Commercial events
9–14 March	Mumbai	Commercial events
19–25 March	Chennai	Commercial events
29 March–3 April	Phuket	Informal visit/fuel
4–9 April	Penang	Informal visit/fuel
10–13 April	Klang	Formal visit for High Commission event
14–18 April	Singapore City	Formal visit for High Commission event
18 April–6 May	Sembawang	Self Maintenance Period
9–14 May	Bangkok	Formal visit for Embassy event
19–20 May	Manila	Formal visit for Embassy event
26–31 May	Tokyo	Commercial events
1 June	Nagoya	Commercial event
2–6 June	Kobe	Commercial events
8–14 June	Inchon	Formal visit for Embassy event
16–20 June	Okinawa	Informal visit/fuel
23–30 June	Hong Kong	Royal visit by HRH The Prince of Wales, to attend the handover ceremonies

The programme for Britannia between July and her decommissioning in December has not yet been finalised.

Mr. Banks: To ask the Secretary of State for Defence how many days the royal yacht Britannia was at sea in 1996; what functions were carried out; what was the total cost to his Department of the royal yacht in 1995–96; and what estimate he has made of the costs up to the date of decommissioning. [12391]

Mr. Soames: In 1996, Britannia was at sea for 116 days during which she carried out the following duties:

Date	*Location*	*Duty*
27–28 February	Ponta Delgada	Routine visit/fuel
6–9 March	Bermuda	Informal visit/fuel
12–17 March	Palm Beach	Royal visit by HRH The Duke of Edinburgh
18–20 March	Savannah	Commercial events
22–26 March	Baltimore	Commercial events
28 March–8 April	Boston	Commercial events and self maintenance period
15–22 April	Toronto	Commercial events
26–27 April	Halifax	Routine visit/fuel
3 May	Ponta Delgada	Routine visit/fuel
22 June	Douglas	Royal visit by HRH The Prince of Wales
25 June	Belfast	Royal visit by HRH The Prince of Wales
26–27 June	Londonderry	Royal visit by HRH The Prince of Wales

Date	*Location*	*Duty*
5 July	Marchwood	Royal visit by HM The Queen Mother
6–7 July	Falmouth	Royal visit by HM The Queen Mother
11–14 July	Amsterdam	Royal visit by HRH The Duke of Kent
31 July–7 August	Cowes	HRH The Duke of Edinburgh embarked
10 August	Stranraer	Royal visit by Her Majesty The Queen and HRH The Duke of Edinburgh
17 August	Aberdeen	Royal visit by Her Majesty The Queen and HRH The Duke of Edinburgh

Britannia's running costs for 1995–96 were £7.3 million. Costs for the period up to the royal yacht's decommissioning at the end of this year will depend on her programme, which has not yet been finalised.

Mr. Banks: To ask the Secretary of State for Defence what proposals he has for a replacement for the royal yacht Britannia; and what proportion of public finance they include. [12392]

Mr. Soames: I refer the hon. Member to the statement made yesterday by my right hon. Friend the Secretary of State for Defence.

Royal Air Force

Mr. Mans: To ask the Secretary of State for Defence what is his policy for securing value for money in the support of RAF aircraft; and if he will make a statement. [12920]

Mr. Arbuthnot: In defence procurement generally, our policy is to obtain equipment and services from the supplier providing the best value for money, taking all relevant factors into account. We apply that policy in the support of in-service aircraft. As an example of this, and following two keen competitions, it is our intention to award two contracts which will provide component repair and maintenance support to the RAF's TriStar fleet for the next five years: We intend to award a contract for component repair to Marshall of Cambridge (Holdings) Ltd. and one for aircraft maintenance to the Gulf Aircraft maintenance company, subject to the satisfactory conclusion of contractual negotiations.

Atomic Weapons Establishment

Mr. Simpson: To ask the Secretary of State for Defence if he will make a statement on the progress being made to commission the A91 liquid waste treatment plant at AWE Aldermaston. [11831]

Mr. Arbuthnot: The civil engineering contractor is well advanced with his part of the commissioning process. AWE commissioning will then take place. A91 is now expected to be operational in 1998.

Mr. Simpson: To ask the Secretary of State for Defence (1) what plans he has to construct a size reduction facility at AWE Aldermaston; when; and at what cost; [11829]

(2) when the purpose-built store for storing the treated waste from the sludge solidification system at AWE Aldermaston is to be completed; and at what cost; [11832]

(3) what assessment he has made of the capacity at AWE Aldermaston for new nuclear waste stores for storage of waste planned to be disposed of at the proposed repository beyond 2010; [11828]

(4) when the new store planned for the plutonium-contaminated material contained within waste stream 7A21 is to be built; and at what cost. [11830]

Mr. Arbuthnot: Plans for the treatment and storage of intermediate level waste generated at AWE are kept under continuous review. Decisions as to the necessity for further ILW storage at AWE will depend on a number of factors, including the availability of facilities such as the deep waste repository to be developed by Nirex.

A scheme to provide a size reduction facility at AWE Aldermaston is under way. Present plans are for it to be operational early in the next century. The cost is still subject to negotiation and is not therefore available. There are no plans to create a new store for treated waste from the sludge solidification system at AWE. Such material can continue to be stored in existing facilities.

"Waste Stream 7A21" is a term used by Nirex Ltd. to designate waste contaminated by plutonium or uranium. Nirex Ltd.'s planning for future storage arrangements is proceedings. As far as my Department's responsibilities are concerned, safe and secure interim arrangements are provided, as necessary, at the Atomic Weapons Establishment.

Mr. Simpson: To ask the Secretary of State for Defence what is the estimated volume of nuclear waste arising from decommissioning of old plant and facilities at AWE Aldermaston which *(a)* cannot be disposed of at Drigg and *(b)* will need to be stored at AWE Aldermaston until 2010. [12121]

Mr. Arbuthnot: Approximately 2100 cu m of low and intermediate level radioactive waste, primarily resulting from the decommissioning of old plant and facilities and which cannot be disposed of at Drigg, will arise at AWE by the end of 2010. This will be safely stored at AWE in purpose—built facilities until the deep waste repository to be developed by Nirex becomes available.

Mr. Simpson: To ask the Secretary of State for Defence how many glove boxes are at present stored at AWE Aldermaston; and what plans he has to dispose of them. [12063]

Mr. Arbuthnot: At present there are 41 glove boxes stored at Aldermaston. Decommissioned glove boxes are classified as intermediate level waste. It is intended that they will be stored, following size reduction and supercompaction, at the deep waste repository to be developed by Nirex Ltd. Until the DWR is available, safe and secure storage is provided at AWE Aldermaston.

Mr. Simpson: To ask the Secretary of State for Defence if he will place in the Library an unclassified version of AWE Aldermaston's comprehensive decommissioning and waste management plan. [12064]

Mr. Arbuthnot: Plans for decommissioning facilities at AWE and for waste management consist of a number of separate documents. Decommissioning plans contain much detailed information on facilities and their present and intended functions. Such information is highly sensitive and any attempt at an unclassified version would

render the resultant document meaningless. As to waste management, considerable information is already reported to the relevant regulatory bodies and we have at present no plans to consolidate such material.

Mr. Simpson: To ask the Secretary of State for Defence when the sludge solidification system planned for AWE Aldermaston was completed; if it is operational; and what was its total cost. [12091]

Mr. Arbuthnot: The sludge solidification system is planned to be completed prior to the radioactive waste effluent treatment plant, building A91, becoming operational in 1998. The cost is commercially confidential and I am therefore withholding it under exemption 7 of the code of practice on access to Government information relating to effective management and operations of the public service.

Mr. Simpson: To ask the Secretary of State for Defence if he will list the establishments in the United States visited by employees of the Atomic Weapons Establishment under the aegis of the 1958 mutual defence agreement and the Trident sales agreement, indicating the number of visits to each, in each of the financial years 1990–91 to 1994–95. [12123]

Mr. Arbuthnot: This information is not held centrally and could be obtained only at disproportionate cost. However, a significant proportion of the visits would have been to Lawrence Livermore national laboratory, Sandia national laboratories, Los Alamos national laboratory, and various Department of Defence and Department of Energy Government offices.

Chemical Tests (West Indian Islands)

Sir Teddy Taylor: To ask the Secretary of State for Defence if he will make a statement on the implications of the chemical tests carried out by Her Majesty's Government on West Indian islands; and for what reasons the appropriate papers were not made available under the 30-year rule. [11769]

Mr. Arbuthnot: My Department's records indicate that trials using live biological agents took place at sea off the Leeward islands in late 1948 and early 1949 to determine the practicability of conducting biological warfare trials at sea. The authorities in Antigua were consulted at the planning stages and the agreement of the governor was obtained before the trials took place. We are confident that the trials did not result in any infections among the human or animal populations of Antigua. The nature and purpose of the trials was not made public at the time, given the security considerations applying in the cold war era; however, the fact that the trials involved the release of live biological agents has been in the public domain since 1982.

The United Kingdom has not possessed an offensive biological weapons capability since shortly after the second world war, and, indeed, is a co-depositary of the 1972 biological and toxin weapons convention, playing an active role in the current efforts to strengthen the convention.

Official records are released in accordance with the terms of the Public Records Act 1958. Certain papers concerning the subject in question were retained in my Department under section 3(S)4 of the Act on grounds of national security. Such papers are subject periodically to re-review and the majority of papers on this subject have now been released, their sensitivity having lapsed.

Royal Naval Auxiliary Service

Mr Spellar: To ask the Secretary of State for Defence if he will make a statement regarding the award of construction contracts at RNAS Yeovilton. [12040]

Mr. Artbuthnot: A requirement exists at RNAS Yeovilton for living accommodation, hangars, stores and offices to house those moving from HMS Osprey, Portland, Dorset.

It had been intended to award one design and build contract to cover all the requirements and tenders for this were received in June 1996. Following tender assessment it was concluded that best value for money would not be obtained by the one contract design and build approach. Consequently, a more traditional procurement route, of separate contracts placed following competition, has been adopted. So far two—see note—contracts have been placed:

Western entrance works: 311,000

Squadron office block: 2,200,000

Note: Contracts valued at less than £240,000 are placed by local works services managers. Details of these contracts are not held centrally and could only be obtained at disproportionate cost.

Territorial Army

Dr. David Clark: To ask the Secretary of State for Defence what is the total cost per year to his Department of each member of *(a)* the Territorial Army and *(b)* the volunteer reserves. [12389]

Mr. Soames: The information requested is as follows:

	£
Territorial Army[1]	2,728
Royal Naval Reserve	2,145
Royal Marines Reserve	1,911
Royal Auxiliary Air Force and RAF Volunteer Reserve[2]	3,481

[1] Excludes regular and civilian staff at reserve units and non-regular permanent staff.

[2] Figures relate to those personnel who could be called-out to fill an operational role; they do not include RAF volunteer reserve (Civilian Component), RAF volunteer reserve (Training) or RAF volunteer reserve (university air squadron).

The figures include pay, earnings-related national insurance contributions, bounty and training expenses allowance at 1996–97 prices. Figures for equipment development, fuel, ammunition, accommodation and utilities, food and transport attributable to the reserves could only be provided at disproportionate cost.

EDUCATION AND EMPLOYMENT

National Vocational Qualifications

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what proportion of the employed work force is qualified to NVQ level 4 or above in each English region and in Wales. [11250]

Mr. Paice: The percentage of the employed work force who were qualified to at least NVQ level 4 or equivalent in each Government office region and Wales is shown in the table:

	Percentage
England	24
South East	25
London	33
Eastern	23
South West	22
West Midlands	21
East Midlands	20
Yorkshire and the Humber	21
North West	23
Merseyside	23
North East	20
Wales	23

Source:
Labour Force Survey, Autumn 1995.

Mr. Davies: To ask the Secretary of State for Education and Employment what percentage of young people up to age 19 years have achieved level 2 qualifications in each Government office region. [11240]

Mr. Paice: The percentage of young people aged 19 to 21 who were qualified to at least NVQ level 2 or equivalent in each Government office region and Wales is shown in the table:

	Percentage
England	67
South East	69
London	71
Eastern	69
South West	69
West Midlands	57
East Midlands	69
Yorkshire and the Humber	62
North West	69
Merseyside	70
North East	63
Wales	62

Source:
Labour Force Survey, Autumn 1995.

Mr. Davies: To ask the Secretary of State for Education and Employment what percentage of young people up to age 21 years have achieved level 3 qualifications in each Government office region. [11234]

Mr. Paice: The percentage of young people aged 21 to 23 who were qualified to at least NVQ level 3 or equivalent in each Government office region and Wales is shown in the table:

	Percentage
England	44
South East	43
London	50
Eastern	41
South West	45
West Midlands	42
East Midlands	46
Yorkshire and the Humber	41
North West	44
Merseyside	46
North East	42
Wales	44

Source:
Labour Force Survey, Autumn 1995.

Mr. Davies: To ask the Secretary of State for Education and Employment what proportion of the employed work force is qualified to NVQ level 3 or equivalent in each English region and in Wales. [11251]

Mr. Paice: The percentage of the employed work force who were qualified to at least NVQ level 3 or equivalent in each Government office region and Wales is shown in the table:

	Percentage
England	40
South East	42
London	48
Eastern	40
South West	40
West Midlands	36
East Midlands	37
Yorkshire and the Humber	38
North West	40
Merseyside	39
North East	39
Wales	39

Source:
Labour force Survey, Autumn 1995.

Menorah Foundation

Mr. John Marshall: To ask the Secretary of State for Education and Employment when she expects to make a decision on the application by Menorah Foundation to become a grant-maintained school. [12127]

Mr. Robin Squire: A decision on application will be made as soon as possible.

Torah Temimah

Mr. John Marshall: To ask the Secretary of State for Education and Employment when she received an application by Torah Teminah to become a grant-maintained school; and when she expects to determine the application. [12128]

Mr. Robin Squire: The governors of Torah Temimah independent primary school, Brent, published proposals for grant-maintained status on 1 August 1996. The proposals were received in the Department shortly afterwards. They are currently under consideration and we expect to reach a decision soon.

Education Funding (Kirklees)

Mrs. Peacock: To ask the Secretary of State for Education and Employment if she will list the Government-allocated funding, per pupil, of school children in the Kirklees council area for each year from

1990–91 to 1997–98 for *(a)* under five-year-olds, *(b)* five to 11-year-olds and *(c)* 11 to 16-year-olds; and if she will make a statement. [11962]

Mr. Robin Squire: The table sets out the education standard spending assessment per pupil in Kirklees for each year from 1990–91 to 1997–98 for *(a)* under-five-year-olds *(b)* five to 10-year-olds and *(c)* 11 to 16-year-olds.

Education SSAs do not determine the level of school spending or the balance of funding between nursery, primary and secondary education. It is up to local authorities to decide how much they spend on schools and other services within the resources at their disposal.

Kirklees's education SSAs per pupil 1990–91 to 1997–98

	Under five years £	*Five to 10 years* £	*11 to 16 years* £
1990–91	223	1,527	2,171
1991–92	263	1,746	2,533
1992–93	284	1,853	2,710
1993–94	290	1,914	2,779
1994–95	281	1,912	2,675
1995–96	285	1,900	2,539
1996–97	304	1,971	2,637
1997–98[1]	[2]139	2,066	2,721

[1] 1997–98 figures are provisional.
[2] This figure is lower than in previous years because of the SSA deduction for the nursery voucher scheme.

Mrs. Peacock: To ask the Secretary of State for Education and Employment if she will make a statement on the funding of primary education in the Kirklees area. [11965]

Mr. Squire: Kirklees's provisional standard spending assessment (SSA) per primary school pupil in 1997–98 is £2,066. That is a year on year increase of £94 per pupil, or 4.8 per cent.

Education SSAs do not, however, determine how much local authorities must spend on education. It is up to local education authorities under local management of schools to determine how much to spend on education within the resources at their disposal, including the allocation between primary and secondary schools.

Teachers (Early Retirement)

Mrs. Peacock: To ask the Secretary of State for Education and Employment how many teachers in Kirklees have retired before the age of 60 years for reasons of health and disability during each of the past six years; how many returned subsequently to supply teaching; and what was the extra cost of these early retirements. [11963]

Mrs. Gillan: Teachers from the maintained nursery, primary, secondary and special sector in Kirklees LEA, who took retirement on the grounds of ill health from 1990–91 to 1995–96, are shown in the table:

Financial year	*Number of early retirements due to ill health*[1]
1990–91	38
1991–92	30
1992–93	45
1993–94	63
1994–95	50
1995–96 (prov.)	43

[1] Excludes those last recorded in sixth form colleges. May include a small number retiring at age 60 or over.

The number of teachers returning to supply teaching is not known. The extra cost of early retirements in Kirklees could only be calculated at disproportionate cost.

Class Sizes

Mr. Blunkett: To ask the Secretary of State for Education and Employment (1) how many pupils in secondary schools in England were in classes of 40 pupils or more in each of the six most recent years for which figures are available; [12107]

(2) how many pupils in primary schools in England were in classes of 40 pupils or more in each of the six most recent years for which figures are available. [12108]

Mr. Robin Squire: The number of pupils in single teacher classes of 40 or more pupils in maintained primary and secondary[1] schools in England, is, at January each year

	Primary schools	*Secondary schools*
1991	15,851	1,694
1992	18,366	1,374
1993	17,358	2,826
1994	14,057	881
1995	17,918	1,634
1996	19,875	1,016

[1] Excludes sixth form colleges.

Special Needs Teachers

Mr. Pickthall: To ask the Secretary of State for Education and Employment what action she has taken to ensure that the level of qualifications required by schools for teachers of hearing-impaired children is not reduced. [12424]

Mrs. Gillan: Teachers who teach classes of children with hearing impairments must gain an additional approved qualification to do so. The Government have no plans to discontinue this requirement.

College of Food, Tourism and Creative Studies

Mr. Terry Davis: To ask the Secretary of State for Education and Employment what is the total of the salary, allowances and other remuneration paid to the principal of the College of Food, Tourism and Creative Studies in Birmingham; and how much this total has changed since the college left the control of the city council in April 1993. [12349]

Mr. Paice: The Department does not collect this information. However, as a further education corporation, the Birmingham College of Food, Tourism and Creative Studies is required to publish its audited accounts each year. The college is required to disclose the principal's remuneration in the notes to the accounts.

OVERSEAS DEVELOPMENT ADMINISTRATION

European Union Aid

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of European Union development aid has been channelled through non-governmental organisations in each of the last 10 years. [10968]

Dr. Liam Fox: In 1993 and 1994, the percentage of European Union external assistance channelled through non-governmental organisations was 22 per cent. and 24 per cent. respectively. To answer the question for the eight previous years would involve disproportionate cost.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of European Union development aid that goes through non-governmental organisations goes to British-based organisations; and how this percentage has changed over the past 10 years. [10969]

Dr. Fox: In 1993 and 1994, the percentage of the allocations of the non-governmental organisations co-financing budget line (B7-5010) channelled through UK organisations was 15.2 per cent. and 15.5 per cent. respectively. To provide a complete answer to the question would involve disproportionate costs.

Indonesia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs in assessing the regional physical planning programme for transmigration project in Indonesia, what weight his Department attached to *(a)* concerns about the rights of the people affected by transmigration and the Indonesian Government's attitude to human rights and *(b)* possible political repercussions. [11647]

Dr. Liam Fox: The key consideration underlying our involvement in this World bank project was the developmental benefit to be gained, in the implementation of the transmigration programme, from sound land resource planning as a basis for improved decision making.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the legal and administrative difficulties involved in the wording of the project agreement with the Indonesian authorities in relation to the regional physical planning programme for transmigration in Indonesia; what were regarded as the sensitivities of the project at the time the extension of the project was approved in 1987; and what legal advice was received by his Department in 1987 regarding the extension of the project. [11648]

Dr. Fox: The difficulties related to the question of which agency on each side should be the contracting party to the agreement. While the developmental arguments were in favour of our continued involvement, sensitivities noted at the time of the extension were public perceptions of the transmigration programme, the wider relationship with the Indonesian Government and the World bank and the views of British environmental organisations which regarded our involvement as beneficial. Legal advice was not sought.

World Bank (Environmental Impact Assessments)

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer to the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) on 11 December, *Official Report,* column *216,* if he will make a statement on the improvements the Government are pressing the World bank to make in its environment policy. [11924]

Dr. Liam Fox: The Government believe that the World bank's policy of screening all investment proposals for their potential environmental impact is the right approach. We continue to monitor the bank's performance to ensure that this policy is fully implemented in its environmental impact assessments.

Tied Aid

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the letter from the Minister for Overseas Development of 28 October, what recommendations resulting from the review of tied aid have been pursued. [10861]

Dr. Liam Fox: The report made a number of recommendations. On procedures, to ensure better value for money, the ODA's procurement procedures have been strengthened; guidelines on local procurement of goods have been revised; a staff training programme is under way; and procedures for local procurement of services are being examined. On the special programme for Africa, we pledged last month up to £250 million of new programme aid. Previous UK pledges have been 75 per cent. untied; we are currently considering the extent of untying this time around. On reporting, improvements to the ODA's management information system are under way to report statistics on aid tying to the Organisation for Economic Co-operation and Development more accurately. We are actively supporting renewed efforts in the OECD to encourage the greater multilateral untying of development assistance programmes.

Food and Agriculture Organisation

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the letter from the Minister for Overseas Development of 3 December, what action his Department is taking to promote reform of the FAO; and if he will make a statement. [10854]

Dr. Liam Fox: The Government are promoting reform in the FAO, primarily by pursuing constructive dialogue with its secretariat, by applying pressure for efficiency savings and better focused activities in negotiation of its programme of work and budget for 1998–99, and by working for co-ordinated action for reform among its membership.

Montserrat

Mr. Terry Davis: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people are living in communal shelters in Montserrat; and how many homes are currently being built for them. [12348]

Dr. Liam Fox: There are currently some 860 people living in community shelters; 188 people have already been provided with housing and the provision of new homes for a further 293 people will start shortly.

NATIONAL HERITAGE

Television Licences (Caravan Sites)

Mrs. Ray Michie: To ask the Secretary of State for National Heritage (1) what plans she has to extend the hotel licence scheme for television licences to cover caravan sites and holiday homes; [11537]

(2) how many representations she has received from caravan site owners and those letting holiday homes expressing dissatisfaction with the regulations governing television licences for static holiday caravans and holiday homes. [11538]

Mr. Sproat: As announced on 18 July last year, *Official Report*, columns *601–02*, the Government intend to bring forward regulations to take account of changes in the use of television in recent years, including use in vehicles and vessels. Since that date, the Government have received over 520 representations on the licensing requirements for second homes and caravans. Our records do not readily identify precisely how many of these were from caravan site owners and people letting holiday homes expressing dissatisfaction with the current regulations; however, we estimate that they make up only a very small proportion.

Caravan sites and holiday home complexes which provide units of overnight accommodation are already eligible for the special hotel licence. In the near future, the Government will make a detailed announcement on the new licensing requirements, including any that affect static holiday caravans and holiday homes. The new requirements will be incorporated into consolidated television licence fee regulations which will be laid so as to come into affect on 1 April 1997.

Child Care Facilities

Mr. Allen: To ask the Secretary of State for National Heritage if Ministers are entitled to use child care facilities supported by her Department. [11583]

Mr. Sproat: Ministers of the Crown are entitled to use the child care facilities supported by my Department.

Digital Broadcasting (Highlands and Islands)

Mrs. Ray Michie: To ask the Secretary of State for National Heritage how many representations she has received from highlands and islands residents over the past year expressing their concern about the introduction of the new BBC digital service. [11668]

Mr. Sproat: We have received no such representations.

Arts Funding (South-west)

Mr. Harvey: To ask the Secretary of State for National Heritage what plans she has to increase the level of funding for the arts in the south-west. [11956]

Mr. Sproat: The Government are committed to helping support a lively and accessible artistic tradition by continued public subsidy for the arts. We have continued to offer substantial support for the arts despite overall pressures on public expenditure. In November, my right hon. Friend the Secretary of State announced funding of £186 million for the Arts Council of England in 1997–98, an increase of £3.2 million over the baseline on which the Arts Council was asked to plan.

It is for the Arts Council of England to determine the allocation of grant in aid to the 10 regional arts boards, including South West Arts. It takes such decisions independently of Ministers, and in the light of relative needs and priorities. In addition, the south-west continues to benefit from the proceeds of the national lottery. So far, the lottery has provided £27,000,000 towards improving and increasing the availability and quality of the arts in the region.

National Lottery

Mr. Ieuan Wyn Jones: To ask the Secretary of State for National Heritage what is the total amount allocated from the proceeds of the national lottery to the small grants programme set up by the National Lottery Charities Board; and what proportion of such grants have been made to charities whose main or primary purpose is to assist people affected by flooding, fires or other disasters. [11722]

Mr. Sproat *[holding answer 22 January 1997]:* The National Lottery Charities Board has so far made grants in Wales under its small grants programme worth a total of £511,000. I understand that, under the programme so far, no charities have applied whose main or primary purpose is to assist people affected by disasters such as flooding or fires, so no such grants have been made.

Mr. Jones: To ask the Secretary of State for National Heritage if she will list the awards made from the proceeds of the national lottery to organisations involved in relieving the effects of national disasters, giving in each case *(a)* the name of the organisation and *(b)* the amount awarded. [11721]

Mr. Sproat *[holding answer 22 January 1997]:* No lottery awards have been made to organisations involved in relieving the effects of national disasters.

AGRICULTURE, FISHERIES AND FOOD

Organic Farming

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many farmers farm organically; and what percentage this constitutes of the total number of farmers in the most recent year for which figures are available. [12092]

Mr. Boswell: The number of farmers in the UK—principal farmers and partners, whole time and part time—as at June 1995 was 219,000. At the same date, there were 784 registered organic holding—0.36 per cent. of the number of farmers. These figures are, however, prepared on different bases and are not strictly comparable.

Storm Surges

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his letter of 1 November 1996, reference 101871, what study he has made of Dixon and Tawn's findings on storm surges; and what action he proposes. [10825]

Mr. Boswell: Dixon and Tawn undertook a theoretical statistical analysis.

Further study using actual data gathered from the national network of tide gauges has confirmed that non-random events, such as astronomic tides, influence water level estimates. Their range, between an overestimate of 250 mm and an underestimate of 100 mm, falls within the current allowance for water level estimates used for the design of sea defences.

New Zealand Flatworm

Mr. Pickthall: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the potential impact on United Kingdom exports of plants to Sweden of the New Zealand flatworm. [12422]

Mr. Boswell: Sweden has listed the New Zealand flatworm as an indirect plant pest in its national legislation. We understand that this measure was adopted in order that the Swedish authorities could take action against any consignments which were found to be infested with the New Zealand flatworm. The UK Agriculture Departments, in consultation with the horticulture industry, have drawn up a code of practice to ensure that exported plants are free from the flatworm. The Government are also funding research into the biology of non-indigenous flatworms and methods of controlling their spread.

HEALTH

Mefloquine

Mr. Llew Smith: To ask the Secretary of State for Health what studies have been *(a)* undertaken and *(b)* commissioned by his Department into the side effects of the use of mefloquine as an anti-malarial drug. [10896]

Mr. Malone: My right hon. Friend, the Secretary of State for Health has not undertaken or commissioned any formal studies into the side effects of melfloquine. Following grant of marketing authorisation, based on rigorous evaluation of quality, safety and efficacy by the Licensing Authority and its expert advisory bodies, the Medicines Control Agency has continued to monitor the safety of mefloquine. Data became available from spontaneous adverse reaction reports, published literature and ongoing studies in patients. However, the MCA continue to monitor the safety of mefloquine to ensure that its benefits in treating and preventing malaria outweigh the risk of adverse reactions.

Residential Care Costs

Mr. Thurnham: To ask the Secretary of State for Health what estimate he has made of the savings which would accrue to public funds if local authority residential homes were run at the same cost as equivalent private sector homes. [11533]

Mr. Burns: We have made no such estimate. Published statistics show the different costs to local authorities of care in homes for the elderly in different sectors, but these homes may not be equivalent. We believe that purchasing care from the independent sector would be more cost effective for local authorities. To achieve these savings, local authorities need to see their role as commissioners rather than providers of services.

Personal Social Services

Mr. Thurnham: To ask the Secretary of State for Health if he will list the real terms percentage increase in funding for personal social services, indicating the figures on which the calculations are based, for each year since 1979, together with projections for such future years as are available to him. [11534]

Mr. Burns: The amount and annual increases in funding for personal social services since 1981–82 are set out in the table; figures prior to 1981–82 are not held by the Department:

	Funding for social services £ million	*Percentage increase in real terms*
1981–82	1,642.561	—
1982–83	1,943.401	10.4
1983–84	2,084.598	2.5
1984–85	2,204.800	0.7
1985–86	2,366.400	1.8
1986–87	2,552.900	4.7
1987–88	2,756.500	2.5
1988–89	2,912.800	−1.0
1989–90	3,269.300	4.9
1990–91	3,648.000	n/a
1991–92	4,503.000	16.0
1992–93	4,850.000	3.4
1993–94	5,585.400	11.9
1994–95	6,403.200	12.6
1995–96	6,965.900	6.1
1996–97	7,511.000	5.2
1997–98	7,846.030	2.4

Figures for years prior to 1990–91 relate to the previous local government finance system and are not comparable with figures for subsequent years. In particular, amounts provided through special and specific grants are excluded prior to 1990–91. The figures above should not be seen as expenditure targets. They are one component of the funding provided for local government services and local authorities may in the event spend more or less than the amounts above.

Drug Abuse (South Yorkshire)

Sir Irvine Patnick: To ask the Secretary of State for Health what discussions his Department has held with South Yorkshire local health authorities regarding drug abuse; and if he will list the funding that is allocated for this purpose by each authority. [11663]

Mr. Horam: The Department has held no discussions with health authorities in South Yorkshire about drug misuse. Information on the total funding allocated by health authorities for combating drug misuse is not available centrally. Funds allocated by the Department to health authorities for this purpose are shown in the tables.

The table shows the funding for services for drug misusers allocated to each of the health authorities in South Yorkshire for 1996–97 and 1997–98:

Drug misuse treatment services

Thousands

Health authority	*Allocation 1996–97*	*Allocation 1997–98*
Barnsley	144	163
Doncaster	184	205
Rotherham	232	253
Sheffield	392	442

In addition, the table shows central funding made available to develop drug action teams and drug reference groups.

Drug action team and drug reference group development funding

Thousands

Health authority	*Allocation 1996–97*	*Allocation 1997–98*
Barnsley	33	34
Doncaster	34	34
Rotherham	33	34
Sheffield	34	34

Drugs challenge fund

Sheffield health authority has also won drugs challenge funding for four projects. The total challenge fund allocation to Sheffield is £27,600.

Smoking

Mr. Chris Smith: To ask the Secretary of State for Health if he will list the figures for smoking prevalence among 11 to 15-year-olds in those years for which figures are available between 1989 and 1994. [12058]

Mr. Horam: The figures in the table are extracted from "Smoking Amongst Secondary Children in 1990, 1992, 1993 and 1994" published by the Office of Population Censuses and Surveys. Copies of these reports are available in the Library.

Percentage

Regular smokers (at least one cigarette a week)	*11 years*	*12 years*	*13 years*	*14 years*	*15 years*	*Total*
1990	—	2	8	13	25	10
1992	1	2	7	15	23	10
1993	—	3	4	16	22	10
1994	1	2	6	17	28	12

Life Expectancy

Mr. Chris Smith: To ask the Secretary of State for Health (i) if he will list the average expectation of life at birth *(a)* nationally and *(b)* regionally for (i) men and (ii) women in (y) 1994 and (z) 1995; [12033]

(2) if he will list the average life expectancy by region for *(a)* men and *(b)* women. [12032]

Mr. Burns: The average expectation of life at birth, according to the mortality rates experienced in 1992, the latest year for which individual figures are available for the regional health authorities of England and Wales, are shown in the following table. Figures for England and Wales as a whole for 1994 and 1995 are also shown:

Expectations of life at birth (years)

Health authority	*1992*		*1994*		*1995*	
	Males	*Females*	*Males*	*Females*	*Males*	*Females*
England and Wales	73.8	79.2	74.4	79.7	74.3	79.5
Northern	72.4	77.7	—	—	—	—
Yorkshire	73.6	78.8	—	—	—	—
Trent	73.6	78.9	—	—	—	—
East Anglia	75.4	80.3	—	—	—	—
North West Thames	74.5	80.1	—	—	—	—
North East Thames	73.8	79.5	—	—	—	—
South East Thames	74.0	79.6	—	—	—	—
South West Thames	75.2	80.3	—	—	—	—
Wessex	75.0	80.3	—	—	—	—
Oxford	74.9	79.6	—	—	—	—
South Western	74.9	80.3	—	—	—	—
West Midlands	73.4	78.7	—	—	—	—
Mersey	72.9	78.2	—	—	—	—
North Western	72.3	77.6	—	—	—	—
Wales	73.5	78.9	—	—	—	—

Mr. Chris Smith: To ask the Secretary of State for Health if he will list those EU countries with greater life expectancy than the United Kingdom. [12034]

Mr. Horam: Average life expectancy in the United Kingdom in 1994 was 74.2 years among males and 79.6 years among females. The most recent data from other EU countries that was collected on a comparable basis—though not necessarily in precisely the same year—is shown in the table.

Average life expectancy at birth in the countries of the European Union for the latest year available for the male population and the female population separately.

Life expectancy at birth, EU countries, latest year

Country	*Year*	*Male*	*Female*
Austria	1995	73.67	80.27
Belgium	1991	72.96	79.77
Denmark	1993	72.78	77.95
Germany	1994	73.16	79.71
Finland	1994	72.95	80.41
France	1994	74.42	82.83
Greece	1994	75.34	80.35
Ireland	1992	72.68	78.24
Italy	1992	74.20	80.91
Luxembourg	1994	73.43	80.51
Netherlands	1994	74.67	80.53
Portugal	1994	71.66	78.72
Spain	1992	73.86	81.36
Sweden	1993	75.63	81.02
United Kingdom	1994	74.18	79.61

Source:

World Health Organisation HFA (provisional).

Organophosphates

Mr. Meacher: To ask the Secretary of State for Health, pursuant to the answer to the hon. Member for Newport, West (Mr. Flynn) *Official Report,* 6 December, column *822,* if he will place in the Library *(a)* a list of the dates of the meetings held by the expert committee on organophosphates during the past 10 years, *(b)* copies of the minutes of daily meeting and *(c)* copies of all reports and recommendations drawn up by the committee; and what peer reviews of the committee's recommendation have been conducted. [11910]

Mr. Horam: The Veterinary Products Committee was established in 1970 under section 4 of the Medicines Act 1968. It meets generally every month except August. During the past 10 years, the committee has considered issues concerning OP veterinary medicinal products on a number of occasions, including the assessment of applications for authorisation for new products. As the committee considers these and other such matters which are commercially confidential, the minutes of its meetings are not published. An annual report for each advisory body established under the Medicines Act 1968, including the VPC, is, however, published in one volume each year and copies of this have been placed in the Library.

In March 1993, the VPC considered a request from my right hon. Friend the then Minister of Agriculture, Fisheries and Food for advice as to whether a moratorium on OP sheep dips would be appropriate. The Government's acceptance of the advice then given, and the details of that advice, were announced in reply to the hon. Member for West Dorset (Sir J. Spicer) on 1 April 1993, at columns *328-30.* A MAFF news release No. 112/93, gave full details of the advice and a list of all the papers considered by the VPC. Copies of all the published and publicly available papers were placed in the Library at that time.

At its meeting in October 1993, the VPC again undertook a thorough examination of all the issues surrounding the use of OP sheep dips. The details of the committee's advice and the Government's response were then announced in reply to the hon. Member for Wellingborough (Sir Fry) on 1 December 1993, at columns *588-90.* MAFF news release No. 424/93 gave full details, including a list of all the papers considered by the committee.

The Advisory Committee on Pesticides meets regularly—at least five times a year since 1987. Evaluation documents, which detail the findings of the committee on individual active substances, including OPs, are published and copies are placed in the Library. Copies of the ACP's annual reports are also placed in the Library. As the committee considers matters which are commercially confidential, the minutes of its meetings are not published.

Since the purpose of the VPC and the ACP is to provide scientific advice to Ministers and the committees do not publish papers, peer review of their work would not be appropriate.

Leukaemia

Mr. Meacher: To ask the Secretary of State for Health if he will evaluate the article in the *British Medical Journal* of the 11 January relating to leukaemia occurrence to assess its implications for the populations in the vicinity of *(a)* Sellafield and *(b)* Dounreay. [11911]

Mr. Horam: The Committee on Medical Aspects of Radiation in the Environment—COMARE—has investigated the increase of cancer and leukaemia in young people around Dounreay and Sellafield and concluded that on current knowledge environmental radiation exposure from the sites could not account for the excesses.

COMARE has made various recommendations for further research, much of which has already been carried out, and further work is under way. COMARE will continue to keep this matter under review and will consider whether there is a need for any further advice. The results of the study, published in the *British Medical Journal,* "Case-control study of leukaemia in young people near La Hague nuclear reprocessing plant: the environmental hypothesis revisited", together with other evidence as it becomes available, will be considered by the committee.

Encryption

Mr. Dalyell: To ask the Secretary of State for Health, pursuant to his letter of 23 October, what evidence he has evaluated relating to the encryption trials; and when he plans to make an announcement. [10857]

Mr. Horam: We will begin to evaluate the results of the encryption pilots when they become available in March. Once this process has been completed, we will then be able to make an announcement.

Hospital Beds

Mr. Simon Hughes: To ask the Secretary of State for Health how many hospital beds there were in each health authority in each of the last seven years; and if he will indicate for each authority and year the numbers for *(a)* acute, *(b)* geriatric, *(c)* maternity and *(d)* mental illness or disability cases. [11625]

Mr. Horam: The information requested is not available centrally. Information on the average daily number of available beds for national health service providers in each financial year is continued in "Bed Availability for England", copies of which are available in the Library.

Hospitals

Mr. Simon Hughes: To ask the Secretary of State for Health how many *(a)* hospitals and *(b)* hospital trusts there were in operation in (i) 1980, (ii) 1985, (iii) 1990, (iv) 1992, (v) 1994–95 and (vi) 1995–96. [11626]

Mr. Horam: I refer the hon. Member to the answer given to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 13 January at column *172.* Information is not available centrally to distinguish hospital trusts from other types of trust. The hon. Member may wish to refer to the information on trusts in the "Health and Social Services Yearbook", copies of which are available in the Library.

Mr. Hughes: To ask the Secretary of State for Health how many hospital trusts in England contain *(a)* two and *(b)* three or more hospitals. [11627]

Mr. Horam: The information requested is not collected centrally. The hon. Member may wish to refer to the "Health and Social Services Yearbook", copies of which are available in the Library, for information on the facilities in each trust.

Cancelled Operations

Mr. Simon Hughes: To ask the Secretary of State for Health if he will place in the Library figures by *(a)* district health authority, *(b)* regional health authority and *(c)* overall, of the number of operations cancelled on the day of, or the day after, admission to a hospital, and the numbers of those patients not readmitted within a month, for each quarter of 1995–96 and the first two quarters of 1996–97. [11628]

Mr. Horam: The information has been placed in the Library.

Manchester Ambulance Service

Mr. Meacher: To ask the Secretary of State for Health if he will ensure that the Greater Manchester ambulance service NHS trust offers a local pay award in addition to the national pay award. [11815]

Mr. Horam: National health service trusts need to consider pay in the context of their overall income from contracts and the costs of providing good quality patient services. It is for each employer to decide what to pay in the light of their overall financial position and other service pressures.

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health what is the average number of *(a)* adult and *(b)* child registrations for each NHS dentist. [12399]

Mr. Malone: The information requested is given in the table.

General Dental Service: Number of adult and child registrations[1] [2] for each national Health Service[3] [4] dentist at 30 September 1996

England

	Average number of registrations
Adults	*Children*
1,278	476

[1] Excludes patients registered with salaried dentists.

[2] Child registrations were "rolled-off" on 31 December each year. The figure shown is close to peak time of the year.

[3] Some dentists have a contract with more than one health authority. These dentists have been counted only once in calculating the number of patients registered per dentist.

[3] Some dentists have a contract with more than one health authority. These dentists have been counted only once in calculating the number of patients registered per dentist.

[4] The number of dentists is the number of principals and excludes assistants and vocational trainees. This is because those patients treated by assistants and vocational trainees are allocated to principal dentists.

Mr. Prentice: To ask the Secretary of State for Health, pursuant to his answer of 20 January, column *489*, if he will list by health authority the number of dentists whose NHS gross fee earnings fall within *(a)* the top and *(b)* the bottom decile. [12429]

Mr. Malone The information requested has been placed in the Library.

Mr. Prentice: To ask the Secretary of State for Health how many qualified dentists were employed by the highest-paid NHS dentist in each of the years 1991–92 to 1995–96. [12337]

Mr. Malone: I refer the hon. Member to the reply I gave him on 21 January at column *583*.

Mr. Prentice: To ask the Secretary of State for Health what estimate he has made of the amount and percentage of the fee income paid to NHS dentists who have been struck off since 1985 which relates to unnecessary work carried out on patients. [12385]

Mr. Malone: The General Dental Council, the statutory body which regulates the practice of dentistry, classifies those dentists struck off from its register by broad headings only and therefore the information requested is not available.

British Association of Psychopharmacology

Mr. Dafis: To ask the Secretary of State for Health what measures he will take to secure representation at the British Association of Psychopharmacology meeting in Oxford street, London on 24 January; and if he will make a statement. [12334]

Mr. Burns: The Department aims to keep in touch with all meetings on professional matters of significant concern. Departmental representation at this meeting will depend on the availability of relevant officials.

TRADE AND INDUSTRY

Armoured Vehicles (Indonesia)

Mrs. Clwyd: To ask the President of the Board of Trade, pursuant to his answers of 9 December, *Official Report*, columns *29–30*, if he will list the dates of transfer of *(a)* the equipment and *(b)* associated equipment to Indonesia. [10742]

Mr. Nelson: All that is required for licensing purposes is a proposed date of shipment. What happens thereafter within the validity of the licence is a matter for the exporter.

Mrs. Clwyd: To ask the President of the Board of Trade, pursuant to his answers of 9 December, *Official Report*, columns *29–30*, relating to export licences to Indonesia if *(a)* the British Government and *(b)* private British companies have (i) provided or facilitated and (ii) propose to provide operational training in the use or deployment of the Tactica family of internal security vehicles. [10739]

Mr. Nelson: I understand that the company provides comprehensive training on how to operate the vehicles.

Mrs. Clwyd: To ask the President of the Board of Trade, pursuant to his answers of 9 December, *Official Report*, columns *29–30*, relating to export licences for equipment to Indonesia, what vehicles, in addition to those identified in his answer, are covered by the licence;

if he will list the associated equipment referred to in his reply; and if the goods referred to are covered by export credit guarantees. [10738]

Mr. Nelson: Two Tactica four-seat, two Tactica 10-seat, five Tactica EOD—explosive ordnance disposal—seven Tactica water cannon, eight Tactica command and communication vehicles, two base station communications equipment, 164 Hornet Patroli, 50 Hornet Dalmas, 24 Hornet armoured APC—armoured personnel carriers—12 Hornet armoured EOD carriers, 24 Hornet deterrent vehicles, 12 Hornet armoured command and communications vehicles. The associated equipment comprises spare parts, lists of which run to several pages and are too numerous to list individually.

There is no Export Credits Guarantee Department cover.

Mrs. Clwyd: To ask the President of the Board of Trade, pursuant to his answers of 9 December, *Official Report*, columns *29–30*, relating to export licences to Indonesia, what associated equipment was provided with the Tactica water cannon supplied to the Indonesian police force; what assurances he has received from the Indonesian authorities what the Indonesian police force will not use them *(a)* for internal repression and *(b)* in East Timor; what is the maximum pressure in pounds per square inch that the water from the cannon can be fired; and what security or other functions the water cannon are designed to carry out. [10752]

Mr. Nelson: I am not in a position to give detailed information on which of the spare parts referred to in the answer to question 818 are specified to the Tactica water cannon.

The Government have ensured that the Indonesian Government are well aware of our concern that such UK-supplied equipment should not be used indiscriminately or to disperse peaceful demonstrations in violation of the universal rights of freedom of speech, organisation and assembly.

The maximum pressure at which the water cannon can be fired is 13 bar—190 psi.

The water cannon are designed to carry out non-lethal riot control, although they can also be used as localised fire engines in public order situations.

Tactica Internal Security Vehicles

Mrs. Clwyd: To ask the President of the Board of Trade under what category of the Export of Goods (Control) Order 1989 the first shipment of Tactica internal security vehicles was granted. [10741]

Mr. Nelson: All licensable goods fell under group I of Part III of schedule I to the Export of Goods (Control) Order 1994.

Offshore Oil and Gas

Mr. Ainger: To ask the President of the Board of Trade by what date he estimates environmental impact assessments will be required for all offshore oil and gas exploration and production projects. [12096]

Mr. Page *[holding answer 21 January 1997]:* Holders of petroleum production licences already provide environmental impact assessments for offshore oil and gas production projects within 25 miles of the coast or in other sensitive areas. Similar assessments may be requested for exploration activities, where there are likely to be significant environmental impacts.

Mr. Ainger: To ask the President of the Board of Trade if he will make a statement on matters relating to the environment contained in the Petroleum (Production) (Seaward Areas) (Amendment) Regulations. [12100]

Mr. Page *[holding answer 21 January 1997]:* The Petroleum (Production)(Seaward Areas)(Amendment) Regulations 1996 came into force on 16 December. They vary the terms and conditions of petroleum licences to reflect the nature of the acreage to be awarded in the 17th round.

The regulations also set out the information that must be submitted with an application for a production licence. These include a requirement that applicants for a production licence must provide a statement of the general environmental policy of the proposed operator under the licence applied for in respect of licensed activities offshore, and also information concerning his environmental management systems for the application of that policy.

Mr. Ainger: To ask the President of the Board of Trade if environmental impact assessments will be required for the 17th offshore oil and gas licensing round. [12099]

Mr. Page *[holding answer 21 January 1997]:* Assessments are provided in respect of specific projects in specific locations. Projects carried out under petroleum production licences awarded in the 17th round will be subject to assessment where appropriate.

Global Ocean Observing System

Mr. Dalyell: To ask the President of the Board of Trade, pursuant to his letter of 25 November, if he will make a statement on the work of the global ocean observing system. [10829]

Mr. Ian Taylor: I understand that work is continuing on the design and implementation of GOOS; a number of UK Departments and agencies continue to be involved.

Intellectual Property

Mr. Dalyell: To ask the President of the Board of Trade, pursuant to his letter of 24 September, what was the result of his consultation with United Kingdom interested parties on World Intellectual Property Organisation documents; and if he will make a statement. [10856]

Mr. Ian Taylor: Over 40 written submissions were received from UK copyright interests in response to my Department's consultation on the draft treaty texts for the diplomatic conference, which met in Geneva during December 1996 under the auspices of the World Intellectual Property Organisation. In addition, an open consultation meeting, attended by about 50 organisations, was held at the end of October. The views expressed by interested parties contributed to the positions taken by the

UK delegation at the diplomatic conference, where consultation continued with non-governmental organisations present as observers.

The WIPO conference resulted in two new international treaties which will boost worldwide protection against unlawful copying and piracy, and promote the development of new media. Key UK objectives were achieved, notably the inclusion of provisions extending rights in the area of digital communications, and provisions making unlawful both unauthorised circumvention of copy-protection systems and unauthorised interference with electronic rights management systems.

DUCHY OF LANCASTER

Archway Tower

Mr. Corbyn: To ask the Chancellor of the Duchy of Lancaster (1) what proposals the Property Services Agency has for the future use of Archway tower, 2 Junction road, London N19; [12110]

(2) what is the cost to the Property Services Agency of security arrangements at Archway tower, 2 Junction Road, London N19. [12111]

Mr. Freeman: Responsibility for this matter has been delegated, under the terms of its framework document, to the Property Advisers to the Civil Estate under its chief executive, Mr. Neil Borrett. The agency is therefore responding to these questions.

Letter from N. E. Borrett to Mr. Jeremy Corbyn, dated 22 January 1997:

The Chancellor of the Duchy of Lancaster has asked me to reply to your Questions about Archway Tower.

You will know from my letter to you of 29 April 1996 that PACE has responsibility for the building and although our marketing agents have been endeavouring to interest both the landlord and third parties in the property their efforts have so far proved unsuccessful.

There is very little demand for un-refurbished office blocks built in the 1960s and early 1970s, even in the centre of London. In the current state of the office market Archway can be considered only a fringe location and we would need to be convinced that there was the likelihood of potential occupiers before the considerable cost of refurbishment was instigated. The services in the building, which is 25 years only, have come to the end of their economic life.

The landlord has a secure rental income from Government until the lease expires in 2009 and is not prepared to accept a surrender of the lease on terms which we could accept even bearing in mind the high outgoings on the property. There has been some discussion with the landlord's agent as to conversion of the building to residential use by way of a joint sale and this is being pursued.

With regard to your second question, because of vandalism security arrangements at Archway Tower have had to be stepped up and currently their costs amount to just over £30,000 per annum.

ATTORNEY-GENERAL

"Barbecue in Rostock"

Mr. Mullin: To ask the Attorney-General, pursuant to his answer of 16 October 1996, *Official Report*, column *963*, if the Crown Prosecution Service has reached a view about whether or not to prosecute the band "No Remorse" and the producers and distributors of the CD "Barbecue in Rostock"; and if he will make a statement. [11665]

The Attorney-General: I understand that the Gwent police are continuing their investigation into the production of a compact disc by a band calling themselves. "No Remorse". The police have not yet submitted a file of evidence to the Crown Prosecution Service. It is expected that at the conclusion of the investigation the police will submit a file of evidence to the Crown Prosecution Service for advice as to whether criminal proceedings should be instituted.

WALES

Hospital Closures

Mr. Barry Jones: To ask the Secretary of State for Wales how many hospitals have been closed since 1979. [11674]

Mr. Gwilym Jones: Fifty-eight national health service hospitals in Wales have closed for the use of in-patients, and remained closed, since 1 January 1979. During the same period, 16 NHS hospitals have opened. In 1995–96 the NHS in Wales treated 166,000—48 per cent.—more in-patient cases than in 1979.

St. David's Medical Centre, Cardiff

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 17 December, *Official Report* column *587*, on St. David's medical centre, Cardiff, on what day the date of the hearing was finalised; on what day each of the interested parties were informed of the date; and what representations he received concerning the suitability of the hearing date. [11802]

Mr. Hague: I refer the hon. Member to my letter of 20 January 1997, a copy of which has been placed in the Library of the House.

Local Pay Bargaining

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the use of local pay bargaining in Wales to determine pay awards. [11671]

Mr. Gwilym Jones: We believe that pay, in Wales as in the rest of the United Kingdom, is best determined freely by employers and their employees in the light of their particular local circumstances. This better enables pay settlements to reflect the needs of the local labour market as well as company and employee performance. Businesses are best able to judge what they can afford to pay in order to recruit, retain and motivate suitable staff. Pay increases not justified by improved performance will simply lead to the loss of competitiveness.

Hospital Beds

Mr. Ainger: To ask the Secretary of State for Wales if he will list the number of *(a)* community and *(b)* district general hospitals indicating the number of beds in each health authority in Wales. [12077]

Mr. Gwilym Jones: The information is given in the following table. Psychiatric hospitals are excluded.

	Community hospitals		District general hospitals[1]	
	Number[2]	Beds[3]	Number[2]	Beds[3]
Bro Taf	17	1,253	5	2,458
Dyfed Powys	22	1,064	3	848
Gwent	13	679	3	1,261
Morgannwg	9	379	5	1,964
North Wales	29	1,144	3	1,606

[1] Hospitals classed as teaching hospitals or acute general hospitals group 1.
[2] Open at present.
[3] Average daily available beds 1995–96 (provisional).

Mr. Simon Hughes: To ask the Secretary of State for Wales how many hospital beds there were in each health authority in each of the last seven years; and if he will indicate for each authority and year the numbers for *(a)* acute, *(b)* geriatric, *(c)* maternity and *(d)* mental illness or disability cases. [11621]

Mr. Jones: Information for the eight district health authorities which existed until 31 March 1996 is given in the following tables.

Average daily available beds

	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96[1]
Clwyd district health authority							
Acute	1,212	1,241	1,284	1,278	1,244	1,237	1,216
Geriatric	559	509	471	469	457	440	430
Maternity	121	115	116	109	106	105	107
Mental illness/learning disability	551	496	432	395	361	300	273
All specialties	2,443	2,362	2,304	2,252	2,168	2,083	2,026
Dyfed district health authority							
Acute	932	933	941	928	957	963	980
Geriatric	496	503	476	469	451	370	339
Maternity	88	88	88	88	88	88	88
Mental illness/learning disability	532	498	444	444	395	372	325
All specialties	2,048	2,022	1,950	1,929	1,891	1,793	1,731
Gwent district health authority							
Acute	1,385	1,395	1,334	1,335	1,332	1,239	1,116
Geriatric	621	601	566	571	553	500	454
Maternity	143	144	146	137	118	98	99
Mental illness/learning disability	1,059	980	842	735	627	584	540
All specialties	3,208	3,120	2,889	2,778	2,630	2,421	2,210
Gwynedd district health authority							
Acute	681	648	649	646	597	627	627
Geriatric	400	382	355	366	348	339	288
Maternity	76	80	75	75	70	106	56
Mental illness/learning disability	430	442	347	348	406	359	338
All specialties	1,587	1,552	1,426	1,434	1,420	1,431	1,309
Mid Glamorgan district health authority							
Acute	1,750	1,739	1,606	1,540	1,470	1,464	1,476
Geriatric	724	709	805	783	768	700	633
Maternity	209	192	193	179	174	159	145
Mental illness/learning disability	1,364	1,319	1,221	1,144	1,087	979	828
All specialties	4,047	3,959	3,826	3,646	3,499	3,302	3,081
Powys district health authority							
Acute	194	194	200	205	201	209	209
Geriatric	203	193	195	199	187	192	193
Maternity	36	35	33	32	32	32	
Mental illness/learning disability	475	475	419	419	395	340	317
All specialties	908	896	848	854	815	773	750
South Glamorgan district health authority							
Acute	1,699	1,672	1,613	1,511	1,486	1,505	1,524
Geriatric	447	443	439	428	432	430	394
Maternity	136	137	137	132	113	96	91
Mental illness/learning disability	989	951	922	870	803	777	704
All specialties	3,272	3,203	3,110	2,940	2,834	2,808	2,713

Average daily available beds

	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96[1]
West Glamorgan district health authority							
Acute	1,285	1,241	1,206	1,215	1,199	1,280	1,286
Geriatric	466	471	442	403	404	374	342
Maternity	117	125	128	118	104	103	94
Mental illness/learning disability	475	463	512	508	510	467	424
All specialties	2,343	2,300	2,288	2,244	2,217	2,224	2,146
Wales							
Acute	9,139	9,064	8,835	8,659	8,485	8,524	8,433
Geriatric	3,915	3,811	3,750	3,687	3,600	3,345	3,073
Maternity	927	916	916	869	806	788	711
mental illness/learning disability	5,874	5,623	5,140	4,863	4,584	4,177	3,748
All specialties	19,855	19,414	18,640	18,078	17,475	16,834	15,964

[1] Provisional.

In-patients and day cases

	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96[1]
Clwyd district health authority							
Acute	60,552	62,176	74,711	81,114	84,444	90,311	89,320
Geriatric	5,782	5,504	5,899	6,495	7,113	7,352	7,330
Maternity	8,473	8,806	8,979	8,976	8,662	8,730	8,729
Mental illness/learning disability	2,191	2,268	2,341	2,374	2,347	1,959	1,871
All specialties	76,998	78,754	91,930	98,959	102,566	108,352	107,250
Dyfed district health authority							
Acute	48,839	53,962	60,636	67,582	73,767	79,215	82,370
Geriatric	5,893	6,678	7,419	7,491	7,870	5,972	6,274
Maternity	4,779	5,346	5,389	5,631	6,094	5,269	5,296
Mental illness/learning disability	1,975	2,028	1,868	1,854	2,048	2,028	1,862
All specialties	61,486	68,014	75,312	82,558	89,779	92,484	95,802
Gwent district health authority							
Acute	68,056	71,917	76,463	79,176	82,174	83,805	85,871
Geriatric	4,238	4,781	5,228	5,359	5,590	5,537	5,689
Maternity	9,763	10,190	10,112	9,977	9,740	9,771	10,052
Mental illness/learning disability	2,733	2,915	3,204	3,058	3,082	3,071	3,093
All specialties	84,790	89,803	95,007	97,570	100,568	102,184	104,705
Gwynedd district health authority							
Acute	33,799	33,667	37,213	38,178	41,417	42,862	46,871
Geriatric	5,447	5,395	5,726	6,132	6,111	6,422	4,664
Maternity	3,854	3,951	3,769	3,787	3,790	3,715	3,666
Mental illness/learning disability	844	1,076	1,176	1,322	1,469	1,676	1,973
All specialties	43,944	44,089	47,884	49,419	52,787	54,675	57,174
Mid Glamorgan district health authority							
Acute	80,014	87,431	94,521	101,840	107,649	118,969	123,486
Geriatric	8,035	7,486	10,088	11,384	11,971	11,344	10,967
Maternity	12,244	12,387	12,210	12,623	12,047	12,146	12,581
Mental illness/learning disability	2,842	1,665	2,694	2,940	3,240	3,870	3,853
All specialties	103,135	109,969	119,513	128,787	134,907	146,329	150,887
Powys district health authority							
Acute	5,376	5,861	6,357	6,188	6,446	6,911	7,046
Geriatric	1,015	1,235	1,518	1,896	1,948	2,266	2,263
Maternity	1,308	1,356	1,203	1,228	1,183	1,162	1,064
Mental illness/learning disability	595	666	643	655	676	909	955
All specialties	8,294	9,118	9,721	9,967	10,253	11,248	11,328
South Glamorgan district health authority							
Acute	87,429	86,638	93,053	96,127	96,548	101,220	106,995
Geriatric	6,023	5,897	5,550	5,692	5,501	5,406	4,106
Maternity	8,643	8,248	8,861	8,889	10,962	9,757	11,122
Mental illness/learning disability	2,681	2,764	3,114	3,077	2,969	3,029	3,154
All specialties	104,776	103,547	110,578	113,785	115,080	119,412	125,377

In-patients and day cases

	1989–90	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*[1]
West Glamorgan district health authority							
Acute	62,628	63,273	65,149	69,364	86,120	102,427	109,264
Geriatric	5,076	5,921	6,676	6,612	6,403	5,395	4,835
Maternity	8,429	8,805	8,883	8,568	8,423	8,408	8,830
Mental illness/learning disability	2,445	2,371	2,628	2,574	2,661	2,483	2,284
All specialties	78,578	80,370	83,336	87,118	103,607	118,713	125,213
Wales							
Acute	446,693	464,925	508,103	539,569	578,565	625,720	651,223
Geriatric	41,509	42,897	48,104	51,061	52,507	49,694	46,128
Maternity	57,493	59,089	59,406	59,679	60,001	58,958	61,340
Mental illness/learning disability	16,306	16,753	17,668	17,854	18,492	19,025	19,045
All specialties	562,001	583,664	633,281	668,163	709,565	753,397	777,736

[1] Provisional.

Health Authority Budgets

Mr. Ainger: To ask the Secretary of State for Wales if he will list the budget of each health authority in Wales for *(a)* general practitioner services and *(b)* NHS dentistry. [12085]

Mr. Gwilym Jones: The most significant area of spending for both GPs and NHS dentistry relates to payments under part II of the National Health Service Act 1977. These payments are dependent upon fulfilling the conditions set-out in national contracts. There are therefore no budgets set at authority level.

Hospitals (Dyfed-Powys)

Mr. Ainger: To ask the Secretary of State for Wales if he will list the names and locations of the community hospitals within the Dyfed-Powys health authority area. [12080]

Mr. Gwilym Jones: The information is given in the following table. The list excludes major acute and psychiatric hospitals.

Hospital	*Location*
Aberaeron Cottage	Aberaeron
Amman Valley	Folland Road, Glanaman
Boddyfi Community	Machynlleth
Breconshire War Memorial	Cerrigcochion Road, Brecon
Bronglais Geriatric	North Road, Aberystwyth
Bronllys	Bronllys, Brecon
Bryntirion	Swansea Road, Llanelli
Builth Wells Cottage	Builth Wells, Brecon
Cardigan and District Memorial	Pontyceifion, Cardigan
Knighton	Ffrydd Road, Knighton, Radnor
Llandovery	Llanfair Road, Llandovery
Llandrindod Wells	Temple Street, Radnor
Llanidloes and District War Memorial	Llanidloes
Montgomery County Infirmary	Llanfair Road, Newtown
Mynydd Mawr	Upper Tumble, Llanelli
Prince Philip	Llanelli
Priory Street	Priory Street, Carmarthen
South Pembrokeshire	Fort Road, Pembroke Dock
Tenby Cottage	Trafalgar Square, Tenby
Tregaron	Dewi Road, Tregaron
Victoria Memorial	Salop Road, Welshpool
Ystradgynlais Community	Glanrhyd Road, Ystradgynlais

Health Authorities

Mr. Ainger: To ask the Secretary of State for Wales (1) what is *(a)* the geographic area covered and *(b)* average population density for each health authority in Wales; [12084]

(2) what is the population of each health authority area in Wales. [12079]

Mr. Gwilym Jones: The information is in the following table:

Health authority	*Population estimate—mid 1995*	*Area (sq km)*	*Population density (residents per sq km)*
Bro Taf	726,900	1,011	719
Dyfed Powys	475,600	10,976	43
Gwent	556,300	1,553	358
Morgannwg	500,900	1,067	470
North Wales	657,100	6,172	106
Wales	2,916,800	20,779	140

Source:
Population data—Office for National Statistics.
Areas based on Ordnance Survey data.

Mr. Ainger: To ask the Secretary of State for Wales if he will list the budget for each health authority area in Wales *(a)* for 1996–97 and *(b)* 1997–98. [12081]

Mr. Jones: The latest available amounts allocated to each authority, including revenue, capital and GP expenses cash limits, for 1996–97 is as follows:

Health authority	*Total allocation*
North Wales	385,467
Dyfed Powys	300,088
Morgannwg	306,191
Bro Taf	448,235
Gwent	314,477

All figures in £ millions.

The budgets for 1997–98 will be issued shortly.

Parliamentary Questions

Mr. Jon Owen Jones: To ask the Secretary of State for Wales when he intends to reply to parliamentary questions numbers 9758 and 9759, dated 18 December 1996. [12160]

Mr. Hague: I refer the hon. Member to the reply I gave him on Tuesday 21 January, *Official Report*, column 575–76.

Hospitals

Mr. Simon Hughes: To ask the Secretary of State for Wales how many *(a)* hospitals and *(b)* hospital trusts there were in operation in *(a)* 1980, *(b)* 1985, *(c)* 1990, *(d)* 1992, *(e)* 1994–95 and *(f)* 1995–96. [11622]

Mr. Gwilym Jones: The information is given in the following table.

	Number of hospital units[1]	*Number of NHS Trusts*
1980	171	—
1985	159	—
1990	152	—
1992–93	143	1
1994–95	139	24
1995–96	141	28

[1] Open at end of each year. A hospital is a separately administered in-patient unit. Where two hospitals are on the same site, but are now administered by different NHS trusts, they are counted as two hospitals whereas previously they would be included only once.

Mr. Hughes: To ask the Secretary of State for Wales how many hospital trusts in Wales contain *(a)* two and *(b)* three or more hospitals. [11623]

Mr. Jones: Of the 26 hospital trusts in Wales, three have two hospitals, 19 have three or more hospitals and the remaining four have one hospital.

Cancelled Operations

Mr. Simon Hughes: To ask the Secretary of State for Wales if he will place in the Library figures *(a)* by district health authority and *(b)* overall, of the number of operations cancelled on the day of, or the day after, admission to hospital, and the numbers of those patients not readmitted within a month, for each quarter of 1995–96 and the first two quarters of 1996–97. [11624]

Mr. Gwilym Jones: Information on the number of cancelled operations is not available centrally. Information on the number of patients admitted and treated more than one month after a cancelled operation is collected by NHS trusts and is given in the following table. A patient treated in a NHS trust may not necessarily be a resident of the health authority in which the trust is situated.

Number of patients admitted and treated more than one month after a cancelled operation

	Quarter ending					
NHS Trust	*30 June 1995*	*30 September 1995*	*31 December 1995*	*31 March 1996*	*30 June 1996*	*30 September 1996*
Bridgend and district	—	—	—	—	—	—
Carmarthen and district	—	—	—	6	20	10
Ceredigion and Mid Wales	4	2	3	—	1	1
East Glamorgan	11	—	19	12	5	2
Glan Clwyd general hospital	—	—	—	—	—	—
Glan Hafren	—	—	—	3	6	3
Glan-y-Mor	3	2	1	11	—	4
Gwynedd hospitals	—	—	—	3	3	1
Llandough hospital	—	—	—	—	—	—
Llanelli Dinefwr	—	—	1	—	5	2
Morriston hospital	—	—	—	—	—	—
Nevill Hall and district	1	1	4	—	—	—
North Glamorgan	—	—	—	—	—	1
Pembrokeshire	—	—	—	—	—	7
Powys health care	—	—		—	—	—
Rhondda health care	—	—	—	—	—	—
Swansea	—	—	—	—	—	—
University hospital of Wales healthcare	46	25	12	21	3	3
Velindre	—	—	—	—	—	—
Wrexham Maelor hospital	—	—	3	20	—	—
Wales	65	30	43	76	43	34

[1] Operations not performed within Trust.

SOCIAL SECURITY

Disability Appeal Tribunals

Mr. Flynn: To ask the Secretary of State for Social Security how many medical members of disability appeal tribunals are involved in examining claimants for the purpose of the all-work test. [11087]

Mr. Roger Evans: Medical members of the disability appeal tribunal are not normally involved in examining claimants for the purpose of the all-work test.

Source:

Independent Tribunal Service.

Disability Living Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many people in receipt of disability living allowance also receive *(a)* income support, *(b)* housing benefit, *(c)* council tax benefits, *(d)* family credit and *(e)* disability working allowance. [10212]

Mr. Andrew Mitchell: I refer the hon. Member to the replies that I gave him on 9 December 1996, *Official Report*, column 67, and on 16 January 1997, *Official Report*, column 384.

The information is not available in the format requested. Such information as is available is in the table.

Disability working allowance benefit units with disability living allowance

	Number of cases
May 1995	4,152
July 1996	7,336

Source:

Analytical services division; disability working allowance 100 per cent. count of claims.

[1] Exact figures are quoted.

[2] The figures are based on the number of claimants who had disability living allowance as a main qualifying benefit for disability working allowance. They therefore exclude any partners and dependants who are also disability living allowance recipients.

[3] Information is not available on family credit recipients who receive disability living allowance.

[4] The information in the table relates to benefit units and not beneficiaries as provided for the previous parliamentary questions.

[5] It is not possible to identify beneficiaries of disability working allowance with disability living allowance.

Social Security Appeals

Mr. Flynn: To ask the Secretary of State for Social Security in how many cases notices were issued by the clerk to the social security appeal tribunal covering the Newport, Gwent, area directing the parties to notify him if they wished an oral hearing to be heard, in each week since 21 October 1996; and how many *(a)* appellants and *(b)* adjudication officers requested oral hearings in each of those weeks. [11089]

Mr. Roger Evans: The information is set out in the table.

Week commencing	*Number of notices issued by clerk*	*Number of oral requests from adjudication officer*	*Number of oral requests from appellant*
21 October 1996	0	0	0
28 October 1996	8	0	0
4 November 1996	14	0	0
11 November 1996	13	0	0
18 November 1996	0	0	0
25 November 1996	1	3	3
2 December 1996	11	8	2
9 December 1996	51	4	5
16 December 1996	2	0	12
23 December 1996	0	4	0
30 December 1996	1	3	1
6 January 1997	47	0	2
13 January 1997	2	1	9

Benefits Agency Medical Services

Mr. Alan Howarth: To ask the Secretary of State for Social Security if he will give access to *(a)* the National Audit Office and *(b)* the Parliamentary Commissioner on Administration to the operating records of private sector companies contracted to undertake the functions currently carried out by the Benefits Agency medical services. [10993]

Mr. Burt: The successful contractor or contractors will have a mandatory contractual requirement to allow National Audit Office appropriate access to their records.

The jurisdiction of the Parliamentary Commission for Administration is unaffected where administrative functions of a Department or agency are carried out by private sector contractors.

Mr. Howarth: To ask the Secretary of State for Social Security if the contractors who will be operating the Benefits Agency medical services will be reimbursed by his Department for the payment of claimants' travel expenses to medical centres. [10973]

Mr. Burt: I refer the hon. Member to the reply that I gave him on 11 November 1996, *Official Report*, column *88*.

The cost of reimbursement of claimants' travel expenses will be met by the responsible contractor and will form part of the contract price.

Cold Weather Payments

Mr. Simpson: To ask the Secretary of State for Social Security how many weather stations within the United Kingdom have triggered cold weather payments in each of the last five years. [11857]

Mr. Roger Evans: The information is set out in the table:

Year	*Number of weather stations*
1991–92	36
1992–93	30
1993–94	25
1994–95	5
1995–96	52

Lone Parents

Mr. Dykes: To ask the Secretary of State for Social Security what plans he has to involve the private sector in helping lone parents into work. [12206]

Mr. Andrew Mitchell: Up to 100,000 lone parents on income support will be offered help to get back into work under the parent plus scheme, which will be piloted in 12 Benefits Agency districts over three years starting in April.

Parent plus will involve both public and private sector teams in competing to find the best ways of helping lone parents to reduce their dependency on benefits.

In four of the pilot areas the private sector will be invited to tender to provide innovative services to help get lone parents into work. The four areas will be selected from the following:

North Hampshire
Preston
Wirral
Wiltshire
Blackburn
Bradford
Northamptonshire
Buckinghamshire
Central Manchester.

Contracts will be issued to successful tenderers by the beginning of April and will stipulate that payment will be dependant on how many lone parents are helped into jobs. This will be the first time that private enterprise has been harnessed in this way to help people into work.

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Co-operation

Mr. Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the co-ordination of French, British and US nuclear forces within NATO, with particular reference to the role of the French Government. [12124]

Mr. David Davis: As the alliance has made clear in its strategic concept, the supreme guarantee of the security of the allies is provided by the strategic nuclear forces of the alliance, particularly those of the United States. The independent nuclear forces of the United Kingdom, which are also assigned to the alliance, and of France contribute to the overall deterrence and security of the allies. NATO's strategy includes a requirement for widespread participation by European allies in collective defence planning in nuclear roles, in peacetime basing of nuclear forces on their territory and in command, control and consultation arrangements. France does not participate in NATO's collective defence planning and has not assigned its nuclear forces to NATO.

Lake Kojsanovskoe

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government are taking to provide assistance following the EC-funded report on the contamination of Lake Kojsanovskoe. [10827]

Sir Nicholas Bonsor: We, our EU partners and the European Commission have not yet reached a decision as to what assistance might be made available to counteract contamination of Lake Kojsanovskoe.

Russia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, further to his letter of 13 May 1996, if he will list the projects *(a)* round the Kola peninsula, *(b)* in the Russian far east and *(c)* in relation to the Lepse in Murmansk harbour in which the EC and the United Kingdom are taking part; and what progress has been made. [10828]

Dr. Liam Fox: The latest available project list—September 1996—records a total of 15 projects concerning radioactive waste management in Russia in which the EU is involved. These are as follows:

(1) Basis for diagnostics and forecasts on the state of nuclear waste at the bottom of the Barents Sea and the Sea of Japan.

(2) Conceptual design of a radwaste repository for the Kola region.

(3) Suitability of Krasnoyarsk rock formations for plutonium-containing waste disposal.

(4) Measurements, modelling and possible consequences of deep well injection sites at Dimitrovograd.

(5) Sorting of waste at the Smolensk and Kalinin nuclear power plants.

(6) Solidification facility for radioactive waste at the Leningrad nuclear power plant.

(7) Analysis of safety and environmental impact of the storage facility for VVER-1000 spent fuel (Krasnoyarsk).

(8) Improvement of incineration facility at Kola.

(9) Feasibility study for St. Petersburg Waste Management Centre.

(10) Civil plutonium storage facility at Mayak.

(11) Support for the Moscow Radwaste Specialized Enterprise "RADON".

(12) Identification of disposal sites in the North-West region.

(13) Engineering assessment of "Lepse".

(14) Evaluation of the radiological situation around nuclear reactors holding spent fuel, dumped in the Kara Sea.

(15) Analysis of the medium and long term environmental and radiological consequences of the migration of radionuclides from the Karachay lake. Identification of countermeasures.

UK companies are involved in six of these projects, shown above as items 4, 6, 9, 13, 14 and 15. Progress on these projects is as follows:

Measurements, modelling and possible consequences at deep well injection sites at Dimitrovograd—the project has been completed.

Solidification facility for radioactive waste at the Leningrad nuclear power plant—The project is currently in the tender phase.

Feasibility study for St. Petersburg Waste Management Centre—A recently launched project to upgrade the facility for the storage and treatment of radioactive wastes at Sosnovy Bor. A study is under way.

Engineering assessment of "Lepse"—The Feasibility Study on the removal of nuclear waste from the ship has been completed. An advisory committee has been established, and is now examining the study's recommendations.

Evaluation of the radiological situation around nuclear reactors holding spent fuel, dumped in the Kara sea—The study was initiated in January 1996, and is expected to be completed as scheduled by May this year.

Analysis of the medium-and long-term environmental and radiological consequences of the migration of radionuclides from the Karachay lake. Identification of countermeasures—the first of four project phases—has been completed. This involved the translation, analysis and collation of currently available data in respect of the regional climate, geology, hydrogeology and groundwater geochemistry of the area concerned.

Burma

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to withdraw general system of preferences status from Burma; what action the British Government are taking in conjunction with the EU to withdraw general system of preferences status; and if he will make a statement. [11814]

Mr. Hanley: We are currently considering a proposal by the EU Commission to suspend preferences to Burma under the generalised system of preferences.

Royal Family (Clothing Costs)

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 13 January, *Official Report*, column *28*, on costs of clothing for members of the royal family, if he

will give a breakdown of the figures for *(a)* the Duke and Duchess of Kent and *(b)* the Duke and Duchess of Gloucester in 1995–96. [12427]

Mr. Rifkind: In 1995–96, the cost to my Department of clothing for official visits overseas by the Duke and Duchess of Kent and those accompanying them, and the Duke and Duchess of Gloucester and those accompanying them were:

	Date	£
The Duke and Duchess of Kent visit to Norway	7–8 May 1995	£1,500
The Duchess of Kent visit to Netherlands	1 June 1995	£800
The Duchess of Kent visit to Belgium	16 June 1995	£750
The Duke and Duchess of Kent visit to Germany	19–21 June 1995	£1,950
The Duke of Kent visit to Singapore	10–12 September 1995	£300
The Duke and Duchess of Gloucester visit to Mexico	20–23 November 1995	£3,000

General Affairs Council

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will report on the outcome of the General Affairs Council held in Brussels on 20 January. [12335]

Mr. David Davis: The eight A points in document 5282/97, the text of which will be placed in the House as soon as it is available, were approved.

The Council noted the resolutions adopted by the European Parliament listed in documents 12065/96 and 12629/96. Copies of these documents will also be placed in the House as soon as they are available.

The Council began with a public debate on the Dutch presidency programme for the first half of 1997. The presidency identified economic and monetary union and the successful conclusion of the intergovernmental conference as their two main priorities. I said that, internally, the main task was job creation, while externally enlargement was the key challenge.

The outgoing presidency reported on the successful EU–US summit on 16 December 1996 and the Commission and current presidency set out priorities for future work on the EU-US relationship. The Council took note and agreed on the particular importance it attached to the early and successful conclusion of a mutual recognition agreement. The Council also discussed President Clinton's further waiver of title III the Helms-Burton Act which was welcome. but did not yet fully meet the EU's concerns.

The outgoing presidency also reported on the EU–Canada summit on 17 January. The Council welcomed the joint declaration and action plan that were agreed there.

The Council, on the basis of a report by the Commission took note with satisfaction of the outcome of the first World Trade Organisation ministerial conference—Singapore, 9 to 13 December 1996. The Council concluded that the Commission should continue to work for the effective implementation of the results of the Singapore conference, placing particular importance on the timely completion of negotiations on basic telecommunications services and reiterated the importance it attaches to the integration of the least developed countries in the global trading system.

The Council noted the presidency's report on the preparation of the EU–Association of South-East Asian Nations ministerial meeting in Singapore on 13 and 14 February 1997 and asked the Committee of Permanent Representatives to continue its work on the Commission's communication on EU–ASEAN relations.

The Council noted the presidency's report on the preparations for the ASEM—Asia Europe meeting—ministerial meeting in Singapore on 15 February 1997.

The Council heard a report from the Commission on negotiations on new association agreements with a number of the European Union's Mediterranean partners. The Council reiterated its commitment to the Euro-Mediterranean partnership and its determination to conclude negotiations with Egypt, Lebanon and Jordan before Barcelona II on 15 and 16 April. The Council also welcomed the recent conclusion of negotiations with the Palestine Liberation Organisation on an interim association agreement, and invited the Commission to submit a formal proposal for signature as soon as possible.

The Council discussed the middle east peace process in the light of a report by special EU envoy Moratinos. It welcomed the recent signing of the protocol on implementation of Israeli redeployment in Hebron as an important step towards full implementation of the interim agreement and the start of the final status negotiations. The Council stated it would continue its active role in promoting and strengthening the peace process.

On the former Yugoslavia, Council discussion focused mainly on the need to maintain pressure on Belgrade for rapid and firm implementation of the Gonzales report on the November 1996 election results and enter into a dialogue with the opposition on democratisation. The Council expressed concern at the worsening situation in Kosovo and urged a settlement providing for Kosovo to be granted a large degree of autonomy with the former Republic of Yugoslavia. The Council called on the Republika Srpska authorities to co-operate fully with the international war crimes tribunal; and expressed the hope that the UN Security Council would endorse the approach on eastern Slovenia set out in the Croatian Government's letter of intent of 13 January.

In its conclusions on the Great Lakes, the Council expressed concern at the deterioration in the situation in eastern Zaire, called on all parties to declare and maintain a ceasefire and urged the Government of Zaire to restore citizenship to the Banyamulenge and others entitled to it. The Council welcomed the Zaire authorities' confirmation that elections will be held in July 1997, and agreed on the need for rapid establishment of the EU electoral unit and for the early appointment of the UN special representative for the elections. In light of the worsening humanitarian situation in eastern Zaire, the Council called on all parties to allow rapid and free access of humanitarian aid to refugees and displaced persons. The Council expressed its shock at the killing of three Spanish aid workers in Rwanda and declared its dismay at the sharp deterioration of the political climate in Burundi. The Council called for preparations for an international conference on peace,

security and stability in the Great Lakes region under the auspices of the United Nations and the Organisation of African Unity to begin without delay.

The Council agreed the mandate for a fact-finding mission to Belarus. The mission will report back to the General Affairs Council on 24 February 1997.

Under any other business, I raised the imposition of safeguard measures by the Commission against overseas countries and territories' rice, in particular the effect this has had on British dependent territories, Montserrat and the Turks and Caicos Islands. The following discussion was noted by the Council and the presidency concluded that this issue should be taken forward at working level.

The ninth ministerial meeting of the intergovernmental conference was held in the afternoon. The meeting was preceded by an exchange of views with the President of the European Parliament. Discussion focused on the subject of flexibility and was based on a note from the presidency—CONF/3802/97—which has been placed in the House Libraries.

Milk Quotas

Mr. Richards: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress being made by the *(a)* Italian and *(b)* Spanish Governments in respect of the payment of EU penalties arising from the milk quota regime. [11710]

Mr. Baldry: I have been asked to reply.

In line with the agreement reached in the October 1994 Economic and Finance Council meeting, Italy has to date paid about 1.4 becu, about £1 billion at current sterling-ecu exchange rate, and Spain 1.0 becu, about £0.7 billion, in penalties arising from their failure properly to implement the milk quota regime. Italy is due to pay approximately a further 0.5 becu, £0.4 billion, and Spain 0.3 becu, £0.2 billion, by the end of 1998 under the agreement.

NORTHERN IRELAND

Power Station Emissions

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will make it his policy to require that the Director General of Electricity Supply be consulted about controls on power station emissions. [12015]

Mr. Moss: Following a number of representations, I am considering this and other suggestions which have been put to me to meet concerns about the implications for electricity prices in Northern Ireland arising from enactment of the draft Industrial Pollution Control (Northern Ireland) Order. I shall write to the hon. and learned Gentleman when this work has been completed.

Executive Agencies (Letters)

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many letters each of the offices of the *(a)* Housing Executive and *(b)* Planning Service has received in the year ending 31 December 1996, or the most recent 12-month period for which figures are available; and, for each such office, how many of the letters were in (i) English (ii) Irish, and (iii) another language. [11908]

Mr. Moss: The information relating to the Northern Ireland Housing Executive is a matter for its chief executive who has advised me that the information could be provided only at disproportionate cost.

Matters relating to the Planning Service are the responsibility of the chief executive of that agency, Mr. W. Stewart. I have asked him to arrange for a reply to be given.

Letter from J. E. McConnell to Mr. William Ross, dated 23 January 1997:

Mr Moss has asked Mr Stewart, Chief Executive of the Planning Service to reply to your question about the number of letters received in each planning office, giving a breakdown, for each office, of the numbers in (i) English (ii) Irish, and (iii) other language. I am replying in Mr Stewart's absence on annual leave.

The information sought is not readily available and could only be obtained at disproportionate cost. You will however be interested to know that the Planning Service proposes to introduce a computerised correspondence tracking system which will accurately record the volume of correspondence received.

I am sorry that I cannot be more helpful on this occasion.

Police Complaints System

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland when he will publish the report by Dr. Marcus Hayes into the police complaints system in Northern Ireland; and if he will make a statement. [12587]

Sir Patrick Mayhew: I have received Dr. Maurice Hayes's wide-ranging review of the police complaints system in Northern Ireland and I am publishing it today. Copies have been placed in the Library of the House and in the Vote Office.

The review is a substantial document containing many recommendations for changing the current police complaints system. The Government will be considering it, in discussion with those most directly affected, before responding formally. I do not, however, expect his process to be protracted.

Even without the benefit of this in-depth consideration, it is clear that the recommendations are well thought out and convincing. The Government welcome this thorough and important review of a difficult area.

I should like to record my thanks to Maurice Hayes for undertaking the task and for producing such an excellent document. Thanks too should go to those who advised and assisted him, particularly those in the police, the Independent Commission for Police Complaints and the Police Authority, but there were obviously many others.

Dr. Hayes has clearly gone to a great deal of effort to consult, and indeed to consult widely, and I would expect his review to be well received in Northern Ireland and further afield.

HOME DEPARTMENT

Border Controls

11. **Sir Teddy Taylor:** To ask the Secretary of State for the Home Department if he will make a statement on the extent to which the European Court of Justice has the power to determine issues relating to national border controls. [10558]

Mr. Howard: The firm position of Her Majesty's Government is that the treaty of Rome, and therefore the European Court of Justice, impinge on national border controls only to the extent that they affect the free movement of citizens of the European Union. My right hon. Friend the Prime Minister and I have made clear on numerous occasions that we will take whatever steps are necessary to maintain our frontier controls.

Closed Circuit Television

14. **Sir Colin Shepherd:** To ask the Secretary of State for the Home Department what estimate he has made of the number of CCTV cameras that have been installed in town centres since the Government's CCTV challenge competition in 1996. [10561]

Mr. Kirkhope: The first two rounds of the closed circuit television challenge competition produced 365 winners. Around 45 of the 259 round 2 winners which were announced in June 1996 are already operational. The systems involve 450 cameras. The remainder, with around 2,800 more cameras, should become operational over the coming months.

Reoffending (Young People)

15. **Mr. Whittingdale:** To ask the Secretary of State for the Home Department what measures the Government are taking to reduce the rate of reoffending among young offenders. [10562]

Mr. Howard: We have proposed in the Crime (Sentences) Bill that curfew orders with electronic monitoring should be extended to 10 to 15-year-olds, and that the courts be given greater discretion to allow the identification of convicted juveniles. We are introducing a new secure training order for 12 to 14-year-old persistent offenders. High-intensity training regimes have been introduced at Thorn Cross young offender institution and will be extended to a new YOI to be opened at Colchester military corrective training centre within a month. But reducing offending is not the responsibility of the Government alone, and that is why we have strengthened the courts' powers to involve parents when their children offend.

Category A Prisoners

16. **Mr. McNamara:** To ask the Secretary of State for the Home Department if he will make a statement on the treatment of category A prisoners in Her Majesty's prisons. [10563]

Miss Widdecombe: Category A prisoners have the same basic entitlements as all other prisoners and may earn the same privileges. However, the risk to the public should a category A prisoner escape means that such prisoners must be subject to high security which is aimed at making escape impossible.

Crime Prevention

17. **Ms Lynne:** To ask the Secretary of State for the Home Department what assessment his Department has made of the crime prevention policies adopted in the United States of America. [10564]

Mr. Maclean: The Home Office has looked at a number of recent initiatives in the USA; in many cases, the practices and techniques involved are already in use by police forces in this country.

18. **Mr. Clapham:** To ask the Secretary of State for the Home Department what plans he has to encourage further community crime prevention initiatives. [10565]

Mr. Maclean: Community involvement in crime prevention is central to our strategy for tackling crime. The Crime Prevention Agency is currently considering ways in which we can build on what has already been achieved.

Offensive Weapons

19. **Mr. Jim Cunningham:** To ask the Secretary of State for the Home Department how many crimes involving the use of, or carrying of, *(a)* knives, *(b)* guns and *(c)* other offensive weapons were committed in each of the last two years for which statistics are available. [10566]

Mr. Maclean: Firearms were used in 12,977 notifiable offences recorded by the police in England and Wales in 1994, and 13,104 in 1995.

Two hundred and thirty-two homicides in England and Wales were apparently carried out with sharp instruments in 1994, and 251 in 1995. Corresponding figures for homicides involving blunt instruments are 54 and 85.

There were 5,804 convictions for carrying a knife or offensive weapon in public in 1994, and 5,749 in 1995.

Police Officers

20. **Mr. Chris Davies:** To ask the Secretary of State for the Home Department what estimate he has made of the number of police officers serving in England on 31 March 1997. [10568]

Mr. Maclean: It is for chief constables to decide how to allocate their resources. On the basis of initial estimates, chief constables have said that they expect police numbers to increase by around 790 in England in the 12 months ending March 1997. This would mean a total of around 121,000 officers in England.

21. **Mr. Jacques Arnold:** To ask the Secretary of State for the Home Department what was the strength of the police forces in *(a)* 1979 and *(b)* 1997. [10569]

Mr. Maclean: There were 111,493 police officers in England and Wales in May 1979. By the end of September 1996, the latest date for which figures are

available, police numbers had increased by almost 16,000 to 127,123.

Devon and Cornwall Police (A30 Site)

22. **Mr. Jamieson:** To ask the Secretary of State for the Home Department what assessment he has made of the need for extra resources for Devon and Cornwall police in regard to the protests over the improvements to the A30 in Devon. [10570]

Mr. Maclean: I understand from the chief constable that the cost of policing the A30 site is estimated to be in the region of £2 million. The chief constable is planning to meet these costs from within existing budget by the re-deployment of officers and resources.

Fire Service (Essex)

23. **Mr. Amess:** To ask the Secretary of State for the Home Department what recent representations he has received about fire service provisions in Essex. [10571]

Mr. Sackville: We have received a number of such representatives, including two from hon. Members.

Responsibility for the provision of an efficient fire service rests with the local fire authority. My right hon. and learned Friend's approval is required under section 19 of the Fire Services Act 1947 when any reduction in the number of fire stations, fire appliances or firefighting posts in a brigade is proposed.

Remand Prisoners

24. **Ms Quin:** To ask the Secretary of State for the Home Department what recent representations he has received concerning the treatment of remand prisoners. [10572]

Miss Widdecombe: We have received no recent representations about the treatment of remand prisoners in general. The main correspondence recently regarding individual cases has been about Ms Roisin McAliskey, who is held at Holloway prison pending extradition proceedings, and about some high-security remand prisoners at Belmarsh prison.

Visas (Voluntary and Religious Workers)

25. **Rev. Martin Smyth:** To ask the Secretary of State for the Home Department what recent representations he has received concerning visas for voluntary and religious workers in the United Kingdom. [10573]

Mr. Kirkhope: The hon. Gentleman wrote to me on this subject on 24 September and I replied on 17 October.

Century Date Change (Computers)

26. **Mr. David Atkinson:** To ask the Secretary of State for the Home Department what assessment he has made of the millennium compliance of the computer systems for which his Department is responsible. [10574]

Mr. Howard: My Department is aware of the problem. The Department's main information technology service provider—Sema Group—has completed an audit and other suppliers have been commissioned to assess necessary changes. The business areas in my Department are devising action plans, taking into account other developments and the likelihood of systems still being in place at the time of the millennium date change. As the plans are developed, detailed cost and resource implications will be assessed.

Freemasonry

27. **Mr. Gunnell:** To ask the Secretary of State for the Home Department for which public appointments to bodies dealing with Home Office responsibilities applicants are asked to indicate their membership of the freemasons. [10575]

Mr. Howard: The general principles governing the making of public appointments are set out in the guidance on appointments to executive non-departmental public bodies issues by the Commissioner for Public appointments. These do not require applicants to declare their membership of any organisations other than political ones.

The information sought from applicants by the Home Office when filling particular appointments is decided in each case in the light of the needs of the job and the circumstances at the time. Where appropriate, it may include information about outside interests including freemasonry but there is no list of posts to which such a requirement applies.

Youth Crime (Wolverhampton)

28. **Mr. Purchase:** To ask the Secretary of State for the Home Department if he will make a statement about the level of youth crime in Wolverhampton. [10576]

Mr. Maclean: The information requested is not available centrally, but data for court proceedings in relation to young offenders in Wolverhampton are given in the table. Cautioning information is collected by police force area only.

Number of young offenders aged 10 to under 18 years convicted of all offences at Wolverhampton petty sessional division[1] by type of offence 1985, 1990 and 1995

Type of offence	*1985*	*1990*	*1995*
Indictable	697	324	347
Summary non-motoring	149	134	86
Summary motoring	142	71	56
All offences	988	529	489

[1] Includes those cases convicted at the Crown Court where the committing Petty Sessional Divisional was Wolverhampton.

Violent Crime (Inner Cities)

Mr. Benton: To ask the Secretary of State for the Home Department if he will make a statement on the findings of the British crime survey regarding the proportion of adults living in inner-city areas who were victims of violent crime once or more during 1995. [10556]

Mr. Maclean: The 1996 British crime survey found that 7.1 per cent. of adults living in inner-city areas, and

5.2 per cent. of adults overall, were victims of violent crime once or more during 1995. This includes woundings, robberies and common assault.

Prison Overcrowding

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the prisons in England and Wales which his Department assesses to be overcrowded, indicating in each case the percentage of overcrowding. [10774]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Tom Cox, dated 23 January 1997:

The Home Secretary has asked me to reply to your recent Question concerning which prisons in England and Wales are overcrowded and what percentage of overcrowding exists.

The information requested is given in the attached table. Overcrowding is defined as the number of prisoners above the In Use CNA. The In Use CNA is the certified normal accommodation and represents the uncrowded capacity of each establishment on the 27th December 1996. This measure of overcrowding takes into account all types of accommodation including single and double cells, rooms and dormitories.

The total number of prisoners held in an establishment is determined by its operational capacity rather than its In Use CNA. Operational capacity is the total number of prisoners which an establishment can hold without serious risk to good order, security and the proper running of the planned regime.

Prisons in England and Wales that are overcrowded

Prison name	*Percentage overcrowding*
Ashwell	1
Bedford	12
Belmarsh	2
Birmingham	37
Blakenhurst	10
Brinsford	1
Bristol	15
Brixton	17
Bullingdon	4
Camp Hill	10
Canterbury	47
Cardiff	26
Coldingley	3
Cookham Wood	20
Doncaster	15
Dorchester	52
Downview	2
Durham	41
Elmley	4
Everthorpe	1
Exeter	59
Featherstone	1
Feltham	3
Garth	3
Glen Parva	19
Gloucester	22
Guys Marsh	4
Haverigg	8
High Down	1
Holloway	10
Hull	21
Lancaster Farms	1
Leeds	7
Leicester	52
Lincoln	46

Prisons in England and Wales that are overcrowded

Prison name	*Percentage overcrowding*
Liverpool	9
Low Newton	39
Maidstone	2
Manchester	19
Moorland	6
Mount	6
Northallerton	76
Norwich	25
Parkhurst	1
Pentonville	20
Preston	67
Reading	9
Send	7
Shepton Mallett	29
Shrewsbury	79
Stafford	8
Stocken	8
Styal	1
Swaleside	3
Swansea	23
Usk	40
Verne	4
Wakefield	16
Wandsworth	6
Wayland	3
Whatton	2
Winchester	25
Wolds	10
Wormwood Scrubs	15

Stop and Search Powers

Mr. David Nicholson: To ask the Secretary of State for the Home Department if he will make a statement on proposed revisions to the powers of the police to stop and search persons suspected of carrying knives. [11643]

Mr. Maclean: I intend to lay before Parliament soon changes to the code of practice on the exercise by police officers of stop and search powers, issued under the Police and Criminal Evidence Act 1984, which will clarify that police officers may stop and search people who are identifiable as belonging to a group or gang whose members habitually carry knives. Amendments to police powers in the Knives Bill, which received its Committee stage on Wednesday 22 January, will allow an inspector to authorise police officers to stop and search anyone in a particular locality for up to 24 hours, where he reasonably believes that incidents involving serious violence may taken place or that people are carrying knives in that area. The inspector will be required to inform a superintendent of the authorisation as soon as it is practicable to do so. An extension of the authorisation for a further 24 hours may be given at the direction of a superintendent.

Parliamentary Questions

Mr. Thurnham: To ask the Secretary of State for the Home Department what is the average length of time taken for his Department to answer ordinary written parliamentary questions in each of the last two Sessions; and if he will make a statement. [12266]

Mr. Howard: The information requested is not available.

Dentists (Assault)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many dentists have been *(a)* charged and *(b)* found guilty of assault as a result of extensive and wholly unnecessary treatment since 1979. [12400]

Mr. Maclean: The information is not available centrally.

Drugs

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will list those drugs which are illegal for recreational use but can be prescribed lawfully by a qualified medical practitioner. [12384]

Mr. Sackville: All substances which are controlled under the Misuse of Drugs Act 1971 may be prescribed by a doctor except those listed in schedule 1 to the Misuse of Drugs Regulations 1985, as amended.

Child Sex Offenders

Mr. Thurnham: To ask the Secretary of State for the Home Department when he expects to answer the written question tabled by the hon. Member for Bolton, North-East on Wednesday, 18 December—10755—concerning the registration of convicted child sex offenders under the Sex Offences Bill. [12300]

Mr. Maclean: I answered this question on 21 January, *Official Report*, column *511*.

Television Licences (Fine Defaulters)

Mr. Ainger: To ask the Secretary of State for the Home Department how many television licence fine defaulters were imprisoned in 1996. [10567]

Mr. Maclean: Three hundred and seventeen television licence fee fine defaulters were imprisoned during the first 11 months of 1996.

Licensing Hours

Mr. Couchman: To ask the Secretary of State for the Home Department what plans he has to extend licensing hours at weekends; and if he will make a statement. [12849]

Mr. Kirkhope: We have been giving very careful consideration to the result of the public consultation about extending the normal permitted closing times on Friday and Saturday nights, from 11 pm to midnight.

We received a very large number of responses to the consultation exercise—some 700 responses in all. The views expressed by respondents varied considerably, and there were significant amounts of support for, and opposition to, the Government's proposals.

The responses to this consultation exercise have also brought into sharper focus some concerns about overlapping aspects of the licensing system, as between licensing justices and local authorities, and their current effectiveness for an industry in which internal boundaries between different types of premises are increasingly blurred.

Individual aspects of the licensing system are often presented as being self-contained, and proposals for change are commonly put forward on the basis that they can be tackled separately, but the licensing regime is a complex one, and invariably there are implications for other parts of the system.

We have therefore concluded that it would be right to take forward the consideration of extending normal licensing hours in the broader context of the particular issues which I have set out. I expect this consideration to be concluded during the spring.

Strip Searches (Video Recording)

Mr. McNamara: To ask the Secretary of State for the Home Department (1) in what circumstances the strip searching of prisoners is video recorded in Her Majesty's prisons; [10912]

(2) in which prisons the video recording of strip searching has *(a)* been authorised in the past and *(b)* is still authorised; [10913]

(3) how many prisoners have been video recorded while being strip searched; and how many prisoners have refused to be video recorded while being strip searched; [10914]

(4) how many prisoners have been fined for refusing to be strip searched before a video camera; and how many have had their fines returned. [10915]

Miss Widdecombe *[holding answers 17 January 1997]:* Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Kevin McNamara, dated 23 January 1997:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about the use of video during the strip searching of prisoners, how many have been video taped, the number fined for refusing and how many have had their fines returned.

A closed loop video system was introduced at Long Lartin prison for use in the prisoners strip search room during random strip searches following visits. This was to both safeguard prisoners against abuses of procedure and to protect staff in the event of malicious and/or false allegations concerning propriety of a search.

The closed loop nature of the system meant that strip searches could not be seen by staff. Video tapes were instead securely stored and filed.

This limited scheme lasted four months, was evaluated and has now ended. There are no plans to repeat the scheme at Long Lartin prison or elsewhere.

Two hundred and sixteen prisoners were video recorded while being strip searched. Of this number ten refused. Six prisoners had their earnings stopped or deducted on adjudications, following refusal to be strip-searched before a video camera. These adjudications have all been quashed. In each case the stopped or deducted earnings have been returned.

Dunblane

Mr. Ian Bruce: To ask the Secretary of State for the Home Department if he will set out the evidence that underlies the statement made at paragraph 24 of "The Government Response to The Public Inquiry into the Shootings at Dunblane Primary School"

"that, removal of key components is not a practicable proposition for all types of guns". [11614]

Miss Widdecombe *[holding answer 21 January 1997]:* On the basis of advice from the Forensic Science Service, we accept that disabling handguns is possible but that in some cases it is not practical. Lord Cullen himself took this view—paragraph 9.106. Copies of two letters from the Forensic Science Service are in the Library. The Government have made their position clear during the passage of the Firearms (Amendment) Bill. We do not believe that disabling guns provides sufficient safeguards for the protection of the public and there would be no guarantee that a person minded to do so could not keep or obtain illicit spares at home.

Woodhill Prison

Mr. Porter: To ask the Secretary of State for the Home Department if he will make it his policy to reduce the amount provided for facilities, fixtures and fittings in the budget plans for the top security unit at Woodhill prison, Milton Keynes and implement a regime of minimal facilities; and if he will make a statement. [11189]

Miss Widdecombe *[holding answer 21 January 1997]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. David Porter, dated 23 January 1997:

The Home Secretary has asked me to reply to your recent Question about facilities at Woodhill prison.

The costs identified to refurbish the high security unit at Woodhill have been properly quantified to meet the needs of security, the regime and safety of the public, staff and prisoners. The costing exercise has not identified any areas where savings could be made without compromising security and safety.

The cells in the high security units at Woodhill prison will have integral sanitation, as does every other cell at Woodhill. The rules on volumetric control will apply as elsewhere and there will be no in-cell television or video. Furniture in the cells will be standard prison issue and association areas will have standard furnishing and equipment. Meals will be provided from the kitchen and there will be no facility for prisoners to cook their own meals.

The high security units at Woodhill will form part of a co-ordinated series of close supervision units each holding a small number of prisoners with varying regimes ranging from the strict through to more structured regimes. When they are ready for use they will provide:

- a structured regime unit with limited association where the behaviour of prisoners can be assessed
- a restricted regime unit with a strict, no association regime for prisoners who continue to be disruptive or dangerous
- a programme intervention unit offering structured therapy programmes and full association for those who would benefit from such an approach.

It is anticipated that the high security unit at Woodhill will be ready for use at the end of this year.

Firearms (Amendment) Bill

Mr. Frank Field: To ask the Secretary of State for the Home Department what research he has commissioned into the impact on his budget of the implementation of the Firearms (Amendment) Bill; and when he will publish the findings. [11844]

Miss Widdecombe *[holding answer 21 January 1997]:* No research has been commissioned on the financial impact of the Bill, although our estimate of the costs that will need to be paid to compensate people who surrender guns and accessories is set out in the financial memorandum to the Bill.

Maximum Security Prisons

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what progress has been made on the decision on whether to build a super-max prison; and if he will make a statement. [10782]

Miss Widdecombe *[holding answer 13 January 1997]:* The Prison Service carried out a feasibility study of the Learmont recommendations that new prisons should be built to house the most dangerous and difficult to control prisoners in the system. Ministers are considering the study. Any decision will hinge on the assessment of the costs and benefits of concentration. A move towards concentration would represent a fundamental change in penal policy and there will therefore need to be a very careful examination of the options.

SCOTLAND

Electricity Interconnector

Mr. Foulkes: To ask the Secretary of State for Scotland when he received the reply from Scottish Power to his intimation that he was minded to approve the electricity interconnector to Northern Ireland subject to undergrounding of certain sections; what other representations he has received since this intimation; when he expects to make a final decision on the application; and if he will make a statement. [11436]

Mr. Kynoch: My right hon. Friend received Scottish Power's comments on 20 December 1996. Comments were also submitted by 22 other interested parties. My right hon. Friend is currently considering all these representations and will announce his final decision in due course.

Mental Handicap Services

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland (1) what arrangements are being made concerning the transfer of funds from mental handicap hospitals that are closed to mental handicap community services; who is responsible for determining these arrangements; and what mechanisms there are to ensure that the funds released continue to be used for mental handicap community services; [11324]

(2) what steps are being taken to ensure that funds transferred from Gogarburn hospital to alternative services in the community will continue in perpetuity to be used for the benefit of people with a learning disability. [11325]

Lord James Douglas-Hamilton: The size and timing of resource transfers from the NHS to local authorities and others are matters for local determination following joint local needs assessments.

Where hospital closures are proposed, the agencies involved are charged with ensuring that replacement care and support services appropriate to needs are in place and available before any closure is made.

Resources transferred from health boards to local authorities continue to be NHS resources for which the councils account to the boards to ensure that the moneys are spent on the level and type of services agreed following local needs assessments.

My Department monitors individual resource transfers.

Mr. Griffiths: To ask the Secretary of State for Scotland what is the current position regarding planned closures of long-stay mental handicap hospitals in Scotland; which hospitals are proposed for closure; on what dates; and what funds will be available for community services as a result of the closures. [11323]

Lord James Douglas-Hamilton: Health boards' plans have been approved for the closure of two long-stay mental handicap hospitals in Scotland: Gogarburn hospital in Lothian and Woodilee hospital in Greater Glasgow, but neither hospital will close until alternative facilities and services are in place and properly resourced.

Where hospital closures are proposed, the agencies involved are charged with ensuring that replacement care and support services appropriate to needs are in place. The level of funding required for alternative community services is a matter for local determination.

Food Safety

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what statistics he collates in respect of inspections relating to control of foodstuffs by food enforcement authorities; and how many inspections there have been in each year since 1993. [11326]

Mr. Raymond S. Robertson: In compliance with article 14 of the official control of foodstuffs directive 89/397, the Secretary of State for Scotland collates the number of food hygiene and food standards inspections carried out annually by food enforcement authorities in Scotland.

This information for each calendar year since 1993 is:

	Food hygiene inspections	*Food standards inspections*
1993	41,398	14,199
1994	41,134	12,082
1995	38,154	13,382
1996	[1]—	

[1] Figures not yet available.

Unemployment (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Scotland how many *(a)* men, *(b)* women, *(c)* young men and *(d)* young women were unemployed in the city of Glasgow in (i) June 1979 and (ii) June 1996; and how many were long-term unemployed in each category. [11862]

Mr. Kynoch: Unemployment statistics for 1979 are not available for the area represented by the Glasgow unitary authority.

In June 1996, there were 26,890 men and 6,729 women in the city of Glasgow registered as unemployed and claiming benefit.

Statistics concerning the age and duration of the unemployed are available on a quarterly basis and are not available for June 1996. In July 1996, there were 7,199 males and 3,289 females who were aged 24 and under and registered as unemployed and claiming benefit. There were 16,082 men and 3,175 women in the city of Glasgow who had been registered as unemployed and claiming benefit for over six months.

Departmental Offices

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list the name and location of each of his Department's offices and the number of people employed in each. [11866]

Lord James Douglas-Hamilton: The numbers of people employed in each of the Scottish Office's buildings are shown in the tables.

Table A: All staff in the Scottish Office and its executive agencies (other than SPS) at 1 January 1997, by building

Building	*Location*	*Total*
Victoria Quay	Edinburgh	1,171
Longmore House and Monuments[1]	Edinburgh and various	690
Pentland House	Edinburgh	500
St. Andrews House	Edinburgh	452
Saughton House	Edinburgh	385
Tay House	Glasgow	319
Marine Laboratory	Aberdeen	178
St. Margaret's House	Edinburgh	177
16–17 Waterloo Place	Edinburgh	176
Meridian Court	Glasgow	163
James Craig Wall	Edinburgh	142
Gyleview House	Edinburgh	133
East Craigs	Edinburgh	131
Russell House	Ayr	71
Soafd Vessel	Greenock	71
Grampian Area Office	Inverurie	69
Soafd Vessel	Leith	61
Strategy House	Edinburgh	56
Hayweight House	Edinburgh	55
Robert Stevenson House	Edinburgh	51
Government Buildings	Inverness	50
Franborough House	Glasgow	49
Cotgreen Road	Tweedbank	42
Scottish Police College	Kincardine on Forth	39
Government Buildings	Dumfries	36
Dover House	London	33
N College of Ed Building	Broughty Ferry	31
Corunna House	Glasgow	30
Freshwater Fisheries Laboratory	Almondbank/Pitlochry	30
Cameron House	Oban	28
7 Mill Street	Perth	27
Chambers Street	Edinburgh	22
Government Buildings	Stirling	22
Haymarket House	Edinburgh	21
25 Drumsheugh Gardens	Edinburgh	20
Government Buildings	Kirkwall	20
Governor House	Edinburgh	20
Strathbeg House	Thurso	16
10 Keith Street	Stornoway	15
Fishery Office	Fraserburgh	15
140 Causewayside	Edinburgh	14
Charlotte House	Lerwick	14
Fishery Office	Dundee	14
Mulberry House	Edinburgh	13
1 Grosvenor Crescent	Edinburgh	12

Table A: All staff in the Scottish Office and its executive agencies (other than SPS) at 1 January 1997, by building

Building	*Location*	*Total*
Scottish Fire Service Training School	Gullane	12
132 Seagate	Dundee	11
Bonnington Garage	Edinburgh	11
Estates Office	Portree	11
Fishery Office	Lerwick	11
Greyfriars House	Aberdeen	11
Jeanfield House	Perth	11
Balivanich	Isle of Benbecula	10
Fishery Office	Aberdeen	10
Wellgate House	Dundee	10
Cadzow Court	Hamilton	9
22/23 Melville Street	Edinburgh	8
631 Paisley Road West	Glasgow	8
Donaldson House	Edinburgh	8
Fishery Office	Scrabster	8
Parliament House	Edinburgh	8
20 Walker Street	Edinburgh	7
Nel Technical Park	East Kilbride	7
32 Reidhaven Street	Elgin	6
Fishery Office	Kinlochbervie	6
48 Manor Place	Edinburgh	5
Fishery Office	Lochinver	5
Fishery Office	Buckie	5
Fresh Fish Station	Montrose	5
Ord Croft	Lairg	5
Miscellaneous/other[1]		335
Scottish Office total		6,227

[1] Covers 124 staff in locations with five staff (eg small Fisheries Offices), plus 211 centrally managed staff (eg paid staff on maternity leave, longer term sickness, unposted staff etc.).

[2] Many Historic Scotland staff are based at ancient monuments or historic buildings in very small numbers. In view of the many buildings staffed by Historic Scotland all Historic Scotland staff have been grouped together.

Table B: All staff in Scottish prisons service headquarters at 1 January 1998

Building	*Location*	*Total*
Calton House[1]	Edinburgh	252

[1] SPS HQ only—excludes staff in prison establishments.

Marlin Lodge, Newton Mearns

Mr. Stewart: To ask the Secretary of State for Scotland what plans he has for the future use of Marlin lodge, Newton Mearns. [11657]

Lord James Douglas-Hamilton: The national roads directorate proposes, subject to planning approval, to use Marlin lodge as a temporary office from which the contractor and the Scottish Office's site representative would manage site operations during the Dumbreck to Malletsheugh's three-year maintenance period. A planning application for a "change of use" for the property has been lodged with East Renfrewshire council.

When the land required for the adjacent road scheme is identified, it is expected that Marlin lodge and any surplus land will be disposed of in line with the statutory guidelines.

Employment (Glasgow)

Mr. Marshall: To ask the Secretary of State for Scotland what estimate he has made of the number of manufacturing jobs that have been *(a)* created and *(b)* lost in the city of Glasgow in each of the last five years. [11865]

Mr. Kynoch: Statistical information relating to the creation of new jobs and the loss of existing ones is not available. The 1991 and 1993 censuses of employment and the 1995 annual employment survey identify the total number of employees in employment at specific points of time.

The table sets out the number of people employed in the manufacturing sector in the last three census of employment years.

Manufacturing employees in employment: Former city of Glasgow district

	Manufacturing	*Total employees in employment*
1991	46,700	336,700
1993	37,200	322,000
1995	37,600	330,600

Source:
Office for National Statistics.

Glasgow Regeneration Alliance

Mr. David Marshall: To ask the Secretary of State for Scotland what assessment he has made of the work of the Glasgow regeneration alliance since it was established; and if he will make a statement. [11867]

Mr. Raymond S. Robertson: The Glasgow regeneration alliance has an important role to perform in bringing together bodies and interests concerned with regeneration activities in the city. Officials from the Scottish Office attend meetings of the executive officers group of the alliance as observers. No assessment of the alliance's performance has been made. The Scottish Office will be monitoring progress in the individual priority partnership areas and the regeneration programme in Glasgow.

Mental Illness Specific Grant

Dr. Godman: To ask the Secretary of State for Scotland, pursuant to his answer of 12 December, *Official Report*, column *329–30*, if he will place in the Library a copy of the report prepared by the Nuffield centre for community care studies, Glasgow university, relating to the mental illness specific grant; and if he will make a statement. [12019]

Lord James Douglas-Hamilton: When the report is finalised, it will be published and copies placed in the Library.

Irvine Development Corporation

Mr. Donohoe: To ask the Secretary of State for Scotland how much the Scottish Office has received as a capital receipt from *(a)* the Irvine housing association and *(b)* the North Ayrshire council, following the disposal of the housing stock of Irvine development corporation; and how many properties were transferred to each landlord. [11916]

Mr. Kynoch: Proceeds realised by Irvine development corporation from the disposal of its housing stock and numbers of houses sold are shown in the table. Of the receipts shown, £20.8 million contributed to the total repayment of £52.7 million made by the corporation to my right hon. Friend during wind-up.

	Capital receipt £ million	*Number of properties*
Irvine housing association	12,541	1,576
North Ayrshire council	20,046	1,978

Mr. Donohoe: To ask the Secretary of State for Scotland how much the Scottish Office has raised from the disposal of the commercial assets of Irvine development corporation. [11917]

Mr. Kynoch: Proceeds from the disposal of industrial, office, retail and other commercial property and land owned by Irvine development corporation contributed £31.9 million to the total repayment of £52.7 million made by the corporation to my right hon. Friend during wind-up.

Mr. Donohoe: To ask the Secretary of State for Scotland which body had responsibility for setting the housing allocation policy relating to the properties disposed of by Irvine development corporation during the transfer of its housing stock to other landlords; and which body retains the records of housing allocations made during this period. [11919]

Mr. Kynoch: Irvine development corporation had responsibility for housing allocation policy prior to the transfers of its stock. Since the transfers, North Ayrshire council and Irvine housing association have this responsibility. The records of housing allocations were passed to the new landlords.

New Homes

Mr. Chisholm: To ask the Secretary of State for Scotland how many new homes were started by *(a)* local authorities, *(b)* new towns and *(c)* housing associations in each year since 1974. [12045]

Mr. Raymond S. Robertson: The information requested is set out in the table.

New housebuilding starts—Scotland 1974 to 1995

Period	*Local authority*	*New towns*	*Scottish homes*[1]	*Housing associations*
1974	16,324	2,600	2,578	660
1975	12,326	3,683	2,612	592
1976	7,572	2,665	2,547	1,362
1977	5,829	1,673	1,631	629
1978	4,185	2,202	1,174	1,365
1979	4,858	984	1,046	963
1980	2,770	1,155	1,511	1,261
1981	1,929	733	223	1,051
1982	2,585	765	613	2,446
1983	2,141	194	468	1,068
1984	1,755	126	493	1,239
1985	1,693	190	324	1,487
1986	1,671	141	580	1,414
1987	2,145	374	453	1,988
1988	1,433	495	573	2,068
1989	871	680	175	2,748
1990	886	720	27	2,111
1991	864	134	37	3,448
1992	429	395	—	3,051
1993	503	429	—	5,020
1994	568	208	—	4,886
1995	308	160	—	5,413

[1] Scottish special housing association prior to 1 April 1989.

School Boards

Mr. Donohoe: To ask the Secretary of State for Scotland, pursuant to his answer of 2 December 1996, *Official Report*, column *562*, when he expects the information requested on number of school boards to be available and if he will arrange for it to be sent to the hon. Member for Cunninghame, South. [12133]

Mr. Raymond S. Robertson: Provisional results of the most recent round of school board biennial elections, conducted in 1995–96, were published on Tuesday 21 January by the Government statistical service. I have arranged for the relevant information to be sent to the hon. Member.

More detailed information on the outcome of the elections, including a breakdown of boards by education authority area, will be published once the results are confirmed. This information will be sent to the hon. Member on publication.

Sex Offenders

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his letter of 16 October 1996, AAB 03104.106, what assessment he has made of the programmes for sex offenders in prisons cited in his letter. [10826]

Lord James Douglas-Hamilton: A formal evaluation of the sexual offender programme at Peterhead was carried out by the social work research centre at the university of Stirling. It was commissioned to provide insight into the issues associated with establishing an intervention programme within an institutional setting; to assess the impact of establishing the programme on the prisoners and staff of HMP Peterhead; and to explore the feasibility of such programmes in other establishments in the Scottish prison system. The study was not able to consider the programme's impact on reoffending, as an insufficient number of prisoners have so far been released back into the community to allow any meaningful conclusions to be drawn. The report will be published shortly.

The operation of the programme at Peterhead has also been assessed on two occasions by Professor William Marshall, of Queen's University, Kingston, Canada, who is one of the world's leading authorities on the treatment of sexual offenders.

Plans are in hand to commission an 18-month evaluation of the programme at Barlinnie. The aim will be to assess the impact of the programme on the attitudes and behaviour of prisoners participating; to examine the links between the prison-based programme and equivalent

community-based provision for monitoring, supporting and counselling sexual offenders on release back into the community; and to evaluate the effectiveness of the programme in preventing those sexual offenders who have been on the programme from committing further sexual offences. It is expected that the contract to undertake this work will be issued in March or April.

Game Birds and Raptors

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his letter of 25 September, what information and proposals he has received from the Joint Nature Conservation Committee concerning long-term and strategic solutions to the interaction between game birds and raptors; and if he will make a statement. [10858]

Mr. Raymond S. Robertson: The raptor working group, co-chaired by the JNCC and the Department of the Environment, is assessing the interaction between game birds and raptors and will provide advice to Government on this complex issue, as it becomes available.

A74

Mr. Kirkwood: To ask the Secretary of State for Scotland (1) what assessment he has made of the way the contract to upgrade the A74 was awarded and carried out; and if he will review the guidelines for the awarding of such contracts; [10859]

(2) what assessment he has made of the way the contract for the A74 upgrading works has been carried out by the main contractor. [10860]

Lord James Douglas-Hamilton: The contract to upgrade the Eaglesfield to Kirkpatrick Fleming section of the A74 was procured in accordance with the Public Works Contracts Regulations 1991—Public Procurement Procedures. These regulations govern public works contracts and allow for contractors from EU member states to bid. Under the assessment process, Impresa Castelli and Girola qualified for selection to tender for the scheme and were invited to do so. The selection process centres on the technical and financial capability of applicants. Impresa Castelli and Girola demonstrated sound financial standing and technical capacity and submitted the most competitive bid in a high-quality field.

In the event, the contractor did not perform well in carrying out the contract, although the standard of the completed works was satisfactory. The contractor was late in completing the works and substantial liquidated damages have been deducted from him for this reason. The contractor has submitted claims for additional payments which are in dispute and are now at arbitration. Several sub-contractors and suppliers have suffered payment problems.

In the light of experience of this contract, the technical and financial criteria for the assessment of prospective tenderers have been reviewed. The assessment of technical capacity now takes account of a contractor's understanding of the nature of the work to be carried out under the specific contract. It also takes account of the staff required to undertake the contract and the need to ensure that the management structure is adequate to the task.

Hospital Bids

Mr. Simon Hughes: To ask the Secretary of State for Scotland how many hospital beds there were in each health authority in each of the last seven years; and if he will indicate for each authority and year the number for *(a)* acute, *(b)* geriatric, *(c)* maternity and *(d)* mental illness or disability cases. [11617]

Lord James Douglas-Hamilton: The information requested is given in the table:

Number of average available staffed beds for all specialties, acute specialities, geriatric long stay, maternity specialties and mental illness and disability, by health board area as at 31 March

	1990	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*
All specialties							
Argyle and Clyde	4,103	3,976	3,939	3,875	3,685	3,592	3,522
Ayrshire and Arran	2,925	2,886	2,889	2,806	2,692	2,575	2,408
Borders	927	917	890	861	835	812	797
Dumfries and Galloway	1,439	1,389	1,353	1,316	1,287	1,226	1,183
Fife	3,062	2,987	2,891	2,666	2,577	2,455	2,322
Forth Valley	2,878	2,853	2,758	2,669	2,598	2,504	2,349
Grampian	5,276	5,155	5,056	4,956	4,633	4,414	4,276
Greater Glasgow	11,918	11,482	10,540	9,919	9,213	8,548	8,096
Highland	1,968	1,918	1,875	1,843	1,721	1,674	1,614
Lanarkshire	4,790	4,773	4,635	4,319	4,065	3,855	3,733
Lothian	7,578	7,207	6,938	6,703	6,313	6,287	5,998
Orkney	131	144	159	152	152	150	150
Shetland	162	151	146	143	142	137	136
Tayside	4,743	4,578	4,458	4,257	4,005	3,857	3,720
Western Isles	220	224	211	246	266	265	250
Scotland	52,121	50,640	48,738	46,731	44,185	42,351	40,555
Acute specialties							
Argyll and Clyde	1,346	1,315	1,286	1,248	1,204	1,188	1,140
Ayrshire and Arran	1,157	1,138	1,152	1,136	1,107	1,075	971
Borders	347	349	354	354	348	335	336
Dumfries and Galloway	444	447	435	419	406	405	416
Fife	876	863	851	800	791	774	754
Forth Valley	637	625	605	600	588	592	573
Grampian	1,653	1,618	1,640	1,918	1,885	1,843	1,804

Number of average available staffed beds for all specialties, acute specialities, geriatric long stay, maternity specialties and mental illness and disability, by health board area as at 31 March

	1990	1991	1992	1993	1994	1995	1996
Greater Glasgow	4,773	4,615	4,194	4,036	3,899	3,651	3,581
Highland	734	736	740	743	729	724	796
Lanarkshire	1,698	1,691	1,665	1,632	1,592	1,550	1,526
Lothian	3,043	2,855	2,659	2,577	2,455	2,397	2,300
Orkney	62	62	62	62	97	91	85
Shetland	63	53	49	46	46	46	46
Tayside	1,878	1,862	1,801	1,748	1,622	1,589	1,540
Western Isles	86	87	85	97	103	100	95
Scotland	18,798	18,317	17,580	17,414	16,873	16,360	15,963
Geriatric long stay							
Argyll and Clyde	746	687	687	688	657	618	601
Ayrshire and Arran	610	623	616	541	490	467	427
Borders	192	189	163	136	137	134	127
Dumfries and Galloway	308	308	309	311	310	263	214
Fife	591	483	572	559	532	464	388
Forth Valley	515	526	486	481	505	506	466
Grampian	1,087	1,088	1,094	794	780	747	721
Greater Glasgow	1,599	1,587	1,554	1,477	1,249	968	840
Highland	392	374	358	347	303	301	206
Lanarkshire	853	820	802	710	684	662	630
Lothian	1,087	1,069	1,016	978	900	894	805
Orkney	51	64	78	57	47	51	50
Shetland	89	87	87	87	86	81	80
Tayside	652	647	635	625	605	590	539
Western Isles	108	75	64	63	51	46	44
Scotland	8,880	8,727	8,522	7,853	7,337	6,790	6,139
Maternity specialties							
Argyll and Clyde	192	172	179	172	153	137	138
Ayrshire and Arran	156	164	157	145	123	109	105
Borders	39	35	28	28	28	28	28
Dumfries and Galloway	55	54	51	52	44	44	44
Fife	132	131	126	126	96	79	68
Forth Valley	110	107	102	102	94	95	80
Grampian	219	217	216	210	204	202	194
Greater Glasgow	419	392	370	343	313	295	275
Highland	116	103	98	95	93	82	80
Lanarkshire	166	162	164	148	134	124	123
Lothian	271	260	237	220	197	200	195
Orkney	8	8	8	8	8	8	8
Shetland	11	10	10	10	10	10	10
Tayside	190	173	163	158	143	131	125
Western Isles	16	16	16	17	18	18	14
Scotland	2,099	2,006	1,925	1,834	1,658	1,563	1,487
Mental illness and disability							
Argyll and Clyde	1,557	1,488	1,476	1,464	1,356	1,318	1,302
Ayrshire and Arran	898	856	857	869	835	792	739
Borders	287	282	282	275	253	245	232
Dumfries and Galloway	581	529	507	483	476	463	453
Fife	1,345	1,287	1,207	1,042	1,008	987	960
Forth Valley	1,480	1,449	1,394	1,303	1,246	1,148	1,059
Grampian	2,039	1,961	1,835	1,742	1,465	1,322	1,246
Greater Glasgow	4,317	4,079	3,615	3,234	2,878	2,658	2,371
Highland	679	657	632	601	531	497	451
Lanarkshire	1,855	1,860	1,777	1,590	1,414	1,278	1,213
Lothian	2,642	2,499	2,445	2,273	2,095	2,091	2,003
Orkney	—	—	—	13	—	—	4
Shetland	—	—	—	—	—	—	—
Tayside	1,743	1,616	1,579	1,442	1,345	1,258	1,214
Western Isles	3	27	25	39	52	51	48
Scotland	19,427	18,598	17,631	16,368	14,952	14,106	13,295

Hospitals and Hospital Trusts

Mr. Simon Hughes: To ask the Secretary of State for Scotland how many *(a)* hospitals and *(b)* hospital trusts there were in operation in (i) 1980, (ii) 1985, (iii) 1990, (iv) 1992, (v) 1994–95 and (vi) 1995–96. [11618]

Lord James Douglas-Hamilton: The information is set out in the table.

	Hospitals	*NHS hospital trusts*
1980	338	—
1985	328	—
1990	290	—
1992	284	2
1994	277	39
1995	276	46

Mr. Hughes: To ask the Secretary of State for Scotland how many hospital trusts in Scotland contain *(a)* two and *(b)* three or more hospitals. [11619]

Lord James Douglas-Hamilton: There are seven NHS trusts in Scotland containing two hospitals and 29 containing three or more hospitals.

Cancelled Operations

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will place in the Library figures *(a)* by district health board and *(b)* overall, of the number of operations cancelled on the day of, or the day after, admission to hospital, and the number of those patients not readmitted within a month, for each quarter of 1995–96 and the first two quarters of 1996–97, as available. [11620]

Lord James Douglas-Hamilton: Information on cancellations of operations following admission is not held centrally at the level of detail requested. Total figures for cancellations of planned admissions for in-patient and day case treatment are given in the table. Information on cancellations of hospital admissions is published annually in the NHS in Scotland annual report, copies of which have been placed in the Library.

Cancellations of hospital admission by health board area of treatment: Quarters ending 30 June 1995 to 30 September 1996

	1995–96				*1996–97*	
	June	*September*	*December*	*March*	*June*	*September*
Argyll and Clyde	42	43	63	71	89	146
Ayrshire and Arran	56	34	34	45	57	64
Borders	50	41	17	46	54	55
Dumfries and Galloway	1	4	14	18	14	26
Fife	79	89	129	197	216	220
Forth Valley	20	19	30	29	19	35
Grampian	232	306	259	194	311	305
Greater Glasgow	350	406	355	510	637	672
Highland	149	191	134	245	243	181
Lanarkshire	40	57	61	86	57	85
Lothian	280	383	335	623	607	589
Orkney	1	—	3	—	—	—
Shetland	6	4	–	—	8	9
Tayside	91	146	132	267	123	125
Western Isles	—	—	3	2	1	2
Scotland	1,397	1,723	1,569	2,333	2,436	2,514

[1] The figures for 1995–96 cover the 7 key specialties of general surgery, ENT surgery, ophthalmology, orthopaedic surgery, urology, gynaecology and plastic surgery, which comprise around 90 per cent. of admissions from waiting lists.
[2] The figures for 1996–97 are provisional and include data for all specialties.

Staff

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list for his Department and each of its executive agencies the number of staff employed in grades 1 to 7. [12180]

Lord James Douglas-Hamilton: The number of staff employed at grade 7 and above is shown in the table:

All permanent staff at grade 7 and above in the Scottish Office and its executive agencies at 1 April 1996

Group	*Unified grade*		
	SCS[1]	*Grade 6*	*Grade 7*
SO Core	143.7	162.0	334.2
Historic Scotland	2.7	5.0	22.4
Scottish Fisheries Protection Agency	1.0	4.0	17.0
Scottish Agricultural Science Agency	1.0	2.0	11.6
Scottish Office Pensions Agency	—	1.0	3.0
Student Awards Agency for Scotland	1.0	—	—
Scottish Office total (excluding SPS)	149.4	174.0	388.2
Scottish Prisons Service[2]	7	—	3

[1] SCS = Senior Civil Service.
[2] SPS figures available as headcount only.

Local Partnership Management Boards

Mr. David Marshall: To ask the Secretary of State for Scotland if he will ensure that hon. Members are represented by right on local partnership management boards set up under the priority partnership areas arrangements. [12428]

Mr. Raymond S. Robertson: This is a matter for decision by the board concerned. The hon. Member should make his representation to it.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will publish the total recorded traffic flow figures over the Skye bridge during those toll-free days during the recent Christmas and new year holidays; if he will provide typical average figures for non-holiday mid-week days during December and January; and if he will make a statement. [12393]

Lord James Douglas-Hamilton: Figures provided by the operators of the Skye bridge show that 567 vehicles crossed the bridge on Christmas days 1996 and 943 on new year's day 1997, including vehicles exempt from paying tolls. The average daily number of vehicles crossing on Tuesdays, Wednesdays and Thursdays on non-holiday weeks between 3 December 1996 and 16 January 1997 was 1,036, including vehicles exempt from paying tolls.

Written Answers to Questions

Friday 24 January 1997

HOME DEPARTMENT

Re-entry Refusals

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many people who were convicted of a criminal offence, punishable by a prison sentence but not served with a deportation order as part of the sentence, were refused re-admission to Britain after leaving Britain to go on holiday in each of the last three years. [12330]

Mr. Kirkhope: The information requested is not available.

Deportations

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many people who were convicted of a criminal offence, punishable by a prison sentence, as part of their sentence were also ordered to be deported in 1996 and for each of the previous four years; for each year, how many deportations were effected; and what were the *(a)* nationalities and *(b)* gender of those deported. [12322]

Mr. Kirkhope: Complete data for 1996 are not yet available. Information for 1992 to 1995 and January to August 1996 was given in the reply to a question from the hon. Member on 31 October 1996, *Official Report*, columns *211-13*.

Asylum Seekers

Mr. John Marshall: To ask the Secretary of State for the Home Department how many individuals applied for asylum in *(a)* December 1996 and *(b)* December 1995. [12050]

Mr. Kirkhope: Two thousand two hundred and eighty-five applications for asylum in the United Kingdom were lodged in December 1996. The equivalent figure for the same month in 1995 was 3,540.

Hong Kong Residents

Mr. MacShane: To ask the Secretary of State for the Home Department if he will list by occupational category and ethnic background the number of Hong Kong residents who have been granted right of abode in the United Kingdom after 1 July. [12179]

Mr. Kirkhope: Information is not collected on the ethnic background of those given British citizenship under the British nationality selection scheme. The occupational categories of the 49,842 principal beneficiaries granted citizenship as of 31 December 1996 were as follows:

	Number
Managers and administrators	13,956
Business and professionals	1,067
Business and administration associates	5,429
Accountants and auditors	1,733
Accounting associate professionals	559
Engineers and related professionals	2,651
Architects, planners and surveyors	556
Engineering associate professionals	1,641
Information science professionals	2,583
News editors and journalists	219
Doctors of medicine	712
Physical and life science professionals	94
Nurses and midwives	1,740
Other medical professionals	198
Health associate professionals	758
Legal professionals	402
Legal associate professionals	153
Teaching professionals (post-secondary)	419
Educational administrators	298
Other teaching personnel	3,133
Computing equipment controllers	172
Life science technicians	34
Physical science technicians	38
Social work professionals	144
Statistical assistants	56
Translators/interpreters	56
Correctional Services Department	1,019
Customs and Excise Department	501
Fire Services Department	1,221
Immigration Department	573
Independent Commission Against Corruption	105
Royal Hong Kong Auxiliary Air Force	14
Royal Hong Kong Police Force	3,788
The Garrison (Army)	224
The Garrison (Navy)	57
Entrepreneurs	484
Sensitive service	3,055

British Passport Holders

Mr. Colvin: To ask the Secretary of State for the Home Department if he will list, in descending order, the estimated number of full British passport holders currently resident in all overseas British territories, Commonwealth and foreign countries who have been registered voters in the United Kingdom. [12453]

Mr. Sackville: Information on the countries of residence of overseas electors is not collected centrally. The total number of overseas electors on registers which came into force on 16 February 1996 was 17,886.

Dog Breeders

Mr. Morley: To ask the Secretary of State for the Home Department (1) what assessment he has made of the current operation of the Breeding of Dogs Act 1973; and if he will make a statement; [12402]

(2) what plans he has to issue guidance to local authorities on unlicensed dog breeders and the Breeding of Dogs Act 1973; and if he will make a statement; [12403]

(3) what action he intends to take against unlicensed dog breeders who breach the Breeding of Dogs Act 1973; and if he will make a statement; [12404]

(4) how many representations he has received regarding the Breeding and Sale of Dogs Bill; and how many of those supported the Bill. [12405]

Mr. Sackville: The Breeding of Dogs Acts 1973 and 1991 provide local authorities with wide-ranging powers over dog breeding. They can withhold the granting of a licence to keep a breeding establishment on any grounds, and impose any condition in the licence. Local authority officials and/or veterinary surgeons can inspect licensed premises as often as they wish to check upon the standards of health, welfare and accommodation of dogs.

The Acts give local authorities powers, subject to obtaining a warrant, to inspect all premises where there is a reasonable suspicion that unlicensed breeding is taking place. The Home Office issued guidance to local authorities in 1992 concerning these, and other, powers available to them in the 1973 and 1991 Acts.

Current law provides local authorities with sufficient powers to deal with the problem of unscrupulous dog breeders.

A total of 534 letters have been received about the Breeding and Sale of Dogs Bill. Of this number, 527 have supported the Bill.

DUCHY OF LANCASTER

Machinery of Government

Mr. Llew Smith: To ask the Deputy Prime Minister what changes in the machinery of government have been made as a result of recommendations made by Lord Justice Scott. [11056]

The Deputy Prime Minister: I refer the hon. Member to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 22 January 1997, *Official Report*, column 600-01.

Access to Government Information

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster what steps he plans to take to *(a)* ensure that all Government Departments are informed of, and implement the change in, the code of practice on access to Government information contained in the revised code issued on 14 January and *(b)* monitor the effectiveness of implementation from 1 February. [11777]

Mr. Freeman: Copies of the revised "Code of Practice on Access to Government Information" and its accompanying "Guidance on Interpretation" have been circulated to openness liaison officers in Departments in advance of the changes coming into effect on 1 February. The changes and their effects have been explained to these liaison officers in correspondence and at a meeting. These departmental representatives are charged with ensuring that the revised code and guidance are fully disseminated within their Departments. These working level contacts have been reinforced through discussions of the revised code at meetings of departmental establishment officers and at a recent meeting of permanent secretaries, chaired by the head of the home civil service.

My Department will continue to report annually to Parliament on the experiences of Departments, agencies and public bodies in implementing the code. The Parliamentary Commissioner for Administration, who investigates complaints about departmental implementation of the code, also reports annually to Parliament, and has the power to report from time to time on specific issues arising from his work.

Government Vehicles

Sir Irvine Patnick: To ask the Chancellor of the Duchy of Lancaster how many official *(a)* Government and *(b)* ministerial cars are operating on bi-fuel; and if he will make a statement. [12022]

Mr. Freeman: Responsibility for the cars provided by the Government car service has been delegated under the terms of its framework document to the Security Facilities Executive under its chief Executive, Mr. John King. The agency is therefore responding to the question. No record is kept centrally of cars which other Departments and Government agencies may operate.

Letter from John King to Sir Irvine Patnick, dated 22 January 1997:

I have been asked by Mr Freeman, Chancellor of the Duchy of Lancaster (who has Ministerial responsibility for the Government Car Service (GCS)), to provide you with a response to your Parliamentary Question concerning the number of cars, both for Official and Ministerial use, that are operating on bi-fuel. I am the Chief Executive of the Agency with operational responsibility for the GCS and am able to answer your question with regard only to those cars used by the Government Car Service.

I can confirm that the Government Car Service currently has two cars that can operate on both Petrol and Natural Gas. One is a Rover 827 which operates within the Ministerial fleet and the other is a Rover Sterling which operates within the pool fleet.

ENVIRONMENT

Housing Stock

Mr. Gordon Prentice: The ask the Secretary of State for the Environment which 10 district councils, placed in rank order, have the highest percentage of their housing stock built before 1900. [12467]

Mr. Clappison: The 10 district councils with the highest percentage of their housing stock built before 1919 are as follows:

	Percentage
1. Hammersmith and Fulham	74.2
2. Kensington and Chelsea	70.7
3. Pendle	67.2
4. Westminster	62.6
5. Hyndburn	61.7
6. Teeside	60.8
7. Eden	60.3
8. Camden	58.5
9. Islington	58.3
10. Burnley	55.7

1. The figures relate to dwellings of all tenures as at April 1996.
2. 1919 is the earliest date for which the Department can provide reliable figures.

Sellafield

Mr. Matthew Taylor: To ask the Secretary of State for the Environment when he intends to announce his decision on the planning application for a rocket, characterisation facility laboratory at Sellafield; and if he will make a statement. [12643]

Sir Paul Beresford: The planning inspector's report of the inquiry, which was received by my right hon. Friend the Secretary of State on 25 November, is currently being considered with a view to the decision being issued as soon as possible.

Hedgerows

Dr. Strang: To ask the Secretary of State for the Environment what length of hedgerow has been lost in England each year since 1979. [12482]

Mr. Clappison: The information is not available in the form requested. The Department commissioned two surveys into hedgerow changes covering the years from 1984 to 1990 and from 1990 to 1993. The latter survey indicated an average annual net loss of 18,100 km of hedges in England and Wales. The comparable annual figure for the previous survey period was 21,900 km. In these figures, the net "loss" of hedges refers to both removal of hedges and changes to other types of field boundary such as relict hedges and fences. No further research into hedgerow loss has been undertaken.

PSA Projects

Mr. Stephen: To ask the Secretary of state for the Environment if he will make a further statement on the sale of PSA Projects. [13204]

Mr. Gummer: In December 1992 PSA Projects was sold to Tarmac Construction Ltd. Tarmac was paid £49.6 million as compensation for future losses and commercial risk, to provide funds for a pension fund contribution, investment and working capital. The Department retained £55 million of pre-sale trade debts which were all subsequently collected. In addition to the payment of £49.6 million, Tarmac received £10.5 million for net liabilities transferred with PSA Projects. Under the sale agreement, this sum was subject to pound-for-pound adjustment following the preparation of a completion statement which would provide details of PSA Projects net asset position at the point of sale.

Tarmac presented a completion statement in June 1993 but difficulties over agreeing adjustments to this resulted in the appointment of an independent expert in October 1995 to review the completion statement and make adjustments. The independent expert has now reported on the net asset position of the business at the point of sale. As a result, Tarmac will make an adjustmenting payment to Government of £19,921,177.00p. In addition Tarmac will pay Government interest totalling £2,612,611.98p.

Under the sale agreements, the Department's liability to meet the severance costs of staff who were employed in the business was limited to £39.5 million. This limit has been reached and all further costs are to be met by the purchaser.

In the event of the purchaser's bankruptcy in the first five years post sale that is to 1 December 1997, the Department has also guaranteed the redundancy entitlements of transferring staff. The maximum value of this contingent liability is now estimated to be £10.3 million.

TRADE AND INDUSTRY

Sustainable Development

Mr. Matthew Taylor: To ask the President of the Board of Trade how his Department has used the "UK Indicators of Sustainable Development" in *(a)* the production of the Department's annual report, *(b)* monitoring progress towards meeting the objectives set out in the UK sustainable development strategy and *(c)* assessing the environmental implications of policy options; and what plans there are to extend their use in future within the Department. [12273]

Mr. Lang: The "UK Indicators of Sustainable Development", published last March, and the information underlying those of most direct relevance to the responsibilities of the Department have been used to inform decisions about priorities for action and work programmes for the year ahead. This will be reflected in the annual White Paper on sustainable development and the Department's annual report, both of which will be published shortly. The data are also used as appropriate to inform consideration of the environmental implications of policy options.

Overseas Investment

Sir Michael Marshall: To ask the President of the Board of Trade what recent studies his Department has *(a)* commissioned and *(b)* evaluated to assess the current levels of British private investment overseas; what assessment he has made of its impact on the United Kingdom economy; and if he will make a statement. [12569]

Mr. Lang: Following a commitment given in the first Competitiveness White Paper (Cm 2563) my Department commissioned, in 1994, KPMG to undertake a study of UK outward investment with the remit to consider what further support the Government might offer overseas investors. The results of this study were published in May 1996.

My Department constantly monitors the levels of British overseas investment and, from time to time, evaluates relevant studies on this subject.

The Government believe that domestic firms and their employees gain from the freedom available to business to invest overseas. Direct investment can be an effective means of delivering goods and services to particular markets and in this way complements direct exports. Overall, the UK stands to benefit if firms are allowed to direct their resources to their most profitable use. The Government seek international agreement to liberalise regimes governing outward and inward foreign direct investment.

Coal Stocks

Mr. Hardy: To ask the President of the Board of Trade what is his current estimate of the stocks of coal held at *(a)* collieries and *(b)* power stations. [11852]

Mr. Page *[holding answer 23 January 1997]:* The levels of stocks held by the coal and electricity generating industries at the end of October are as follows:

thousand tonnes

	Collieries	*Power stations*
October 1996	4,862	9,590

Source:
Energy trends.

Power Stations (Petrol Coke)

Mr. Hardy: To ask the President of the Board of Trade if he will take steps to prevent the burning of petrol coke at power stations. [11851]

Mr. Page *[holding answer 23 January 1997]:* I refer the hon. Member to the answer I gave him on 5 December 1996, *Official Report*, column *756*.

Export Winners

Mr. Harry Greenway: To ask the President of the Board of Trade when he intends to issue the "Export Winners" report. [13143]

Mr. Nelson: The "Export Winners" report will be published today. It draws on interviews with 75 of the best United Kingdom exporting companies and highlights the key factors behind their success. I believe it will provide a valuable guide to export success, particularly for new or less experienced exporters.

I have placed copies of the report in the Library of the House.

Insurance Companies

Mr. Harry Greenway: To ask the President of the Board of Trade what changes he proposes to the legislation relating to insolvent non-life insurance companies. [13144]

Mr. Nelson: My Department issued a consultative document in December 1994 on proposals for dealing with insolvent non-life insurance companies. The proposals seek to provide a more satisfactory legal basis for dealing with the affairs of an insolvent non-life insurance company through a scheme of arrangement under section 425 of the Companies Act 1985, developed in a period of provisional liquidation. Responses to the consultative document generally supported a change in the law and I therefore propose to bring forward legislation, when parliamentary time permits. The principal features of the new arrangements would be:

- provision for an insolvent insurance company to apply to the court for a stay on proceedings against it by unsecured creditors while a scheme of arrangement is being drawn up;
- some modifications to the requirements of section 425 of the Companies Act 1985, for the purposes of schemes subject to the new provisions;
- provision for the insolvency practitioner overseeing an agreed scheme to have certain powers, in relation to fraudulent and wrongful trading and preferences and undervalues, which are not currently available to the administrators of section 425 schemes.

Late Payments

Mr. Harry Greenway: To ask the President of the Board of Trade what plans he has to implement the proposal to require large companies to publish details of their payment practices, contained in the consultative document, "Tackling Late Payment: Stating Payment Practice in the Directors" report. [13142]

Mr. Page: Late payment was one of the main concerns highlighted by small firms and their advisers during the nation-wide series of "Your Business Matters" conferences which culminated in the national conference last March. Whilst there are no easy answers to the problems caused by late payment of commercial debt, we in Government are committed to doing all we can to help small firms get their bills paid promptly.

The draft regulations, amending the Companies Act 1985, which I am today laying before Parliament, will mean that all public limited companies and their large private subsidiaries will have to disclose how long, on average, it takes them to pay their bills. This additional information, which builds on the payment policy disclosure introduced last year, will give small firms more details of the payment records of the larger companies with whom they may be considering doing business. This annual disclosure of a performance figure should help small firms monitor year-on-year, in a relatively straightforward way, the payment records of large companies. Whilst it will never substitute for thorough credit management, the additional information provided will be useful to suppliers.

Fireworks

Mr. Burden: To ask the President of the Board of Trade, pursuant to his answer of 21 January, *Official Report*, columns *572–73*, if he will list the representatives of the firework industry he met to discuss aerial shells between 21 November and 19 December indicating the dates on which he met each. [12620]

Mr. John M. Taylor: I treat the meetings I have with individuals and organisations, on any topic, as private unless it is agreed that the details should be made public. The meetings I had between 21 November and 19 December 1996 took the form of private discussions on a range of issues relating to fireworks, including commercial matters, and I am not therefore at liberty to disclose details.

Dounreay

Mr. Meacher: To ask the President of the Board of Trade what data his Department collates in respect of the environmental monitoring conducted by the United Kingdom Atomic Energy Authority of employees at Dounreay following reportable radiological incidents; and if *(a)* current and *(b)* former UKAEA staff are covered by the Official Secrets Act 1911 in respect of such incidents. [11914]

Mr. Page: These data are not collated by my Department. Under the Ionising Radiations Regulations 1985 the UKAEA is responsible for monitoring the radiation doses received by its employees. The data are then collated by the Health and Safety Executive.

Information on radiation doses would be covered by The Official Secrets Act only if there were clear national security implications.

WALES

A550

Mr. Barry Jones: To ask the Secretary of State for Wales when he expects the official opening of the roads grade interchange at the entrance of the Deeside industrial park. [12281]

Mr. Gwilym Jones: The interchange has been in use since December. No formal opening ceremony is intended.

Ministerial School Visits

Mr. Barry Jones: To ask the Secretary of State for Wales how many *(a)* high schools, *(b)* primary schools, *(c)* infants schools, *(d)* nursery schools and *(e)* further education colleges he has visited in (i) the former county of Clwyd and (ii) in the new county of Flintshire; and if he will make a statement. [12277]

Mr. Jonathan Evans: Since July 1995; my right hon. Friend has visited one secondary school in the area covered by the former county of Clwyd. In the same period, in addition to a number of constituency visits, my predecessor visited two primary schools, two secondary schools and two colleges of further-higher education. Of these, one primary school and one college are located in the new county of Flintshire. Since my appointment in June 1996, I have yet to make such a visit but intend to do so as soon as possible.

Rail Services

Mr. Barry Jones: To ask the Secretary of State for Wales what initiatives he is taking to improve rail services between Holyhead and Crewe and Wrexham and Birkenhead; and if he will make a statement. [12285]

Mr. Gwilym Jones: I understand that the Office of Passenger Rail Franchising is currently evaluating bids for both the North West Regional Railways and the Intercity West Coast franchises. The franchising director will take account of any proposals by bidders to improve the level and quality of services over and above the minimum standards specified in the passenger service requirements.

Inward Investment

Mr. Barry Jones: To ask the Secretary of State for Wales what was the level of inward investment to *(a)* the former county of Clwyd and *(b)* the former district council of Alyn and Deeside in the years 1994, 1995 and 1996. [12279]

Mr. Hague: In 1994, Clwyd attracted 878 new jobs, 734 safeguarded jobs and investment of £98.5 million; in 1995, 491 new jobs, 222 safeguarded jobs and investment of £50 million; and, in 1996, 1,053 new jobs, 334 safeguarded jobs and investment of £108.8 million. Alyn and Deeside saw 122 new jobs, 30 safeguarded jobs and investment of £49.6 million in 1994; 77 new jobs and investment of £1.9 million in 1995; and 50 new jobs and investment of £45 million in 1996.

Mr. Jones: To ask the Secretary of State for Wales what measures he is taking to attract inward investment to Deeside and Buckley. [12278]

Mr. Hague: The inward investment drive continues to be very active and the Welsh Office and Welsh Development Agency will continue to make every effort to ensure that all parts of Wales benefit from inward investment. 1996 was an exceptional year which demonstrates that the policies of economic discipline are working well. North Wales is sharing in this success and the North Wales Economic Forum will help increase that success.

River Dee Crossing

Mr. Barry Jones: To ask the Secretary of State for Wales when he expects the new River Dee crossing at Connahs quay to open. [12282]

Mr. Gwilym Jones: Flintshire county council is responsible for the River Dee crossing. It estimates completion in late 1997.

Meningitis

Mr. Morgan: To ask the Secretary of State for Wales on what date he was first informed of the probability of the connection between the meningitis outbreak of mid-November 1996 in the Penylan halls of residence of the University College of Wales, Cardiff, and the earlier case notified on 16 October; by whom he was informed; and if he will make a further statement on the nature of the connection. [12740]

Mr. Hague: Officials initially advised me on 29 November 1996 about the outbreak following notification from Bro Taf health authority. On 6 December I was advised of the outcome of the routine retrospective testing on the 16 October case. The results were described as compatible with meningococcal infection although not indicating the type. I do not propose to make any further statement until I have received, and considered fully, the outbreak report which I have asked the authority to submit by the end of January.

Mr. Morgan: To ask the Secretary of State for Wales when he expects to receive the full report of the *(a)* university and *(b)* health authorities on the meningococcal C strain of meningitis at the university halls of residence, Penylan, Cariff. [12741]

Mr. Hague: Both reports are expected by the end of January.

Hedgerows

Dr. Strang: To ask the Secretary of State for Wales what length of hedgerow has been lost in Wales in each year since 1979. [12484]

Mr. Jonathan Evans: The information is not available in the form requested. However, two sample surveys covering the periods from 1984 to 1990 and from 1990 to 1993 indicated net losses of hedgerows in Wales of 18,000 km and 5,500 km respectively at an average annual net loss of 2,570 km for the first period and 1,830 km for the second period.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Budget

Mr. William Powell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the latest estimate of the net contribution of each EU member state to the EU budget; and what this figure is in terms of pounds sterling per head of population in each member state. [11800]

Mr. David Davis: Net contributions by member states to the EC budget for 1995—the latest year for which figures are available—are as follows:

Member state	*Net contribution (£ million)*	*Net contribution per head (£)*
Belgium	+254.9	+25.5
Denmark	–250.3	–48.9
Germany	+10,999.1	+135.8
Greece	–2,857.2	–280.1
Spain	–5,911.1	–149.7
France	+1,414.5	+25.0
Ireland	–1,545.2	–439.0
Italy	+502.9	+8.9
Luxembourg	+36.7	+96.5
Netherlands	+1,641.7	+109.4
Austria	+741.2	+95.0
Portugal	–1,950.0	–188.8
Finland	+134.8	+27.2
Sweden	+767.6	+90.1
UK	+3,865.5	+67.5

Figures are drawn from the European Court of Auditor's report on the 1995 budget. They do not take account of expenditure not attributable to individual member states, such as administration, and should not therefore be regarded as definitive.

Convention on the Rights of the Child

Miss Emma Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to adopt and adhere to the draft optional protocol to the convention on the rights of the child on the age of recruitment and participation in armed forces. [12355]

Sir Nicholas Bonsor: A UN Commission on Human Rights working group is currently meeting to continue drafting the optional protocol. The United Kingdom is participating in negotiations.

It is not yet possible to determine the outcome of those negotiations.

Antarctic Treaty

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the Government of Japan concerning ratification of the Antarctic treaty; and if he will make a statement. [12460]

Sir Nicholas Bonsor: I refer the hon. Member to the answer I gave him on 28 October 1996, *Official Report*, column *32–33*. The Japanese Government are still considering the detailed technical aspects of the environmental protocol. We continue to correspond and to urge Japan to ratify the protocol as soon as possible.

Gibraltar

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions the Spanish Government have objected to a separate Gibraltar presence at talks concerning affairs in the colony. [12612]

Mr. David Davis: The Spanish Government have always objected to Gibraltar's representatives forming a separate delegation at Brussels process talks. However, they have also made clear that they would welcome the participation of Gibraltar's representatives as part of the British delegation. Sr. Matutes repeated this on 22 January in talks with my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs.

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent contacts there have been with the Spanish Government concerning Spanish recognition of British passports issued in Gibraltar; and if he will make a statement. [12618]

Mr. David Davis: My right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs raised this issue when he met the Spanish Foreign Minister in Madrid on 22 January. The Spanish Government reaffirmed that they have never questioned, nor shall question, the right to free movement of Gibraltarians throughout the EU and shall always act in accordance with EU law. We welcome this assurance. We have offered to set up a committee of experts to discuss a number of outstanding technical points concerning non-EU passports issued in Gibraltar.

DEFENCE

Ministerial Speeches (Conferences)

Dr. David Clark: To ask the Secretary of State for Defence if he will list the conferences at which he spoke during 1996 as Secretary of State for Defence, indicating their dates and subject matter. [12621]

Mr. Portillo: During 1996 I spoke at the following conferences in my capacity as Secretary of State for Defence:

Conference	*Date*	*Subject*
World Economic Forum	2 February	Russia and Security
Defence Export Services Organisation Symposium	5 March	Defence Exports
Joint MoD/FCO/RUSI	1 May	Partnership for Peace
Seminar Conservative Party Conference	10 October	Defence Debate speech
CBI National Conference	11 November	Defence Industry and its importance to UK

Junior Leaders

Dr. David Clark: To ask the Secretary of State for Defence what plans he has to reintroduce the junior leaders scheme; and if he will make a statement. [12622]

Mr. Soames: I refer the hon. Member to the reply I gave on 29 October 1996, *Official Report*, column *74*.

TRANSPORT

Corridor Assessments

Mr. Andrew Smith: To ask the Secretary of State for Transport how many stage 1 corridor assessments were undertaken by his Department between 1992 and 1996; and if he will *(a)* list and *(b)* publish these assessments. [12457]

Mr. Watts: None. Stage 1 assessment reports for completely new schemes entering the national trunk road programme were introduced in August 1993. There have been no introductions of new schemes, in need of a Stage 1 assessment, into the national roads programme since then.

Heavy Goods Vehicles (Motorways)

Mr. Atkins: To ask the Secretary of State for Transport (1) if he will launch a campaign to discourage heavy goods vehicles from using the overtaking lane on motorways; [12305]

(2) if he will institute an investigation into the prevalence of heavy goods vehicles using the overtaking lane on motorways. [12304]

Mr. Bowis: We have no plans for a specific campaign. The Department's publicity priorities remain the "Kill Your Speed" and the drink drive campaigns which address those areas where the greatest savings in life and injury are to be gained.

Goods vehicles, currently those having a maximum laden weight exceeding 7.5 tonnes, have been banned from using the overtaking lane on motorways since 1966. This is in the "Highway Code" and other publications. Enforcement is a matter for the police.

Mr. Atkins: To ask the Secretary of State for Transport how many accidents have been caused in the last year by heavy goods vehicles using the overtaking lane of motorways. [12291]

Mr. Bowis: National statistics do not record the causes of accidents.

Civil Aviation Authority

Mrs. Dunwoody: To ask the Secretary of State for Transport what action the Civil Aviation Authority has taken in response to the recent conclusions reached by the United States Federal Aviation Administration in respect of digital flight management systems. [5564]

Mr. John Bowis: The report, "The Interfaces Between Flight Crews and Modern Flight Deck Systems" was published by the US Federal Aviation Administration in June 1996. The report was produced by a task force comprising representatives from the FAA and the US National Aeronautics and Space Administration together with nominees from the joint aviation authorities including two representatives from the UK Civil Aviation Authority.

The CAA is considering the 51 recommendations made in the report and has yet to give a formal response. Any resulting regulatory action will be determined by the JAA with appropriate reference to comments received from the aviation authorities of member states. The CAA will continue to ensure that its own human factors initiatives follow a similar approach to that of the FAA, especially in its contributions to the regulatory work of the JAA.

The FAA has also yet to respond to the recommendations contained in the report.

Re-opened Railway Tracks

Mr. Gordon Prentice: To ask the Secretary of State for Transport what estimate he has made of the total length of formerly closed railway track which has been re-opened since 1967. [12378]

Mr. Watts: I understand from the British Railways Board that 242 miles of railway track have been re-opened since 1967.

Sea Empress

Mr. Meacher: To ask the Secretary of State for Transport what has been the cost to public funds to date for the clean-up of the Sea Empress oil pollution accident; and what assessment he has made of the future costs to be incurred. [11937]

Mr. Bowis: We estimate that the cost to central and local government of clean-up work following the Sea Empress has been in the order of £17 million, and that future costs are likely to be less than £2 million. Reasonable clean-up costs should be eligible for compensation from the shipowner's insurer and from the international oil pollution compensation fund.

HEALTH

Methadone

Mr. Jon Owen Jones: To ask the Secretary of State for Health what guidance he has issued in respect of the maximum limit on the quantity of methadone that a doctor can prescribe with a single prescription for an individual; and what estimate he has made of the most common prescribed daily dosage. [11342]

Mr. Malone: The amount of methadone prescribed is a matter of individual clinical judgment, and no assessment has been made of the most common prescribed daily dosage. Clinical guidelines on drug misuse and dependence were issued to all doctors in 1991. A task force to review services for drug misusers was established in 1994; following its report in May 1996, a working group has been set up to review the clinical guidelines. The revised guidelines will provide guidance for doctors on good prescribing practice and on the most effective management of drug misusers who are prescribed methadone.

Multiple Sclerosis

Mr. Gordon Prentice: To ask the Secretary of State for Health what research he has evaluated from other EU countries regarding the efficacy of beta interferon in the treatment of MS. [11880]

Mr. Malon: **e:** Efficacy of Betaferon, the only preparation of beta interferon currently licensed in the United Kingdon m is a matter for the European Medicines Evaluation Age ncy.

A European public assessment report (EPAR), which summarises the data on which the decision to grant the marketing autho orisation are made, is available from the European Medi icines Evaluation Agency, 7 Westferry circus, London E14 4HB.

Food Poisoning (Deaths)

Mr. Gordon Prentice: To ask the Secretary of State for Health if he e will list the bacterial infections which caused death fro m food poisoning in each year since 1990 indicating the *(a)* number and *(b)* percentage in each category. [12059]

Mr. Horam: : The information is provided in the following table:

Food poisoning deaths notifications

Numbers

	1990	*1991*	*1992*	*1993*	*1994*	*1995*
Cholera ICD '001	—	—	1	—	—	—
Salmonella infections ICD 002, 003, 008.1 and	70	62	60	39	35	36
Other food poisoning intestinal infections ICD 005, 008.4	11	11	55	121	62	155
Listeriosis ICD 027.0	9	6	5	11	9	11
Total	90	79	121	171	106	202

' International Class sification of Diseases. 9th Revision.

Percentages

	1990	*1991*	*1992*	*1993*	*1994*	*1995*
Cholera ICD ' 001	0	0	1	0	0	0
Salmonella infections ICD 002, 003, 008.1 and	78	78	50	23	33	18
Other food poisoning intestinal infections ICD 005, 008.4	12	14	45	71	58	77
Listeriosis ICD 027.0	10	8	4	6	8	5
Total	100	100	100	100	100	100

' International Class sification of Diseases. 9th Revision.

From 1990 to 1992, the deaths are those that were registered in each year; from 1993 to 1995, the deaths are those that occurred in each year.

Nurses

Mr. Chris Sm nith: To ask the Secretary of State for Health how many *(a)* school nurses, *(b)* district nurses, and *(c)* psychiatric nurses there were by (i) trust, (ii) health author rity and (iii) region in each of the last three years. [12039]

Mr. Horam: This information can be provided only at disproportionate cost.

Junior Doctors

Mr. Chris Sm nith: To ask the Secretary of State for Health how many junior doctor posts by region do not meet the new deal targets. [12062]

Mr. Malone: The new deal targets are contained in the "New Deal on Junior Doctors' Hours", copies of which are available in the Library. At 30 September 1996 regional task forces reported that 22,221 junior doctors, or 78.4 per cent. of all juniors, were complying in full with all the new deal hours limits. The posts by region not meeting the targets were as follows:

	Number
Northern and Yorkshire	1,116
Trent	239
Anglia and Oxford	532
North Thames	1,297
South Thames	814
South and West	731
West Midlands	434
North West	958
Total	6,121

Creutzfeldt-Jakob Disease

Mr. Jon Owen Jones: To ask the Secretary of State for Health what assessment he has made of the latest research published by the London School of Hygiene and Tropical Medicine into the projected number of cases of new variant CJD. [12161]

Mr. Horam: The Government recognise the need for predictions of the possible number of new variant CJD cases in the future, and welcome any work which leads towards this. However, there is still much we do not know about the disease, including important information on the incubation period, the route of infection, the level of exposure required to cause disease and the role of genetic susceptibility, so any predictions must be viewed with extreme caution. It is likely to be some time before we have enough information to make firm predictions of future numbers of cases.

Mr. David Nicholson: To ask the Secretary of State for Health how many people in the United Kingdom *(a)* contracted and *(b)* died from CJD in each of the last four years; and how many are estimated to have (i) contracted and (ii) died from the new variant of CJD. [13044]

Mr. Horam: The latest available information on Creutzfeldt-Jakob disease cases, including deaths, was published in a Department of Health press release on 6 January 1997, copies of which are available in the Library.

NHS General Managers

Dr. Lynne Jones: To ask the Secretary of State for Health if the arrangements for discretionary additions to the remuneration of general managers in the NHS outlined in "Personnel Memorandum PM (86)7" are still current. [12602]

Mr. Malone: No. The pay system for general managers was updated in March 1990 when the former grade rates, discretionary additions and separate performance-related pay were replaced by a single set of pay ranges. This is set out in health circular (HC)(90)8, copies of which are available in the Library.

Consultants

Mr. Milburn: To ask the Secretary of State for Health what estimates he has made of the amount spent on external consultants by his Department's non-departmental public bodies in each of the last five years. [10160]

Mr. Horam *[holding answer 13 January 1996]:* The Department of Health non-departmental public bodies have spent the following amounts from running costs on consultancy in each of the last five years:

1992–1993: £991,664

1993–1994: £661,256

1994–1995: £664,984

1995–1996: £568,488

1996 to date: £542,674.

SOCIAL SECURITY

National Insurance

Mr. Harris: To ask the Secretary of State for Social Security if he will list the rules in respect of the granting of national insurance numbers, with special reference to how they relate to *(a)* nationals of other member states of the European Union and *(b)* nationals of other foreign countries. [11057]

Mr. Heald: Anyone who does not already have one is required to apply for a United Kingdom national insurance number if he is liable or entitled to pay UK national insurance contributions, irrespective of nationality. For administrative purposes, anyone claiming a UK social security benefit who does not already have a number will be asked to apply for one.

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his estimate of the cost of aligning the lower earnings limit for national insurance contributions with the personal tax allowance for the year 1997–98. [10976]

Mr. Heald: In a full year the estimated loss in revenue from employee national insurance contributions would be £1,075 million and the gain in revenue from employer national insurance contributions would be £225 million.

Note:

The estimated net gain in revenue from employers' national insurance contributions arises from the counter effect of the contracted-out rebate being applied to a narrower band of earnings.

Source:

Government Actuary's Department.

Mr. Harris: To ask the Secretary of State for Social Security how many Spanish fishermen have applied for national insurance numbers at Falmouth in the past 12 months; and how many applications have been granted. [11030]

Mr. Heald: During the past 12 month, 38 Spanish nationals have been registered at Falmouth for national insurance purposes in order to meet their liability to pay a class 2 share fisherman's contribution under the United Kingdom national insurance scheme. These individuals have been accepted as self-employed and therefore allocated a national insurance number on the basis that they receive a share of the proceeds from the catch.

Independent Tribunal Service

Mr. Flynn: To ask the Secretary of State for Social Security if he will publish the report of the review of the organisation and management of the independent tribunal service referred to in paragraph 3.16 of the consultation paper on decision making and appeals, Cm 3328, and the report of the independent tribunal service issued on 20 September 1996. [11090]

Mr. Roger Evans: The results of the review of the organisation and management of the independent tribunal service were summarised in the consultation paper. We do not intend to publish the report as a whole.

Disability Premium

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his estimate of *(a)* the cost and *(b)* the numbers gaining from an increase in the earnings disregard to £25 for people in receipt of the disability premium in (i) income support, (ii) housing benefit and (iii) council tax benefit. [10990]

Mr. Roger Evans: The estimated cost and number of cases gaining from a £10 increase in the earnings disregard is set out in the table:

Benefit	*£ million*	*Gainers*
Income support	5	15,000
Housing benefit	10	20,000
Council tax benefit	5	25,000

1. The answer is for 1996–97 and has been modelled on the May 1995 "Income support Quarterly Statistical Enquiry" and the 1994–95 "Family Resources Survey" uprated to 1996–97 levels of benefit and earnings.
2. It has been assume that all disregards are increased simultaneously.
3. Costs are rounded to the nearest £5 million and gainers to the nearest 5,000.
4. This is a deadweight estimate: behavioural changes have not been costed.
5. The housing benefit and council tax benefit changes, brought about by people floating onto income support, are included in the cost of and number of gainers in housing benefit and council tax benefit rather than income support.

Child Support Agency

Mr. Hoon: To ask the Secretary of State for Social Security how many Child Support Agency cases of a maintenance inquiry form being incorrectly issued following an identity check of the absent parent against centrally held departmental records have been recorded by his Department on the latest date for which figures are available. [11160]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant CB. She will write to the hon. Member.

Letter from Ann Chant to Mr. Geoffrey Hoon, dated 23 January 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about maintenance enquiry forms by the Child Support Agency.

The Agency has monitored the numbers of incorrectly issued maintenance enquiry forms (MEFs) only since April 1994. Information is not therefore available for the first year of operation.

Before any MEF is issued, the identity of the absent parent concerned is verified against the Department's Central Index. A MEF can be issued incorrectly either where the parent with care has given the Agency incorrect or incomplete information or where the Agency has incorrectly identified an absent parent. From April 1996, I am able to provide a breakdown of figures identifying clearly who was responsible for the incorrect MEF issue.

In the period 1 April 1994 to 30 November 1996 (the latest date for which published figures are available), the Agency recorded a total of 186 incorrectly issued MEFs. The majority (115) occurred in 1994/95, with a further 45 in the following year. In the current year (since 1 April 1996) the figure is 26; of these, 11 were the fault of the Agency.

In total, these cases represent 0.03% of the total number of MEFs issued in the same period, i.e. approximately 605,000.

I hope this is helpful.

Mr. Bayley: To ask the Secretary of State for Social Security how many claims for child support were being *(a)* paid and *(b)* processed by the Child Support Agency at 31 July 1996. [11295]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant CB. She will write to the hon. Member.

Letter from Ann Chant to Mr. Hugh Bayley, dated 23 January 1997:

I am replying to your Parliamentary Question asking for the number of claims to child support which were being paid and processed by the Child Support Agency at 31st July 1996.

I must explain that the Child Support Agency does not receive claims for child support nor does it make payments for this purpose. Instead, an application must be made to the Agency by the absent parent or the parent with care for an assessment of child support liability to be made. Any money that is subsequently paid, comes from the absent parent—the Agency holds no funds of its own.

Since the inception of the Agency up to the 31 July 1996, the Agency had received 1.73 million applications for a child support assessment. This figure included cases where the parent with care was in receipt of Income Support, Family Credit or Disability Working Allowance where there is a requirement upon the parent with care to make an application.

At 31 July 1996 the Agency had cleared 1.33 million applications for a child support assessment.

I hope this is helpful.

Mr. Rooney: To ask the Secretary of State for Social Security (1) how many claims were submitted to the special payments unit of the Child Support Agency in each of the last three years for which figures are available; how many *(a)* have been settled, *(b)* have been refused and *(c)* are outstanding; and what was the total amount of money paid out; [12434]

(2) against which vote payments by the special payments unit of the Child Support Agency are charged. [12430]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant CB. She will write to the hon. Member.

Letter from Ann Chant to Mr. Terry Rooney, dated 23 January 1997:

I am replying to your Parliamentary Questions to the Secretary of State for Social Security about the Child Support Agency Special Payments Unit.

The total number of claims submitted to the Special Payments Unit of the Child Support Agency for the years 1994/95, 1995/96 and 1996/97 (to 31 December 1996) were 545, 1013 and 1567 respectively. Of the total 3125 received, 962 have been settled and 1138 have been refused.

At 31 December 1996, there were 643 cases at various stages of action in the Special Payments Unit, and 382 cases where additional information was required before a decision could be reached. The total monies paid out during the period is £641,863.

All special payments made by the Child Support Agency are charged through Vote 3.

I hope this is helpful.

Family Credit

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his latest estimate of *(a)* the cost and *(b)* the numbers gaining if the child care disregard were extended to (i) children over the age of 11 years for whom disability living allowance or the disability premium is payable, (ii) each child under 11 years in the family and (iii) children under 16 years during school holidays. [10991]

Mr. Roger Evans: It is estimated that each option would affect fewer than 2,500 families, and cost less than £2.5 million per annum.

Notes:

1. Estimates are based on the May 1996 family credit statistics and 1994–95 family resources survey uprated to 1997–98 prices, taxes and benefit levels. 2. They refer to child care from sources other than relatives, friends or neighbours.

The estimates do not allow for behavioural effects.

3. These estimates are based on small samples and should be treated with caution.

Appeal Tribunals

Mr. Flynn: To ask the Secretary of State for Social Security which venues have ceased to be used by social security appeal tribunals since January 1996; and which venues it is proposed to cease using. [2025]

Mr. Roger Evans *[pursuant to his reply of 4 November, Official Report, column 386]:* Unfortunately, the reply I gave was open to misinterpretation. A more appropriate answer is as follows:

The following nine venues have ceased to be used by social security appeal tribunals since January 1996: Mansfield, Brigend, Meerthyr Tydfil, Pontypridd, Gloucester, Yeovil, Huddersfield, Scunthorpe and Paisley.

The independent tribunal service constantly reviews and examines its running costs of which tribunal accommodation forms a large part. I understand that the ITS is currently considering the continued usage of a number of current premises and that liaison with tribunal users is taking place. No firm decisions have been taken at this time.

Cold Weather Payments

Mr. Simpson: To ask the Secretary of State for Social Security what account is taken on the level of house insulation in calculating cold weather payments. [12060]

Mr. Roger Evans: The Department of Environment has provided grants to low income households for home insulation through the home energy efficiency scheme since 1991. We have increased the amount for cold weather payments by 70 per cent. since 1990. In doing so, we have not taken increasing levels of insulation into account.

Mrs. Peacock: To ask the Secretary of State for Social Security on how many occasions each of the weather stations serving Batley and Spen have triggered cold weather payments in the last three months of 1996 and the first two weeks of January 1997. [11966]

Mr. Evans: The administration of the social fund is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mrs. Elizabeth Peacock, dated 23 January 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question requesting information on how many occasions each of the weather stations serving Batley and Spen have triggered cold weather payments in the last three months of 1996 and the first two weeks of January 1997.

The Batley and Spen area is served by the Benefits Agency (BA) District of Kirklees which includes the BA offices at Huddersfield and Dewsbury. Postal codes within the Kirklees District are linked to the weather stations at Bingley and Leeds.

To date this winter, Bingley Weather Station has identified a forecast of cold weather, from 3 January 1997 to 9 January 1997 inclusive. Leeds Weather Station has not identified any periods of cold weather so far this winter.

I hope you find this reply helpful.

AGRICULTURE, FISHERIES AND FOOD

Unfit Meat

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many cases there have been since 1979 of contaminated or unfit meat from knackers' yards *(a)* entering and *(b)* being prevented from entering food for human consumption; and how many prosecutions have resulted. [12093]

Mrs. Browning: During the period 1979 to date, there has been legislation in force, currently the Animal By-Products (Identification) Regulations 1995, which require that, subject to exemptions—mainly for poultry meat—meat is sterilised or stained before it can be removed from a knacker's yard. This ensures that unfit meat from knackers' yards is readily identifiable and should not therefore enter the food chain. The regulations are enforced by local authorities and the information requested is not held centrally.

SCOTLAND

Local Government Employees

Mr. David Marshall: To ask the Secretary of State for Scotland what was the total number of local government employees, by category, in Scotland at 30 September in (i) 1979, (ii) 1989, (iii) 1994, (iv) 1995 and (v) 1996. [11870]

Mr. Kynoch: The available information, from the published results of Scottish joint staffing watch surveys, is given in the tables. Table 1 gives the full-time equivalent number of employees by category for September 1979, 1989, 1994 and 1995. These figures are not directly comparable. The footnotes to the table identify major breaks in comparability in the data over the period. Table 2 provides the latest available information, giving full-time equivalent number of employees by local authority service for July 1996. This is taken from the published results of the revised joint staffing watch survey introduced following local government reorganisation in Scotland.

Because of changes in definitions and coverage these data are not directly comparable with staffing figures for earlier periods. In particular the figures exclude some 7,000 full-time equivalent staff in services such as water and sewerage transferred from local authorities at the time of reorganisation.

The press release "Joint Staff Watch—July 1996 Return—Scotland", a copy of which is available in the Library, describes the results of the survey in more detail and explains the differences between this and earlier surveys. Joint staffing watch figures for September 1996 will be published shortly.

Table 1: Full-time equivalent staff in Scottish local authorities:

	September 1979	*September 1989*	*September 1994*	*September 1995*
Education				
Lecturers and teachers	64,128	59,860	52,757	52,507
Other staff	42,407	35,912	24,433	24,628
Transport services	9,074	714	893	938
Social services	27,803	35,419	38,661	38,349
Cleansing	10,646	8,889	8,156	8,031
Environmental health	2,563	2,496	2,712	2,580
Housing	4,422	6,956	7,797	7,916
Libraries, museums, art galleries	3,677	4,349	4,704	4,734
Recreation, leisure, tourism	13,390	13,581	13,735	13,830
Policy planning	158	165	367	334
Physical planning	1,539	1,912	2,270	2,166
Technical services	1,094	1,190	2,199	2,259
Roads	12,533	10,184	9,241	8,862
Direct works	15,346	13,861	12,994	12,822
Water	3,986	4,626	5,128	5,121
Sewerage	2,157	1,537	1,618	1,562
Assessor and electoral registration	934	1,230	1,129	1,058
Consumer protection, weights and measures	390	476	618	609
Chief Executive's department	237	1,056	1,629	1,663
Finance	3,985	5,328	5,821	5,761
Legal and administrative services	3,700	4,186	4,844	5,144
Architecture and related services	3,677	3,670	3,454	3,432
Personnel	456	798	921	930

Table 1: Full-time equivalent staff in Scottish local authorities:

	September 1979	*September 1989*	*September 1994*	*September 1995*
Management services	957	530	384	322
Computer services	687	1,491	1,851	1,727
Public relations	90	88	128	120
Estates	349	694	758	772
Internal transport	864	1,335	1,447	1,401
Other central services	1,304	6,347	17,482	17,066
Fire services				
Regular firemen	4,441	4,587	4,669	4,643
Other staff	534	552	578	594
Police and related services				
Police officers	12,756	13,542	14,163	14,336
Police cadets	514	39	27	21
Other staff	3,594	4,253	4,679	4,723
Traffic wardens	640	528	553	523
Other services	1,587	1,382	2,347	2,287
Staff of district court	85	139	159	159
Total[1]	256,704	253,902	255,306	253,930
Total adjusted for breaks in comparability listed below	243,865	244,726	255,306	253,930

[1] Major breaks in comparability over the period are: (a) From 1981 the figures include some 2,298 relief workers omitted by some authorities prior to 1981.

(b) From 1987, this excludes some 5,961 full-time equivalent staff transferred from local authorities on the creation of public transport companies in October 1986.

(c) From 1993 the figures exclude some 6,347 full-time equivalent lecturers and teachers and some 2,829 full-time equivalent other education employees transferred from local authorities following the transfer of further education from local authority control.

(d) September 1995 staffing totals were affected as authorities prepared for local government reorganisation in the following spring. A number of staff had transferred to shadow councils, which were not covered in the JSW survey. Also authorities were generally not filling vacant posts in the period up to reorganisation.

1. The analysis excludes any staff on government training programmes who were not also local authority employees.

Table 2: Full-time equivalent staff in Scottish local authorities

	July 1996
Corporate services	3,480
Central support services	13,083
Planning and economic development	3,667
Education	
Teachers	52,589
Other staff	22,123
Social work	38,387
Housing	7,928
Roads and transport	6,024
Arts, sport and leisure	7,787
Libraries, museums and galleries	4,183
Trading standards	939
Environmental services	3,448

Table 2: Full-time equivalent staff in Scottish local authorities

	July 1996
DLO/DSO	49,259
Police and related services	18,902
Fire services	5,805
Staff of District Court	204
Other staff	387
Total all staff	238,192

1. The joint staffing watch survey was revised following local government reorganisation. For most services the full-time equivalent staff estimates given in the new survey are not directly comparable with those supplied to the previous surveys.

2. From July 1996 the joint staffing watch excludes some 7,000 staff in services such as water, sewerage and the children's reporters service, transferred from local authority control at the time of reorganisation.

Irvine Development Corporation

Mr. Donohoe: To ask the Secretary of State for Scotland how much the Scottish Office raised from disposing of assets of the Irvine development corporation; and what was the turnover of Irvine development corporation in each of the last five financial years. [11918]

Mr. Kynoch: During wind-up Irvine development corporation repaid £52.7 million to my right hon. Friend from the receipts generated from disposal of its assets. This sum has been used to extinguish the corporation's indebtedness to the national loans fund. While the annual accounts of the corporation do not use the term "turnover", they disclose all the income generated from operating and investing activities and the financing received by the corporation. Copies of the corporation's annual reports, which incorporate the accounts, are held in the Library of the House.

NORTHERN IRELAND

Road Accidents

Mr. William Ross: To ask the Secretary of State for Northern Ireland what estimates he has made of the number of persons *(a)* killed and *(b)* injured as a result of icy conditions on roads in Northern Ireland in each of the last three years, and the current year to the latest available date; and how many such deaths and injuries occurred on (i) gritted and (ii) non-gritted roads. [11909]

Mr. Moss: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. J. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from W. J. McCoubrey to Mr. William Ross, dated 23 January 1997:

The Secretary of State for Northern Ireland has asked me to respond to your Parliamentary Question about deaths and injuries as a result of icy conditions on roads in Northern Ireland.

The information is not available in the precise format requested and could only be provided at disproportionate costs.

However, the most recent records available indicate that, in the period 1 January 1993–31 December 1995, there were a total of 20,092 injury accidents in which 444 people were killed and 34,475 injured. Ice, snow or frost was a factor in 490 of the total injury accidents which resulted in 8 deaths and 880 injuries. Of these accidents 148 were on roads which were not on the gritting schedule.

I hope you find this information helpful.

Residential Homes

Mr. Mallon: To ask the Secretary of State for Northern Ireland what is the average weekly cost of a place in *(a)* a private residential home, *(b)* a voluntary residential home and *(c)* a statutory residential home for an individual, over pension age, who is in receipt of income support. [11686]

Mr. Moss: The information is not available in the exact form requested.

The table discloses for each of the four boards the average weekly cost of a place in a private-voluntary and statutory residential home for an elderly person. It is not possible to identify the cost for an elderly person in receipt of income support.

Average weekly costs for elderly persons in residential homes for 1996–97

Board area	Private/voluntary £	Statutory £
Northern	203	254
Southern	203	208
Eastern	203	285
Western	234	248

The information is a board average obtained from costs supplied from individual HSS community trusts for each board area.

Mr. Mallon: To ask the Secretary of State for Northern Ireland what was the average annual expenditure from public funds, per individual, on *(a)* private, *(b)* voluntary and *(c)* statutory placements in residential homes in each financial year since 1990. [11687]

Mr. Moss: The information is not available in the exact form requested. The tables disclose the total expenditure on categories of homes in each board area for the years 1990–91 to 1994–95. The expenditure for 1995–96 is not yet available.

This information has been extracted from supplementary statements produced by HPSS boards and HSS trusts to provide further analysis of the expenditure disclosed in the financial accounts. These supplementary statements analyse expenditure over categories of homes rather than over private, voluntary or statutory residential homes. The format of these statements was revised in 1992–93 to provide an analysis of expenditure by care area and a further change was introduced in 1993–94 to provide an analysis of expenditure over programmes of care.

In order to calculate the average expenditure per individual it is necessary to have access to information on the number of individuals covered by the expenditure. This information is not available from financial records.

Homes expenditure 1994–95: Programme of care

Board area	Type of home: Childrens £	Elderly £	Mentally ill adults £	Learning disability £	Physical and sensory disability £
NHSSB	1,815,023	7,253,242	289,803	1,066,052	—
SHSSB	1,355,282	5,703,021	63,404	1,760,732	109,207
EHSSB	4,945,163	14,607,968	1,419,042	3,933,663	—
WHSSB	1,706,173	4,116,216	81,985	19,179	135,192
Northern Ireland Total	9,821,641	31,680,447	1,854,234	6,779,626	244,399

Homes expenditure 1993–94: Programme of Care

Board area	Type of home: Childrens £	Elderly £	Mentally ill adults £	Learning disability £	Physical and sensory disability £
NHSSB	1,869,904	7,374,143	350,226	1,156,149	—
SHSSB	1,175,166	6,278,050	221,471	1,864,175	47,328
EHSSB	3,437,158	11,714,559	1,052,623	3,378,013	—
WHSSB	1,675,304	5,327,074	62,560	67,040	—
Northern Ireland total	8,157,532	30,693,826	1,686,880	6,465,377	47,328

Homes expenditure 1992–93: Care area

Board area	*Type of home*			
	Children	*Elderly*	*Mentally ill adults*	*Physical and sensory disability*
	£	£	£	£
NHSSB	1,887,535	7,405,782	–	—
SHSSB	1,196,924	5,187,129	622,038	15,364
EHSSB	3,313,574	11,506,556	—	—
WHSSB	1,363,037	4,895,666	—	—
Northern Ireland total	7,761,070	28,995,133	622,038	15,364

The information has been extracted from the analysis of expenditure reported in the Financial returns FR22 of each HPSS board and HSS trust for 1992–93 to 1994–95.

Board area	*Homes for the elderly*	*Childrens homes*	*Psychiatric hostels*	*Learning disability*	*Residential accommodation*
	£	£	£	£	£
Homes expenditure 1991–92					
NHSSB	7,426,832	1,495,673	226,962	964,685	—
SHSSB	4,523,386	966,229	98,123	1,073,689	383,513
EHSSB	14,140,346	3,110,188	685,824	3,498,786	—
WHSSB	4,826,257	1,233,872	510,042	156,978	—
Northern Ireland Total	30,916,821	6,805,962	1,520,951	5,694,138	383,513
Homes expenditure 1990–91					
NHSSB	7,094,844	1,208,935	216,871	816,774	—
SHSSB	4,393,806	810,833	88,265	1,018,871	402,732
EHSSB	13,525,112	2,907,622	638,064	3,266,726	—
WHSSB	4,763,878	926,964	425,159	139,734	—
Northern Ireland Total	29,777,640	5,854,354	1,368,359	5,242,105	402,732

The information has been extracted from the analysis of expenditure reported in the A B statements 1990–91 to 1992–93 produced by each board accounts.

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will make a statement on the formula used to determine the income support entitlement of an individual in a *(a)* private, *(b)* voluntary and *(c)* statutory residential home. [11688]

Mr. Moss: People who were living in private or voluntary residential care homes on 31 March 1993 came under the preserved rights rules and may be entitled to the special higher levels of income support. The higher levels available are the amount of the fees charged by the home or a set national limit, whichever is the lower, and an amount for personal expenses.

From April 1993, people entering private or voluntary residential care homes for the first time may be entitled to income support at the normal rates applicable as if they were living in their own home plus a residential allowance to help with the accommodation costs.

People living in homes owned or managed by health and social services boards may be entitled to a fixed rate allowance of £61.15, less any other income they possess. This rate of income support recognises that health and social services boards received additional funding from Government and prevents duplicate funding for the same individual.

Carriageway Gritting

Mr. Mallon: To ask the Secretary of State for Northern Ireland what length of carriageway is currently on the main-line gritting schedule in each district council area. [11690]

Mr. Ancram: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. J. McCoubrey. I have asked to arrange for a reply to be given.

Letter from W. J. McCoubrey to Mr. Seamus Mallon, dated 22 January 1997:

The Secretary of State for Northern Ireland has asked me to reply to your question about the lengths of carriageway included in the gritting schedule.

The information requested is as follows:—

District council area	*Length gritted KMs*
Antrim	345
Ards	185
Armagh	348.8
Ballymena	260
Ballymoney	147.7
Banbridge	231.9
Belfast	376.8
Carrickfergus	111
Castlereagh	158.4
Cooktown	220.5
Coleraine	189
Craigavon	284
Derry	316.2
Down	340.1
Dungannon	275.7
Fermanagh	418.2
Larne	132
Limavady	170.3
Lisburn	521.7
Magherafelt	252
Moyle	133.5
Newry and Mourne	382.2
Newtonabbey	228.4
North Down	180.5

District council area	*Length gritted KMs*
Omagh	365.5
Strabane	171
Total	6,745.4

I hope you find this information helpful.

Hedgerows

Dr. Strang: To ask the Secretary of State for Northern Ireland what length of hedgerow has been lost in Northern Ireland in each year since 1979. [12483]

Mr. Moss: Responsibility for the subject in question has been delegated to the Environment and Heritage Service under its chief executive, Mr. Robert C. Martin. I have asked him to arrange for a reply to be given.

Letter from Robert C. Martin to Dr. Gavin Strang, dated 24 January 1997:

As Chief Executive of Environment and Heritage Service, I am responsible for all operational aspects of the Department of the Environment for Northern Ireland's environment policies.

I am therefore responding to the Parliamentary Question which you put down in the House of Commons on 22 January 1997:

"to ask the Secretary of State for Northern Ireland, what length of hedgerow has been lost in Northern Ireland in each year since 1979."

The Northern Ireland Countryside Survey 1990 indicated the amount of hedgerow existing at that date, and it will not be until the results of the second such survey are available that any comparisons will be possible. This survey is currently planned for the year 2000.

I therefore regret that I am unable to provide you with the information you seek.

Bloody Sunday

Mr. Corbyn: To ask the Secretary of State for Northern Ireland what further investigations are being mounted into the killings in Derry in 1972 known as Bloody Sunday. [12459]

Sir John Wheeler: None. These events were fully investigated at the time by the tribunal headed by Lord Widgery.

EDUCATION AND EMPLOYMENT

Project Work Pilots

Mr. Rooney: To ask the Secretary of State for Education and Employment on what date project work pilots will commence; and when she expects regulations will be laid before Parliament. [10260]

Mr. Forth: I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State, to my hon. Friend the Member for Croydon, North-East (Mr. Congdon) on 12 December 1996, *Official Report*, columns *315–16*.

Assisted Places Scheme

Mr. Luff: To ask the Secretary of State for Education and Employment how many assisted places have been taken up by pupils; and at what average cost. [12419]

Mrs. Gillan: In the last academic year—1995–96—for which final figures are available, 29,917 pupils held assisted places in England at an average cost to the Department of £3,816 per pupil.

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list the schools offering assisted places in 1996–97 and 1997–98, indicating for each *(a)* the number of places offered, *(b)* the income received and *(c)* the proportion of the schools' intake covered by assisted places. [12189]

Mrs. Gillan: I am placing in the Library a list of the 355 schools participating in the assisted places scheme in England showing the total number of places on offer at each school in the current academic year 1996–97. Final figures for the amounts paid to each school will not be available until after the end of the school year. Information relating to the proportion of the schools' intake covered by assisted places is not yet available.

For the academic year 1997–98, I have invited eligible schools to bid for a further tranche of places to complete our commitment to double the scheme over time. Further information about the number of participating schools and places on offer will be made available in due course.

Mr. Olner: To ask the Secretary of State for Education and Employment what measures she has taken to establish whether those schools receiving funding under the assisted places scheme are conducted for charitable purposes only. [12617]

Mrs. Gillan: All schools applying for participation in the assisted places scheme are required to confirm in writing that they are conducted for charitable purposes only and to provide relevant details such as their registered charity number allocated by the Charity Commissioners. Additional checks are made against information held on the Department's register of independent schools, which is updated on an annual basis, and by examining schools' audited financial accounts.

Early Retirement

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many responses she has received to the consultation paper on changes to teachers' superannuation scheme early retirement arrangements; and if she will *(a)* provide a summary of the responses and *(b)* indicate the proportion of consultees in favour of the proposed arrangements. [12195]

Mrs. Gillan: My right hon. Friend has so far received written representations from 35 consultees in respect of the proposed changes to early retirement provisions for teachers. She will provide a summary of responses when she announces conclusions on the consultation.

Teacher Training

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many and what percentage of those enrolled on teacher training courses in each of the last five years including 1995–96 failed to complete the course. [12193]

Mr. Forth: The information requested is not available centrally. The available information is given in the following tables.

New entrants to Initial Teacher Training 1992 to 1995

	England and Wales
1992–93	31,980
1993–94	33,220
1994–95	31,500
1995–96	31,020

Notes:

From 1993–94 figures include School Centred ITT (SCITT) and Open University.

Source:

England: DFE Annual Recruitment Survey 1992–93 and 1993–94; Higher Education.

Students Early Statistics Survey 1994–95; TTA Survey of ITT Providers 1995–96.

Wales: Welsh Office 1992–93–1994–95; Higher Education Students Early Statistics Survey 1995–96.

Numbers of successful completers from Initial Teacher Training courses

Calendar year	*England and Wales*
1992	20,900
1993	23,400
1994	25,600
1995	27,700

Notes:

Includes School Centred ITT (SCITT) Completers.

Source:

Numbers of successful completers are taken from the Database of Teachers' Records.

Mr. Blunkett: To ask the Secretary of State for Education and Employment what proportion of non-technology teachers in the current work force have received *(a)* initial training and *(b)* in-service training in information technology. [12194]

Mr. Forth: The information requested is not collected centrally.

Pupil Exclusions

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many and what proportion of permanently excluded children at *(a)* primary and *(b)* secondary level were looked after by local authorities at the most recent date for which figures are available. [12207]

Mr. Forth: This information is not held centrally.

Public Bodies

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the average number of days worked per week by the chairman of each non-departmental public body sponsored by her Department in the last year. [11359]

Mr. Robin Squire *[holding answer 17 January 1997]:* The average number of days worked per week by the chairmen of each of the non-departmental public bodies sponsored by the Department in the last year are as follows:

NDPB	*Average number of days worked per week*
Centre for Information on Language Teaching and Research (CILT)	0.1
Construction Industry Training Board (CITB)	3.0
Education Assets Board (EAB)	2.0
Engineering Construction Industry Training Board (ECITB)	1.0
Equal Opportunities Commission (EOC)	4.0
Funding Agency for Schools (FAS)	2.0
Further Education Funding Council (FEFC)	2.0
Higher Education Funding Council for England (HEFCE)	2.0
Investors in People (liP)	0.5
National Council for Educational Training (NCET)	0.5
National Council for Vocational Qualifications (NCVQ)	1.0
Remploy	2.0
School Curriculum and Assessment Authority (SCAA)	1.0
Student Loans Company (SLC)	1.5
Teacher Training Agency (TTA)	1.0

Mr. Foster: To ask the Secretary of State for Education and Employment if she will list the names and current salaries and other emoluments of the (i) chief executive and (ii) chairman of the *(a)* National Youth Agency, *(b)* National Council for Vocational Qualifications, *(c)* National Council for Education Technology, *(d)* Centre for Information on Language Teaching and Research, *(e)* Education Assets Board, *(f)* School Curriculum and Assessment Authority, *(g)* teaching as a career unit, *(h)* Further Education Funding Council, *(i)* Higher Education Funding Council for England, *(j)* Funding Agency for Schools, *(k)* Teacher Training Agency and *(l)* the Office for Standards in Educations. [11361]

Mr. Squire *[holding 24 January 1997]:* The names of the chief executive and chairman of the non-departmental public bodies requested that are sponsored by the Department are as follows. Total costs of the salaries and other emoluments for the current financial year will not become available until the year end.

The national youth agency is no longer classified as a non-departmental public body and the teaching as a career unit closed in October 1994. Ofsted is a Government Department in its own right; questions relating to Ofsted's running costs and other related expenditure should be addressed directly to Her Majesty's chief inspector, Mr. Chris Woodhead. I have asked him to write to the hon. Member.

NDPB	Chairman	Chief Executive
National Council for Vocational Qualifications (NCVQ)	Sir Michael Heron	John Hillier
Nationals Council for Educational Training (NECT)	Heather Du Quesney	Margaret Bell
Centre for information on Language Teaching and Research (CILT)	Stephen Jones	Dr. E. King
Education Assets Board (EAB)	Keith Bridge	Stuart Hoare
School Curriculum and Assessment Authority (SCAA)	Graham McKenzie	Dr. Nick Tate
Further Education Funding Council (FEFC)	Robert Gunn	Prof Melville
Higher Education Funding Council for England (HEFCE)	Brandon Gough	Prof Brian Fender
Funding Agency for schools (FAS)	Sir Christopher Benson	Mike Collier
Teacher Training Agency (TTA)	Geoffrey Parker	Anthea Millett

Mr. Foster: To ask the Secretary of State for Education and Employment if she will list the total expenditure on the salaries and other emoluments of the chief executives and the chairmen of all non-departmental public bodies sponsored by her Department, for each year since 1987. [11438]

Mr. Squire *[holding answer 17 January 1997]:* The total expenditure on the salaries and other emoluments of the chief executives and chairmen of all the non-departmental public bodies sponsored currently by the Department for Education and Employment, for each year since 1987, is set out as follows. Details of the salaries and other emoluments for the current financial year are not yet available.

Ofsted is a Government Department in its own right; questions relating to Ofsted's running costs and other related expenditure should be addressed directly to HMCI, Mr. Chris Woodhead. I have asked him to write to the hon. Member.

Details for non-departmental public bodies sponsored previously by the former Department for Education and the Employment Department group are not readily available and can be obtained only at disproportionate cost.

Financial year	Chief executives £	Chairmen £
1987–88	142,149	47,831
1988–89	184,533	84,307
1989–90	212,713	88,314
1990–91	348,626	57,786
1991–92	484,769	82,162
1992–93	561,516	143,772
1993–94	805,557	210,702
1994–95	1,005,539	326,244
1995–96	1,131,629	352,862

Qualifications

Mr. Rooney: To ask the Secretary of State for Education and Employment if she will list for the latest date for which there are available figures from the training for work leavers survey, for (i) each standard region and (ii) England and Wales, the number of *(a)* full NVQs, *(b)* NVQ levels, *(c)* credits towards NVQs, *(d)* other full qualifications, *(e)* credits toward other qualifications and *(f)* no qualifications secured by those leaving the programme. [12432]

Mr. Paice *[holding answer 23 January 1997]:* The information requested is given in the following table. As the information comes from surveys, it is only possible to give percentages and not actual number. The training for work national follow-up survey covers all qualifications not just NVQs. The table shows the highest NVQ or equivalent qualification gained.

Full qualification, highest equivalent NVQ level of full qualification, credit towards a qualification and leavers not gaining a qualification. Training for work, England and Wales, financial year 1995–96, all leavers.

Per cent.

	Highest equivalent NVQ levels								
	Full qualification	Full literacy/ numeracy	Full level 1	Full level 2	Full level 3	Full level 4	Full other[1]	Credit towards a qualification	No qualification gained[2]
South East	46	1	8	23	4	1	7	6	49
London	39	2	6	17	8	1	6	8	54
Eastern	44	2	9	20	8	1	5	6	50
South West	45	1	11	20	5	1	6	6	49
West Midlands	43	2	10	17	5	1	7	7	50
East Midlands	38	1	8	15	4	1	9	5	56
Yorkshire and Humberside	38	1	7	16	5	1	8	7	56
Merseyside	44	2	7	21	7	1	6	6	51
North West	36	2	6	16	5	1	6	6	58
North East	45	3	8	20	8	1	6	7	49
Wales	39	2	9	17	3	1	6	7	55
England and Wales[3]	41	2	8	18	6	1	7	6	52

[1] Includes those achieving a full qualification who did not state the level.

[2] Includes those still awaiting their results.

[3] Includes trainees not separately identified to a region.

Special Needs Teachers

Mr. Pickthall: To ask the Secretary of State for Education and Employment how many qualified specialist teachers of the deaf are currently employed in mainstream schools. [12423]

Mrs. Gillan *[holding answer 24 January 1997]:* Returns submitted by schools in January 1996 show that approximately 1,000 qualified teachers of the deaf are currently employed in mainstream schools.

Discretionary Awards

Mr. Rooney: To ask the Secretary of State for Education and Employment how many discretionary awards were made by each local authority *(a)* to people aged 16 to 17 years and *(b)* people aged 18 years and over in the last year for which figures are available. [12433]

Mr. Forth *[holding answer 23 January 1997]:* Information in the age categories requested is not available. The numbers of discretionary awards made by local education authorities in England and Wales in the academic year 1994–95, the latest for which data are available, is published in tables 8(a) and 9(a) of "Statistics of Education, Student Support Volume, 1994–95"—copies of which are in the Library. Table 8(a) shows data for section 1(6) and section 2 awards in higher education; table 9(a) shows data for section 2 awards in further education and gives separate data on awards to students aged 16 to 18 years and to those aged 19 and over.

TREASURY

EU Budget Contributions

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will list for each member country net and gross contributions to the current EU budget, including net receipts or contributions broken down by *(a)* household and *(b)* population. [11486]

Mr. Oppenheim: The latest year for which information on member states' contributions is available is 1995. The information in respect of that year is set out in the form requested. As is evident from the table the average number of persons per household can vary significantly between member states.

Contributions to and receipts from the EC budget in 1995

net contribution (–)
net receipt (+)

	Gross contribution		*Gross receipts*		*Net Contribution/ received*			*No. of house-holds*	*Net per head*		*Net per household*	
	mecu	*£ million*	*mecu*	*£ million*	*mecu*	*£ million*	*Population millions*	*millions*	*ecu*	*£*	*ecu*	*£*
Belgium	2,680.1	2,194.8	2,368.9	1,940.0	–311.2	–254.9	10.0	4.0	–31.1	–25.5	–78.8	–64.5
Denmark	1,295.4	1,060.8	1,601.1	1,311.2	305.7	250.3	5.1	2.3	59.9	49.1	134.7	110.3
Germany	21,324.1	17,463.0	7,893.1	6,463.9	–13,431.0	–10,999.1	79.8	35.3	–168.3	–137.8	–380.9	–311.9
Greece	985.2	806.8	4,474.1	3,664.0	3,488.9	2,857.2	10.3	3.2	338.7	277.4	1,090.3	892.9
Spain	3,645.2	2,985.2	10,863.3	8,896.3	7,218.1	5,911.1	38.9	11.8	185.6	152.0	609.6	499.3
France	11,876.8	9,726.3	10,149.6	8,311.8	–1,727.2	–1,414.5	56.7	21.5	–30.5	–24.9	–80.2	–65.7
Ireland	664.8	544.4	2,551.7	2,089.7	1,886.9	1,545.2	3.5	1.0	539.1	441.5	1,831.9	1,500.2
Italy	6,413.7	5,252.4	5,799.6	4,749.5	–614.1	–502.9	56.8	19.9	–10.8	–8.9	–30.8	–25.3
Luxembourg	167.6	137.3	122.8	100.6	–44.8	–36.7	0.4	0.2	–112.0	–91.7	–298.7	–244.6
Netherlands	4,349.6	3,562.0	2,344.9	1,920.3	–2,004.7	–1,641.7	15.1	6.2	–132.8	–108.7	–325.4	–266.5
Austria	1,762.9	1,443.7	857.8	702.5	–905.1	–741.2	7.8	3.0	–116.0	–95.0	–300.7	–246.3
Portugal	864.9	708.3	3,246.0	2,658.3	2,381.1	1,950.0	9.9	3.2	240.5	197.0	755.9	619.0
Finland	887.4	726.7	722.8	591.9	–164.6	–134.8	5.0	2.0	–32.9	–27.0	–80.7	–66.1
Sweden	1,658.3	1,358.0	721.0	590.5	–937.3	–767.6	8.6	3.8	–109.0	–89.3	–244.7	–200.4
UK	9,251.6	7,576.4	4,531.4	3,710.9	–4,720.2	–3,865.5	56.5	22.4	–83.5	–68.4	–210.5	–172.4

Notes:
1. Sources: Court of Auditors Report on 1995 Community Budget and Eurostat.
2. The Court of Auditors uses ecu figures. These have been converted to sterling using the annual average £ sterling/ecu exchange rate for 1995, £ = 1.2211 ecu.
3. Contribution figures are after account has been taken of the UK's abatement.
4. The Court of Auditors Report does not allocate all Community spending to the Member States so that the receipts figures in the table may not represent the full amount of expenditure by the Commission in each Member State. Consequently the net figures in the table are likely only to be indicative of the amount of Member States' net contributions.
5. Figures for both population and the number of households are the latest available (Eurostat figures) and relate to 1990–91.

Value Added Tax

Mr. Timms: To ask the Chancellor of the Exchequer in respect of which goods or services the rate of tax payable is dependent on the vendor from whom the product is purchased. [11651]

Mr. Oppenheim: There are a number of occasions when the status of the vendor affects the chargeability to VAT of goods and services. No tax at all is due if the supplier is not registrable for VAT, or if the supplies are made outside the UK, and certain VAT reliefs are dependent on the status of the supplier, for example in the area of postal and education services. In addition, the Budget proposed a higher rate of insurance premium tax, as an anti-avoidance measure which depends on the status of the vendor.

Internet

Mr. Dalyell: To ask the Chancellor of the Exchequer, pursuant to his letter of 17 December, when he expects to

make a statement on a derogation from the sixth VAT directive in relation to Internet access services. [10830]

Mr. Oppenheim *[holding answer 23 January 1997]:* All member states have now lodged a request for a general derogation from the sixth VAT directive in relation to telecommunications services, including Internet access services. The European Commission is expected to submit a proposal for such a derogation to the Council of Ministers later this month or shortly thereafter. Once the Council has agreed the proposal, UK secondary legislation giving effect to the derogation will follow.

Taxation

Mr. Milburn: To ask the Chancellor of the Exchequer, pursuant to his Answer of 13 January, *Offical Report,* cols 21–22 relating to taxation, if he will provide equivalent figures for *(a)*1978–79 and *(b)* 1992–93. [11449]

Mr. Jack *[holding answer 17 January 1997]:* Estimates are given in the tables. For 1978–79 married couples are counted as one taxpayer and their incomes are combined; for 1992–93 husbands and wives are counted separately.

Shares of gross incomes before tax

Group of taxpayers

	Top 1 per cent.	*Top 5 per cent.*	*Top 10 per cent.*	*Bottom 70 per cent.*	*Bottom 10 per cent.*
1978–79	5	15	24	50	4
1992–93	8	19	29	44	3

Amount of gross incomes before tax (£ billion)

	Top 1 per cent.	*Top 5 per cent.*	*Top 10 per cent.*	*Bottom 70 per cent.*	*Bottom 10 per cent.*	*All taxpayers*
1978–79	5.0	14.9	24.2	50.9	3.7	102.8
1992–93	29.6	72.5	109.0	163.4	11.1	373.7

Average amount of gross income before tax (£ per year)

	Top 1 per cent.	*Top 5 per cent.*	*Top 10 per cent.*	*Bottom 70 per cent.*	*Bottom 10 per cent.*	*All taxpayers*
1978–79	23,300	13,900	11,300	3,400	1,700	4,800
1992–93	115,900	57,100	42,900	9,200	4,400	14,700

Shares of total income tax liability

All taxpayers

	Top 1 per cent.	*Top 5 per cent.*	*Top 10 per cent.*	*Bottom 70 per cent.*	*Bottom 10 per cent.*
1978–79	11	24	35	38	[1]—
1992–93	16	33	44	29	[1]—

[1] Less than 1 per cent.

Amount of total income tax liability (£ million)

	Top 1 per cent.	*Top 5 per cent.*	*Top 10 per cent.*	*Bottom 70 per cent.*	*Bottom 10 per cent.*	*All taxpayers*
1978–79	2.3	4.9	7.0	7.6	0.1	20.3
1992–93	9.5	19.8	26.5	17.5	0.3	60.7

VAT Harmonisation

Mr. Porter: To ask the Chancellor of the Exchequer what estimate he has made of the increase in the costs of *(a)* housing, *(b)* travel, *(c)* books and newspapers, *(d)* children's clothes and *(e)* food after 2005 when the definitive system of VAT is introduced in the EU; and if he will make a statement. [11103]

Mr. Oppenheim *[holding answer 21 January 1997]:* No such estimate has been made. No agreement has been reached to introduce a definitive system of VAT in the European Community from 2005 or any other future date.

Mr. Porter: To ask the Chancellor of the Exchequer what are the EU Commission's plans for VAT after 2005; what decisions have been made about the United Kingdom's transitional system of VAT after 2005; what is the definitive system to which the Government have already agreed; and if he will make a statement. [11188]

Mr. Oppenheim *[holding answer 21 January 1997]:* In July 1996 the European Commission produced a suggested programme for a common system of VAT, or "definitive system", to apply throughout the European Community. This programme contains no specific legislative proposals, but outlines a series of steps which the Commission proposes should be taken toward the creation of a common system. An explanatory memorandum on the Commission's proposals was submitted to Parliament last September.

Any change to the EC VAT system requires the unanimous agreement of member states, and the current transitional regime continues automatically in the absence of an agreement upon a definitive regime. Discussion of the programme within the EC has so far been very limited, and no decisions have been made about the programme itself or about the future shape of the VAT system.

Contrary to recent assertions in the press, the Government have agreed no changes, whether from 2005 or any other date.

Mr. Porter: To ask the Chancellor of the Exchequer if he will list the goods and services to be subject to a VAT rate above 0 per cent. after 2005; what exemptions from VAT will be abolished; when he agreed such changes with his EU counterparts; and if he will make a statement. [11104]

Mr. Oppenheim *[holding answer 21 January 1997]:* I have agreed no such changes. The current EC VAT regime—including its provisions for the United Kingdom's zero rates, and those in respect of exemptions—cannot be changed without the unanimous agreement of member states, and so will automatically continue to apply in the absence of any agreement to amend it.

Treasury Building

Mr. Timms: To ask the Chancellor of the Exchequer which bodies or individuals have been consulted about the security implications of the Treasury building redevelopment *(a)* before 25 November 1996 and *(b)* since 25 November 1996; and if he will make a statement. [12147]

Mr. Jack *[holding answer 22 January 1997]:* The relevant security authorities have been consulted about the proposals. It would not be appropriate to give further details.

Teachers (Early Retirement)

Mr. Simon Hughes: To ask the Chancellor of the Exchequer what will be the level of savings to public funds arising from the proposed change in the regulations regarding teachers' early retirement. [11166]

Mrs. Gillan: I have been asked to reply.

If the proposed change goes ahead, employers' contributions to the teachers' superannuation scheme will be 7.2 per cent. of salary rather than 8.8 per cent. of salary. That will save public sector employers about £200 million a year. To offset that, employers will need to fund the direct costs of premature retirement. The cost of that will depend on the numbers of premature retirements that employers decide to award: at the illustrative levels of premature retirement that we have forecast, the extra cost to public sector employers of these direct costs would be about £30 million a year.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

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Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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